

Planning Proposal
42a Railway Crescent, Jannali

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Part 1 – A statement of the objectives and intended outcomes of the proposed instrument

The purpose of this Planning Proposal is to amend the Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) to rezone and amend the floor space ratio applying to Council's car park at Jannali, and add a Local Provision to exclude the floor space required to provide a 200 space commuter car park, provided by or on behalf of Transport for NSW, from the calculation of gross floor area.

The Planning Proposal applies to:

- Council's car park at 42a Railway Crescent, Jannali - being Lot 15 DP31183, Part Lot C DP408761, Part Lot G DP411603, Lot J DP412142, Part Lot E DP415814, Lot 2 DP504416, Lot 1 DP506202, Lot 21 DP597416, Lot 1 DP1049519 and Lot 2 DP1049519; and
- Land zoned B2 Local Centre at 535 to 559 Box Road - being Lot 1 DP 504416, Lot 1 DP 506202, Lot H DP 412142, Lots 1 and 2 DP 201113, Lot D DP 415814, Lots A and B DP 408761.
- Box Lane

The intended outcome of this planning proposal is to facilitate the delivery of a multi-level commuter car park as part of an integrated mixed-use development with Woolworths and Transport for NSW (TfNSW).

Specifically, the proposal seeks to:

- 42a Railway Crescent, Jannali (Council's car park)
 - rezone the land from zone SP1 Special Uses (Car Park) to zone B2 Local Centre,
 - apply a maximum Floor Space Ratio of 2:1, consistent with adjoining land, and
- 42a Railway Crescent (Council's car park) and land zoned B2 Local Centre at 535 to 559 Box Road and Box Lane, Jannali
 - add a Local Provision where the floor space require to provide a 200 space commuter car park provided by or on behalf of TfNSW is excluded from the calculation of gross floor area
- Box Lane:
 - apply a maximum Floor Space Ratio of 2:1, consistent with adjoining land

Jannali is a small local centre that has many strategic advantages: it is located at a railway station providing residents excellent commuting opportunities; it has a low speed main street; the footpaths have been recently improved and the centre now has attractive deciduous shade trees. However, the centre lacks a large supermarket and most residents choose to shop at the supermarkets at Sutherland, Kirrawee or Kareela. Many smaller businesses are struggling. Council's aim is to build on the centres strengths and create a focus where residents can shop and meet locally. This would assist local place making and help to strengthen the local community, while bringing more customers to the centre. Adding a commuter car park to the mix would simply bring more customers to the centre who are likely to shop on their way to and from work. Commuters are also likely to use the local restaurants and cafes for convenient meals options.

The car park currently serves all businesses in the centre. Council intends to maintain this service by requiring Woolworths to provide 2 hours free parking to all users.

Figure 1: Site Map



Part 2 – An explanation of the provisions that are to be included in the proposed instrument

SSLEP2015 is to be amended as follows:

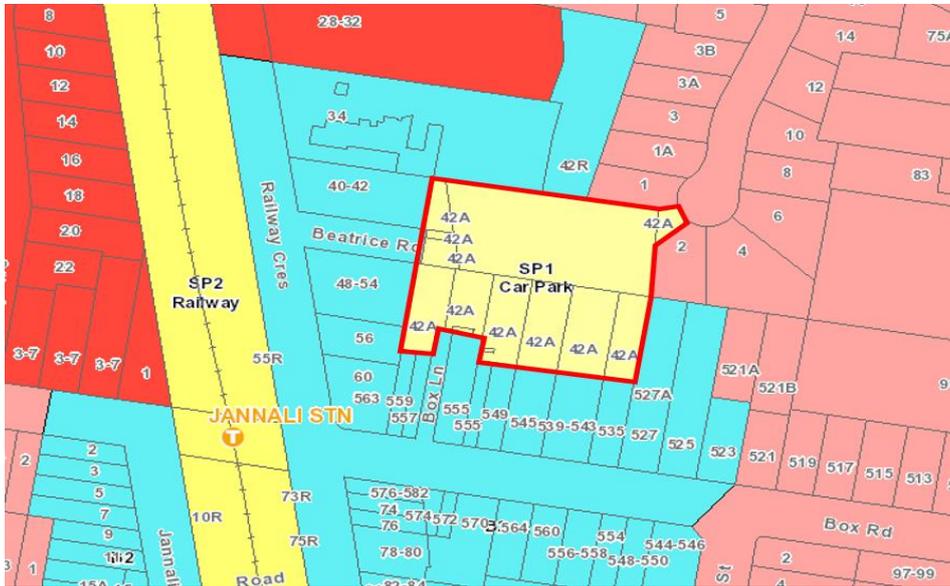
LEP Provision	Amendment	Relevant Objective (from Part 1)
Clause 6.24 535-559 Box Road, Jannali and 42a Railway Crescent, Jannali, Box Lane	<p>Part 4 of the Sutherland Shire Local Environmental Plan 2015 implements development standards, with specific requirements for certain sites. The commuter car park is not <i>car parking to meet any requirements of the consent authority</i> and must ordinarily be included in the calculation of Gross Floor Area. The proposed draft clause under Part 4 (Floor Space Ratio) of SSLEP2015 should include a Local Provision to exclude the floor space required to provide a 200 space commuter car park, provided by or on behalf of Transport for NSW, from the calculation of gross floor area - as follows:</p> <p><i>4.4 Floor Space Ratio</i></p> <p>...</p> <p><i>(2A)</i></p> <p><i>(g) a building on land identified as "Area 14" on the Floor Space Ratio Map, may exceed the floor space ratio by the amount required to provide a 200 space commuter car park (including access to that car parking), where such is provided by or on behalf of Transport for NSW.</i></p>	Objective 1.

In essence the objectives of this Planning Proposal are:

- a. To facilitate an integrated mixed use development that combines retail uses with residential units and a commuter car park,
- b. To improve the public domain of Box Road, Jannali so that it is a central focus for residents and the wider community, and
- c. To enhance the business environment of Jannali centre.

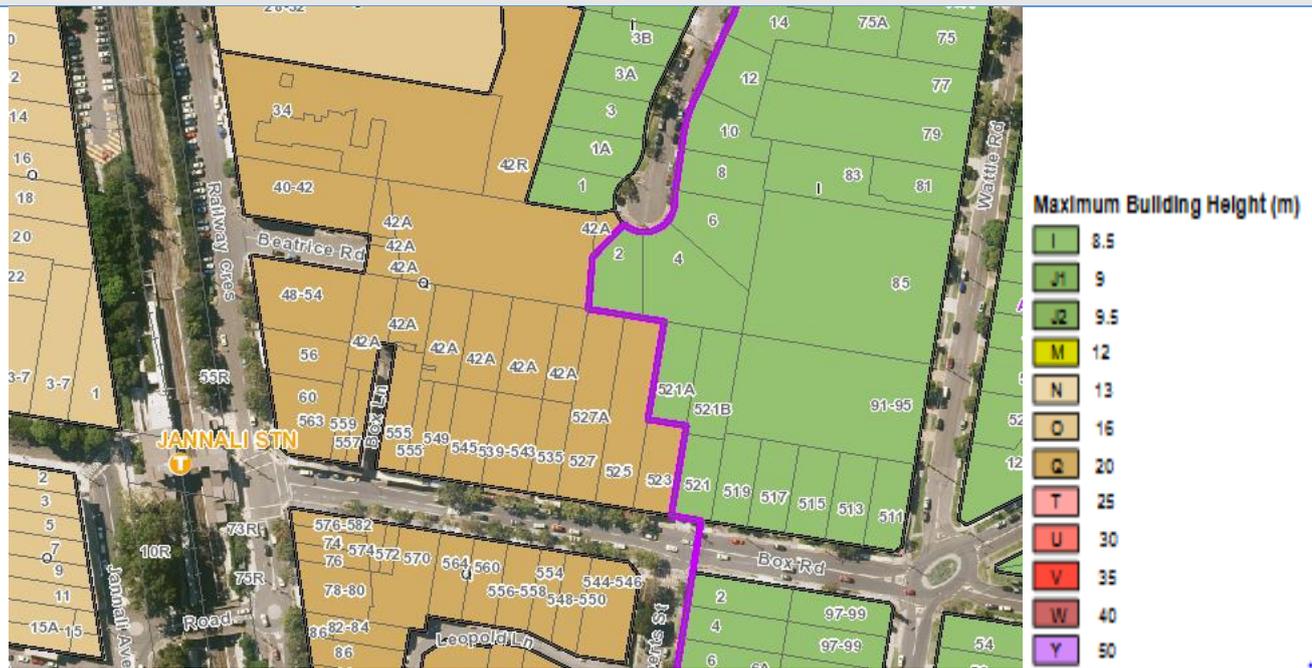
Existing Contextual Maps

SSLEP2015: Land Zoning Map:



- R4 High Density Residential
- R2 Low Density Residential
- SP1 Special Activities
- SP2 Infrastructure
- B2 Local Centre

SSLEP2015: Height of Building Map:



SSLEP2015: Floor Space Ratio Map:



Maps to be amended:

Land Zoning Map

It is proposed to rezone 42a Railway Crescent Jannali, being Lot 15 DP31183, Part Lot C DP408761, Part Lot G DP411603, Lot J DP412142, Part Lot E DP415814, Lot 2 DP504416, Lot 1 DP506202, Lot 21 DP597416, Lot 1 DP1049519 and Lot 2 DP1049519 from SP1 Car Park to B2 Local Centre on Land Zoning Map Sheet LZN_005 (See Part 4).

Floor Space Ratio Map and associated Clause

It is proposed to map a floor space ratio of 2:1 to land identified as 42a Railway Crescent Jannali, being Lot 15 DP31183, Part Lot C DP408761, Part Lot G DP411603, Lot J DP412142, Part Lot E DP415814, Lot 2 DP504416, Lot 1 DP506202, Lot 21 DP597416, Lot 1 DP1049519, Lot 2 DP1049519 and Box Lane on Floor Space Ratio Map Sheet FSR_005.

Identify "Area 14" being the aforementioned land and 535 to 559 Box Road Being Lot1 DP 504416, Lot 1 DP 506202, Lot H DP 412142, Lots 1 and 2 DP 201113, Lot D DP 415814, Lots A and B DP 408761 and Box Lane, on Floor Space Ratio Map Sheet FSR_005.

Part 3 – The justification for those objectives, outcomes and the process for their implementation

Section A - Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

The planning proposal is the result of joint commitments between TfNSW, Woolworths and Council. The NSW Government is fast tracking the delivery of new commuter car parks for public transport customers as part of its \$3 billion Infrastructure and Job Acceleration Fund.

Transport for NSW (TfNSW) has made a commitment to deliver a 200 space commuter car park at Jannali by 2024. TfNSW initially sought to realise the car park through the compulsory acquisition of 9 homes in Mary Street and Mitchell Road Caringbah. In the face of strong and sustained community and Council opposition, TfNSW abandoned this proposal and instead directed Council to commit to allowing it to build the commuter car park on the site of Council's retail and community car park at Box Road, Jannali (known as 42A Railway Crescent, Jannali).

Council is of the view that the subject land has strategic potential to help revitalise the centre, as it can be combined with adjoining properties and used to realise an integrated development to create a new central focus for Jannali.

Woolworths owns and controls several commercial properties adjoining the car park and has been seeking a joint venture with Council for many years to facilitate the development of a large supermarket and speciality shops.

TfNSW has now committed to provide the commuter car park as part of an integrated development accommodating Woolworths and specialty retail, while also improving the public domain of Box Road. The development may also include a residential flat building, consistent with the B2 Local Centre zoning. An integrated development is the best outcome in terms of place making because it can deliver significant improvements to the public domain to become a central focus of the main street, with a much-needed supermarket as an anchor tenant that will provide economic benefit to the surrounding small businesses.

This proposal is considered to have strategic merit given its close proximity to Jannali Station and its potential to revitalise the Jannali centre. The development is consistent with the principles of facilitating transit oriented development and supports a walkable neighbourhood. It will allow more of the community to be able to shop locally, rather than driving to supermarkets in Sutherland and Kareela, and allow commuters to combine daily shopping with their commute.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proposed amendment to the Sutherland Shire Local Environmental Plan 2015 is beyond the scope of Section 3.22 of the Environmental Planning and Assessment Act (errors and inconsistencies).

State Environmental Planning Policy (Infrastructure) 2007 provides a potential way to achieve most of the intended outcomes, except it does not facilitate the residential component of the development. Subdivision 1 Railways and rail infrastructure facilities: Clause 81 Development permitted with consent - subclause 1(c2) permits “*retail or business premises in a car park intended for use by commuters (other than an at grade car park) if the premises are located on the ground floor of the car park or have street frontage*”. While subclause 1(d) permits development where it consists of “*car parks that are intended to be used by commuters but that are owned, leased, managed or controlled by a public authority*”. Both these clauses could potentially be relied on to facilitate the commuter car park and the retail uses, but this path would not permit residential flats on the 42a Railway Crescent. Therefore, a planning proposal is the only means to achieve the intended outcome of an integrated mixed use development over the combined site.

[Section B – Relationship to strategic planning framework](#)

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal seeks to deliver a full-line supermarket and a 200 space commuter car park, and improved public domain to the Jannali Centre. This has considerable strategic merit and aligns with the broad policy directions contained within The Greater Sydney Commission Region Plan: A Metropolis of Three Cities and the South District Plan.

The following table provides an assessment of the strategic merit and site specific merit of the proposal based on the criteria above:

The Greater Sydney Region Plan: A Metropolis of Three Cities	
The following are relevant:	
A City Supported by Infrastructure: 4. Infrastructure use is optimised	This Planning Proposal will contribute to the optimisation of infrastructure by supporting use of the rail by providing commuter parking, residential units and shops in close proximity to a rail station.
A Collaborative City: 5. Benefits of growth realised by collaboration of governments, community and business	This Planning Proposal is as a result of collaboration between the Transport for NSW, Council and the private sector.
A City for People 6. Services and infrastructure meet communities changing needs	This direction supports walkable centres. The Planning Proposal will facilitate a supermarket and improved public domain which will help to revitalise an accessible small centre.

<p>A City of Great Places 12. Great Places that bring people together</p>	<p>The Planning Proposal will deliver public benefits through an improved public domain and by creating a new retail focus at the heart of a poorly performing small centre. It will provide an anchor tenant to the centre and with flow on economic benefits to small businesses. Commuters will support the functions of the centre adding to the customer base.</p>
<p>A Well-Connected City 17. Regional connectivity is enhanced</p>	<p>This Planning Proposal will facilitate the development of a 200 space commuter car park in close proximity to Jannali Station. This will help support transport choice, and help deliver 30-minute cities.</p>
<p>Jobs and Skills for the City: 22. Investment and business activity in centres</p>	<p>Jannali Centre is zoned B2 Local Centre and provides a range of retail, business, entertainment and community uses that serve the needs of people who live and work in the local area. However, it does not have a large supermarket and is overshadowed by centres nearby. This Planning Proposal will build on the existing strengths of the centre and enhance productivity while supporting patronage at Jannali Station.</p>

<p>South District Plan: The following are relevant:</p>	
<p>Planning Priority S1: Planning for a City supported by infrastructure Objective 4: Infrastructure use is optimised</p>	<p>The Planning Proposal will facilitate a commuter car park which will enhance transport infrastructure within the centre and make it easier for people to catch the train from Jannali, thus maximising the use of existing infrastructure.</p>
<p>Planning Priority S2: Working through collaboration Objective 5: Benefits of growth realised by collaboration of governments, community and business</p>	<p>The Planning Proposal is as a result of collaboration between the Transport for NSW, Council and the private sector consistent with the intent of the priority.</p>
<p>Planning Priority S4: Fostering healthy creative, culturally rich and socially connected communities Objective 7: Communities are healthy resilient and socially connected.</p>	<p>This Planning Proposal will help deliver a supermarket and improved public domain which will enhance access and provide opportunities for passive recreation and social connections, consistent with the intent.</p>
<p>Planning Priority S6: Create and renewing great place places and local centres, and respecting the district heritage</p>	<p>Jannali centre has many strategic advantages and an attractive tree lined public domain. However, its business sector is struggling. This Planning Proposal facilitates significant new investment to revitalise the centre and</p>

<p>Objective 12: Great places that bring people together</p>	<p>improve its public domain. The combination of a large commuter car park and a much needed supermarket will bring customers to the centre with economic benefits for local businesses. The new public domain will create a central place where people can gather and strengthen community connections.</p>
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<p>Endorsed Local Strategic Planning Statement: (15 September 2020)</p>	
<p>Planning Priority 1: Align Planning to Existing Infrastructure</p>	<p>This Planning Proposal will enhance the use of Jannali Station by facilitating of a commuter car park. This will reduce reliance on existing street parking improving residential amenity.</p>
<p>Planning Priority 2: Managing Traffic Congestion and Parking</p>	<p>This Planning Proposal will facilitate the development of a commuter car parking within close proximity to Jannali Train Station. Associated signalisation and road upgrades with improve traffic flows.</p>
<p>Planning Priority 6: Collaborative Partnerships</p>	<p>This Planning Proposal is the result of a collaborative partnership between Transport for NSW, Woolworths and Sutherland Shire Council.</p>
<p>Planning Priority 9: Community Connections</p>	<p>The development will enhance the public domain and create a central focus for the Jannali centre. This will provide opportunities for casual meetings and events, helping strengthen community connections.</p>
<p>Planning Priority 11: Attractive and Distinctive Centres and Public Places</p>	<p>Jannali is a small local centre that has many strategic advantages. However, it currently lacks a larger supermarket and may of the smaller business are struggling. This proposal will help create an attractive public place that is welcoming and enjoyable for residents.</p>
<p>Planning Priority 16: Connected Transport Networks</p>	<p>This Planning Proposal will help facilitate a commuter car park close to Jannali Train Station. Therefore, it will enhance the current transport network and provide convenient transport options in the Jannali centre.</p>

Sutherland Shire Community Strategic Plan (Key input into the LSPS - outlines the community aspirations and long-term visions) The following are relevant:	
Outcome 5: A prosperous community for all. 5.1.1 Develop vibrant, productive local centres 5.1.2 Support our growing business community by reducing barriers to growth where possible.	The proposal will help revitalise the Jannali centre, and provide opportunity for a full line supermarket located near the train station, creating a place for residents to meet and shop locally. Having a central anchor supermarket and 200 commuters will bring significant new business to the centre helping its revitalisation.
Outcome 6: A liveable place with a high quality of life 6.1.1 Plan, advocate and provide effective public transport networks 6.1.2 Explore and implement better integration of transport networks.	The commuter car park will allow more residents to better use of the existing train station allowing more residents to readily access. Facilitating opportunity for both balanced social outcomes, with access to effective public transport.

Does the proposal respond to a change circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing controls?	
Changed circumstances?	Yes,
Are the LEP controls less than 5 years old?	No. The Sutherland Shire Local Environmental Plan 2015, was made on 23 June 2015.

b) Does the proposal have site specific merit, having regard to the following:

- *The natural environment (including known significant environmental values, resources or hazards) and*
- *The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and*
- *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The natural environment

The site comprises a surface public car park and adjoining shops. A car park is already permitted on the Council land and commercial development permitted in Box Road. The Planning Proposal will facilitate a mixed use development of the entire site - incorporating the car park and the shops. A mixed use development over the entire site provides greater scope for setbacks and a transition to lower density residential neighbourhoods to the north-east of the site.

The current zoning allows the development of a car park and food and drink premises to a height of 20 metres. There is currently no maximum floor space ratio. The proposal seeks to apply a floor

space ratio consistent with surrounding land. As such there is no impact on the natural environment that will flow from the Planning Proposal.

The Jannali centre is located with the Greenweb Restoration area (SSDCP2015 provisions). While there are some existing established trees, planted among the parking spaces, which contribute to local habitat, they do not make a significant contribution to the natural environment in the locality. Perimeter planting will be required to transition to adjacent residential areas and compensate for any tree removal.

The redevelopment also allows the existing site contamination to be mitigated, removing this hazard from the natural environment.

Existing uses, approved uses and likely uses on the land in the vicinity of the proposal

The site is centrally located in Jannali centre. Jannali is an older centre that is generally characterised by one and two storey 1960's shops and fragmented ownership.

Under Sutherland Shire Local Environmental Plan 2006 the Local Centre Zone (Zone 9) had a height limit of 3 storeys and a FSR of 2:1. SSLEP2015 increased the height limit to 20 metres to realise the potential of the centre to deliver residential flats in close proximity to Jannali station. This strategy has facilitated the redevelopment of Jannali pub to the rear of the car park - redeveloped as a mixed use building (pub and flats) with a height of 20 metres and FSR of 2:1. Similarly, several new residential flat buildings have been developed to the west of the station.

The Planning Proposal seeks to apply a maximum 2:1 FSR to the car park site, consistent with the density of development on adjoining land. The Planning Proposal also seeks to exclude the commuter car park from the calculation of gross floor area. The commuter car park is not *car parking to meet any requirements of the consent authority* and must ordinarily be included in the calculation of Gross Floor Area. The car park can be achieved largely underground and does not require any concession to the existing 20m building height limit. As such, the development facilitated by the Planning Proposal will be consistent with the emerging built form in Jannali centre.

The retail and residential uses facilitated by the Planning Proposal are typical of a local centre and reflect what is permissible on adjoining land in the centre. The commuter car park is currently permissible.

There are single residential located to the north east in Charles Parade. The reliance on a perimeter access lane provides an appropriate degree of separation to these properties.

Services and infrastructure that will be required to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision

The site is well serviced by public infrastructure. However, the traffic analysis suggests that the signalisation and widening of the Railway Crescent/overpass is needed to accommodate the traffic generated by a mixed use building incorporating a commuter car park. As the need for this upgrade directly flows from the intensity of development, this cost should be borne by the development.

It is recommended that Council seek that Woolworths and TfNSW enter into a Planning Agreement to meet the cost of the traffic infrastructure upgrade works required as a result of development.

Q4. Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

The Planning Proposal is consistent with Council’s local strategies, including the Community Strategic Plan, Draft Local Strategic Planning Statement and Economic Strategy as detailed in the table above.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes the planning proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs.

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
State Environmental Planning Policy No 1—Development Standards	None. Does not apply to land under SSLEP2015.	NA
State Environmental Planning Policy No 19—Bushland in Urban Areas	None. Does not apply to land under SSLEP2015.	NA
State Environmental Planning Policy No 21—Caravan Parks	None. No specific relevance to this proposal.	NA
State Environmental Planning Policy No 33—Hazardous and Offensive Development	None. No specific relevance to hazardous and offensive development.	NA
State Environmental Planning Policy No 36—Manufactured Home Estates	None. Does not apply to land under SSLEP2015.	NA
State Environmental Planning Policy No 44—Koala Habitat Protection	None. Does not apply to land under SSLEP2015.	NA
State Environmental Planning Policy No 47—Moore Park Showground	None. Does not apply to land under SSLEP2015.	NA
State Environmental Planning Policy No 50—Canal Estate Development	None. No specific relevance to this proposal.	NA
State Environmental Planning Policy No 55—Remediation of Land	Site contamination is currently being investigated and will be fully remediated prior to construction.	Yes
State Environmental Planning Policy No 64—Advertising and Signage	None. No specific relevance to this proposal.	NA
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	None. No provisions of the Planning Proposal affect development for the purposes of Residential Apartments. Residential flats will be permissible and will be subject to the SEPP and the Apartment Design Guide.	Yes

SEPP	Relevance to Planning Proposal	Planning Proposal Consistency with SEPP?
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	None. No provisions of the Planning Proposal affect development for the purposes of affordable housing.	NA
State Environmental Planning Policy (Affordable Rental Housing) 2009	None. No provisions of the Planning Proposal affect development for the purposes of affordable rental housing.	NA
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This will be relevant and considered at Development Application Stage.	Yes
State Environmental Planning Policy (Coastal Management) 2018	None. Does not apply to the land under SSLEP2015.	NA
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	None. No provisions of the Planning Proposal affect development for the purposes of educational establishments or child care facilities.	NA
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	None. No provisions of the Planning Proposal affect exempt and complying development policy.	NA
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	None. No provisions of the Planning Proposal affect development for the purposes of housing for seniors or people with a disability.	NA
State Environmental Planning Policy (Infrastructure) 2007	The provisions are not inconsistent with this policy.	Yes

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 and s.9.1 directions)?

Yes, this Planning Proposal is consistent with all applicable s9.1 Ministerial Directions.

The Planning Proposal has been assessed against all relevant Ministerial Directions and found to be generally consistent. The relevant directions have been listed below:

Direction 1.1 Business and Industrial Zones

The intent of this Direction is to encourage employment growth in suitable locations and support the viability of identified centres. This planning proposal will contribute to the revitalisation of the Jannali town centre and facilitate a commuter car park in close proximity to Jannali Train Station. Therefore, it is consistent with the direction.

Direction 2.6 Remediation of Contaminated Land:

The intent of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered as part of the planning process.

Specifically, the direction states that the Planning Proposal authority must not include a particular zone that allows for residential, educational, recreational or childcare purpose unless they are satisfied that:

- a) the Planning Proposal authority has considered whether the land is contaminated, and
- b) if the land is contaminated, the Planning Proposal authority is satisfied that the land is suitable in its contaminated states (or will be suitable, after remediation) for all the purposes for which land in the land in the zone concerned is permitted to be used, and
- c) if the lands requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the Planning Proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.

Whilst the planning proposal does involves a zone that allows for a residential use, the contamination is currently being investigated and will be resolved prior to the land being used for that purpose. Therefore, the Planning Proposal is consistent with this Direction.

Direction 3.4 Integrating Land Use and Transport:

The intent of this Direction is to ensure building forms improve access to jobs and services by walking, cycling and public transport. This Planning Proposal will facilitate the development of a commuter car park close to Jannali Train Station. Therefore, the proposal is consistent.

Direction 5.1 Implementation of Regional Plans:

This Direction applies to land to which a Regional Plan has been released by the Minister for Planning. The proposal aligns strongly with the strategic priorities identified by the State Government and across Councils strategic documents including the LSPS.

Direction 6.3 Site Specific Provisions:

The intent of this Direction is to discourage unnecessarily restrictive site specific controls. The planning proposal does involve the implementation of site specific provisions. The amendment provides additional floor space for the purpose of a commuter car park. Therefore, is considered consistent as it encourages development rather than restricts.

Direction 7.1 Implementation of A Plan for Growing Sydney:

Direction 7.1 Implementation of A Plan for Growing Sydney: The intent of this Direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

The Planning Proposal has strategic merit. The matters in the planning proposal do not trigger or conflict with the provisions of A Plan for Growing Sydney or any of the subsequent strategic plans for Greater Sydney.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The site is currently zoned, SP1 Car Park, and B2 Local Centre, and is not home to any critical habitat, threatened species or ecological communities. The site currently comprises a surface car park and adjoining shops and contains no habitat of significance.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The site is currently has residual contamination which is currently being investigated through a detailed site investigation to determine how to make the site suitable for its intended use. It will investigate the extent of contamination in soil and groundwater, depth to groundwater, and also vapour risks that may be associated with any contamination. The consultants will install a number of ground water, soil vapour wells across the area and this will determine the contamination status and whether remediation is required prior to redevelopment.

The investigation will establish how to mitigate the environmental effects and how they will be managed. Council expects works to being undertaken early May 2021, and a report back by the end of June 2021.

However, aside from contamination which is currently under investigation, the rezoning will not result in any additional environmental effects.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal concept will facilitate a commuter car park, commercial development and residential flats. These are appropriate uses in a transit oriented centre and are anticipated to have positive social and economic impacts.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

This proposal will enhance existing public infrastructure by providing 200 space commuter car park next to Jannali Train Station. Therefore, optimising its existing use.

Preliminary traffic modelling undertaken by consultants Colston Budd Rogers & Kafes Pty LTD (CBRK) on behalf of Woolworths suggests sufficient capacity can be provided in the road network to cater for additional traffic generated by the proposed development via the provision of traffic signals at the intersection of Railway Crescent and the railway overbridge. This would include provision of a second (additional) eastbound approach lane on the railway overbridge and second approach lanes in both directions in Railway Crescent. To achieve the additional lane on the bridge approach CBRK proposes the removal of the footpath on the southern side of the overbridge. Under this proposal, the footpath on the northern side of the overbridge would be retained and connected by pedestrian crossings at each end. There is an existing zebra crossing at the Jannali Avenue (western) end and a new signalised crossing would be provided at the Railway Crescent (eastern) end as part of the proposed intersection improvements.

Whilst not identified in the CBRK report, Council officers are of the view that the intersection of Railway Crescent and Beatrice Road (the main entrance to the existing Council car park) will also need to be upgraded to a controlled intersection (roundabout or traffic signals) to adequately service the site for safety and capacity reasons. In this regard, traffic signals would be preferable from a pedestrian safety perspective. The upgrading of both of these intersections will result in the loss of several existing on street parking spaces in Railway Crescent.

The CBRK assessment demonstrates that a solution is achievable. However, to further inform the traffic implications of the development and any proposed intersection upgrades, the applicant must provide more detailed traffic modelling (in the form of VISSIM microsimulation modelling) and seek further advice from TfNSW in regard to the provision of traffic signals and road widening at these intersections. These issues will be resolved at development application stage.

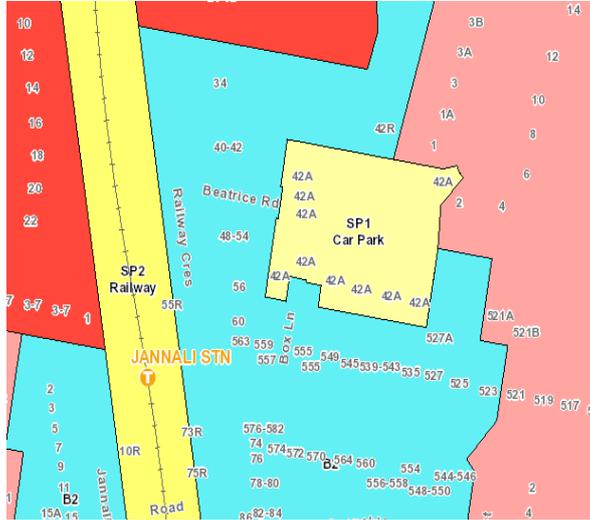
Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of any relevant State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.

Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

Existing Land Use Zoning

Existing:



Proposed:



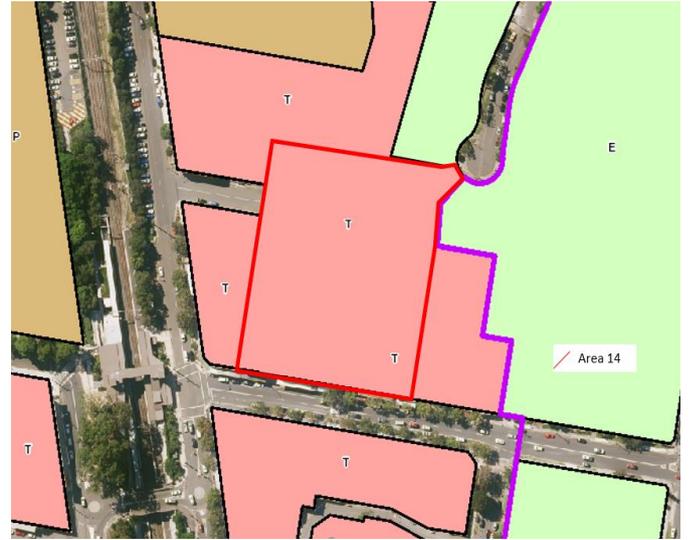
- R4 High Density Residential
- R2 Low Density Residential
- SP1 Special Activities
- SP2 Infrastructure
- B2 Local Centre

Existing Floor Space Ratio

Existing:



Proposed:



Maximum Floor Space Ratio (n:1)

C	0.45
D	0.5
E	0.65
G	0.65
H	0.7
I	0.75
N	1
P	1.2
S1	1.5
S2	1.8
S3	1.8
T	2
U1	2.5
U2	2.75
V	3
W	3.5
X	4

Part 5 – Details of the community consultation that is to be undertaken on the planning proposal

In accordance with “A Guide to Preparing Local Environmental Plans” prepared by the Department of Planning and Environment (2016), the Planning Proposal will be exhibited for a period of 28 days. It is proposed that the exhibition will include:

Advertisement in local newspaper

An advertisement will be placed in the Council page in the St George and Sutherland Shire Leader and The Liverpool City Leader identifying the purpose of the planning proposal and where the planning proposal can be viewed.

Consultation with affected owners and adjoining landowners

A letter will be sent to landowners whose land is affected by the planning proposal, and adjoining landowners.

Advertisement on the Council website

The planning proposal will be exhibited on the Council consultation website (jointheconversation.sutherlandshire.nsw.gov.au) with links from the home page. It is anticipated that the mapping changes will be available through Shire Maps (Council’s interactive online mapping system) which will be especially beneficial for the public to compare the existing and proposed changes for any property.

Direct contact

Interested parties will be able to contact the Strategic Planning Unit of Council directly through a telephone hotline and through a dedicated email address.

Part 6 – Project Timeline

Milestones	Timing
Gateway Determination	June 2021
Exhibition Start	July 2021
End Exhibition	August 2021
Review and Consideration of Submissions	September 2021
Council Meeting	October 2021
Request for Draft Instrument to be prepared	November 2021
Notification of Determination	December 2021

Appendix 1: Criteria for Delegation of Plan Making Functions

Local Government Area: Sutherland Shire

Name of draft LEP: Planning Proposal: 42a Railway Crescent Jannali

Address of land (if applicable): 42a Railway Crescent, Jannali being Lot 15 DP31183, Part Lot C DP408761, Part Lot G DP411603, Lot J DP412142, Part Lot E DP415814, Lot 2 DP504416, Lot 1 DP506202, Lot 21 DP597416, Lot 1 DP1049519 and Lot 2 DP1049519; and 535 to 559 Box Road being Lot 1 DP 504416, Lot 1 DP 506202, Lot H DP 412142, Lots 1 and 2 DP 201113, Lot D DP 415814, Lots A and B DP 408761 .

Intent of draft LEP: The intended outcome of this planning proposal is to facilitate the delivery of a multi-level commuter car park as part of an integrated mixed-use development with Woolworths and Transport for NSW (TfNSW).

Specifically, the proposal seeks to:

- Rezone the 42a Railway Crescent, Jannali from SP1 Special Uses Car Park to B2 Local Centre,
- Apply a maximum Floor Space Ratio of 2:1 to 42a Railway Crescent, Jannali consistent with adjoining land, and
- Provide a special provision to exclude up to 7,500m² of floor space from the calculation of Gross Floor Area where the floor space provides commuter parking on or on behalf of Transport for NSW.

Additional Supporting Points/Information: N/A

Evaluation criteria for authorising Council to be the local plan-making authority

	Council Response		Department assessment
	Y/N	Not Relevant	Agree/Disagree
(NOTE-where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)			
Is the planning proposal consistent with the Standard Instrument Order 2006?	Y		
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y		
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y		
Does the planning proposal contain details related to proposed consultation?	Y		
Does the planning proposal give effect to an endorsed regional or sub-regional planning strategy or a local strategy including the LSPS endorsed by the Planning Secretary?	Y		
Does the planning proposal adequately address any consistency with all relevant s. 9.1 Planning Directions?	Y		
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y		

Minor Mapping Error Amendments

Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	N		
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Heritage LEPs

Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/ study endorsed by the Heritage Office?	N		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?	N		

Reclassifications

Is there an associated spot rezoning with the reclassification?		N/A	
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A	
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A	
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A	
Has Council confirmed whether there are any trusts, estates, interests, dedications, conditions, restrictions or covenants on the public land and included a copy of the title with the planning proposal?	Y		
Has council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval?	Y		
Has the council identified that it will exhibit the planning proposal in accordance with the Department's Practice Note regarding classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land?	Y		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A	

Spot Rezonings

Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		N/A	

Does the planning proposal create an exception to a mapped development standard?		N/A	
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Section 3.22 matters

<p>Does the proposed instrument</p> <p>a) correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbers of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?</p> <p>b) Address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?</p> <p>c) Deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment of the adjoining land?</p> <p>(Note – the Minister (or Delegate) will need to form an Opinion under section 3.22(1)(c) of the Act in order for a matter in tis category to proceed)</p>		N/A	
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