

**PLANNING PROPOSAL (REVISION DECEMBER 2011)**  
REZONING FROM 2(A) RESIDENTIAL "A" ZONE TO 5(A) SPECIAL USES –  
GENERAL ZONE (CEMETERY AND CREMATORIUM)

LOT 5003 IN DP 1158929 | CASTLEBROOK MEMORIAL PARK | ROUSE HILL

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I N G E N U I T Y



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GENERAL ZONE (CEMETERY AND CREMATORIUM)

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**CLIENT:** INVOCARE AUSTRALIA PTY LTD  
LEVEL 4 153 WALKER STREET, NORTH SYDNEY NSW 2060

**PROJECT REF:** 0114/11

**DATE:** DECEMBER, 2011

PLANNING  
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## **PART 1 - OBJECTIVES OR INTENDED OUTCOMES**

The purpose of this Planning Proposal is to change the current residential zoning of a 1.509 hectare parcel, known as Lot 5003 in Deposited Plan 1158929. It is proposed to change the Zone 2(a) Residential "A" zone to Zone No 5 (a) (Special Uses—General Zone), with a specific designation of "Cemetery and Crematorium" consistent with the existing Castlebrook Memorial Park (being Lot 1 in Deposited Plan 1086553). The subject site and site context are described in detail in Annexure A.

Invocare Australia Pty Ltd has the subject parcel under contract for acquisition from the Roads and Traffic Authority (RTA). In 2010, the proponent was notified by the RTA of their need to acquire a strip of land adjacent to Schofields Road within Castlebrook Memorial Park for road widening. The RTA also advised that a further strip of land adjacent to Windsor Road and Schofields Road within the Memorial Park was earmarked for future possible road widening and therefore should not be made available for permanent use such as burials or buildings. The 2 parcels of land required for acquisition amount to approximately 15,000m<sup>2</sup>.

During negotiations related to acquisition, Landcom was approached on the basis of their involvement in developing land at the rear western boundary of the cemetery in The Ponds residential estate. Agreement was reached that the land RTA needed for immediate road works would be sold in exchange for land from the adjoining residential development being purchased by Invocare Australia Pty Ltd. That land was sold by Landcom to the RTA prior to purchase by Invocare Australia Pty Ltd in order to simplify the transactions. The subject site is under contract and is anticipated to settle towards the end of the year.

In order to facilitate the proposed land transfers, a Section 96 Application (S96-10-1602) amending DA-08-782n was submitted to and approved by Council. That application subdivided Lot 148 in DP 1146615 to create proposed Lot 5003, the subject parcel. The Section 96 Application was approved subject to a condition requiring a Section 88B restriction over proposed Lot 5003 requiring its consolidation with the existing cemetery land and separate rezoning (to be undertaken by either the RTA or Invocare Australia Pty Ltd) to cemetery uses only prior to any further development of Lot 5003. The subdivision plan and Section 88B Instrument were registered on 4 May, 2011. The Section 88B Instrument is attached at Annexure B. Therefore, the current proposal responds to Item 3 of the Section 88B Instrument.

The subject site has not been earmarked by Invocare Australia Pty Ltd for any specific use but rather in the short to medium term is likely to remain as a vacant parcel. Rather, the purpose of the Planning Proposal is to set in place an appropriate zoning that provides for appropriate consolidation with the existing Castlebrook Memorial Park and precludes future use of the parcel for residential development which is considered to be inappropriate given the site characteristics.

## **PART 2 - EXPLANATIONS OF PROVISIONS**

To achieve the Intended Outcomes or Objectives of the Planning Proposal as stated in *Part 1 – Objectives and Outcomes* it is requested that the site be included within Zone No 5 (a) (Special Uses—General Zone), with a specific designation of “Cemetery and Crematorium”. Below is the zoning table for Zone No 5 (a):

“ **Zone No 5 (a) (Special Uses—General Zone)**

**1 Objectives of zone**

The objectives are:

(a) to identify land which is currently used by public authorities, organisations and the council to provide certain community facilities and services,

(b) to identify land reserved for future acquisition by the council for a range of community facilities and services,

(c) to identify land which has been reserved at the request of certain public authorities for its future acquisition to provide a range of community facilities and services, and

(d) in relation to land marked “Corridor” on the map:

(i) to set aside land for the development of certain major long-term services and facilities, and special uses carried out by public authorities in an economic, safe and environmentally sensitive manner, and

(ii) to allow the identified land to be used for recreational or other purposes where that use does not conflict with the existing or likely future use of the land by public authorities.

**2 Development that does not require consent**

Nil.

**3 Development which requires consent**

The particular purpose indicated by black lettering on the map and purposes normally associated with and ancillary to the particular purpose indicated on the map; drains; public utility undertakings; recreation areas; roads; telecommunications facilities; utility installations (other than gas holders or generating works).

**4 Prohibited**

Any purpose other than a purpose included in Item 3 of the matter relating to this zone.”

## **PART 3 – JUSTIFICATION**

This section sets out the justification for altering the zoning of the subject site to cater for future redevelopment.

### ***SECTION A – Need for the Planning Proposal***

#### ***1. Is the Planning Proposal a result of any study or report?***

The Planning Proposal does not result from any study or report prepared by local or state governments. The site is however the subject of several detailed environmental studies that were undertaken as part of development applications relating to The Ponds residential estate, of which the subject site was formerly part of. Annexure C contains a list of references identifying these reports, extracted from the Statement of Environmental Effects prepared by Cardno for Stage 3, Precinct 5 of The Ponds. The Planning Proposal also responds to preliminary town planning investigations undertaken by Planning Ingenuity Pty Ltd.

#### ***2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Planning Proposal represents the best means of achieving the objectives or intended outcomes of incorporating the subject site with the existing Castlebrook Memorial Park, to be used for cemetery purposes. It is considered that relying on Clause 5.3 (Development near zone boundaries) of the Standard Instrument which would allow development of the subject site for cemetery purposes under its current zoning is inappropriate as it would create little certainty for the proponent or surrounding future land owners.

The Department of Planning's current position on preparing new LEPs, is described in their Planning Circular No. PS 06-005, dated 16 February 2006 titled *Local Environmental Plan Review Panel*. The purpose of this circular is to require Councils to respond to a set of pro-forma criteria when sending an LEP request to the Director General/Minister for Planning. A response to the criteria is provided below:

<b>Criteria</b>	<b>Response</b>
<i>1. Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800m of a transit node)?</i>	Yes, the Planning Proposal will allow for minor expansion of the existing Castlebrook Memorial Park which provides an essential community facility on a site that is well suited for the use. The need for expansion of such facilities essentially mirrors densification of urban areas as encouraged by strategic planning directions for the locality. Therefore whilst the proponent has no immediate plans for the subject site and it is likely that the area will remain as a buffer to adjoining residential uses at least in the medium term, the Planning Proposal facilitates the identification of land for a purpose that is a critical component to

	efficiently meeting state and regional planning infrastructure objectives in this high growth area.
2. <i>Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?</i>	<p>Yes, the Planning Proposal is consistent with the NSW Metropolitan Strategy and Draft North West Subregion - Subregional Strategy as discussed elsewhere in this Report.</p> <p>The Planning Proposal is consistent with Section 117 Ministerial Directions. Refer to Table 3 for further details.</p>
3. <i>Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?</i>	The subject site is not located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy.
4. <i>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</i>	The Planning Proposal will have a neutral to minor beneficial effect on employment opportunities, primarily in the area of landscape maintenance.
5. <i>Will the LEP be compatible/complementary with surrounding land uses?</i>	As indicated, the only immediately adjoining property is to the south and west, being land currently under construction by Landcom for The Ponds residential estate. Prior to Lot 5003 being created, the Castlebrook Memorial Park shared a common boundary with The Ponds site. Therefore, the interface of residential land with the cemetery use is an established situation and the current proposal will not result in any change to that relationship. Currently, the western part of the Castlebrook Memorial Park is vacant grassland in the vicinity of the boundary and it is likely that this arrangement would remain at least in the medium term, with the central parts of the site being the focus of initial expansion of the overall cemetery site. It is not envisaged that the subject site will be occupied by any buildings in the medium or even long term given that the proponent's preference is for co-location of new buildings on the site with existing structures. In any case, any future development of the subject site will be subject to a development application at which time compatibility issues can be further addressed.
6. <i>Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?</i>	No, it is not considered that the Planning Proposal will create an undesirable or negative precedent. The Planning Proposal relates to a parcel of land that is essentially redundant for use for residential purposes based on its size, dimensions and topography and the approved

	subdivision layout for the adjoining parcel within The Ponds residential estate. The site characteristics would present challenges for access, drainage, achieving building platforms without extensive land modification and/or amenity impacts on development of the adjacent lots to the west. The Planning Proposal is very much site specific, is considered to reduce development potential and will not encourage any similar proposals or expectations by landowners.
7. Will the LEP deal with a deferred matter in an existing LEP?	No, this Planning Proposal does not deal with a deferred matter under BLEP 1988.
8. Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	At the time of writing this report, Blacktown Council was not considering any spot rezoning proposals relevant to the current Planning Proposal.

As indicated, the current proposal is entwined with land transfers involving the RTA, Landcom and the proponent. In order to facilitate the settlement of these transfers, which are required to undertake road widening activities, it is considered that dealing with the request for a change to its zoning is best dealt with by way of a Planning Proposal and "spot rezoning". This will enable the orderly and economic use of land. Preparation of a comprehensive Blacktown LEP in accordance with the Standard Instrument Order is not imminent or certain (at the time of writing this report) and therefore it is considered that this Planning Proposal is the best and most efficient means of achieving the Objectives or Intended Outcomes.

### 3. *Is there a net community benefit?*

The NSW Department of Planning "Guide to Preparing Planning Proposals" states that the guidance on conducting a Net Community Benefit Test under the Draft Centres Policy should be followed when assessing net community benefit of a planning proposal. This guidance is considered more appropriate to larger scale commercial proposals, however, the principles have been broadly applied to the current Planning Proposal.

#### Public Benefit of Existing Site

The existing zoning of the subject site provides no direct public benefit given that it generally permits residential activities and its size, geometry and topography is not well suited to such use. Development of the land for residential purposes would in fact have detrimental impacts on the adjoining allotments within The Ponds residential estate.

#### Public Benefit provided by the Planning Proposal

The proposed zoning of the site will provide public benefit both directly and indirectly. Directly, the proposal will allow minor expansion of the Castlebrook Memorial Park. Given that it is not intended to facilitate any development in at least the medium term, the proposal will provide for an increased buffer between the cemetery use and The Ponds residential estate. In the longer term, the proposal may enable certain aspects of the



memorial park to make efficient use of the site, subject to compatibility with the adjoining residential development and submission of a development application if required.

**SECTION B – Relationship to strategic planning framework**

**4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 contains nine strategic directions. Each strategic direction contains key objectives and actions. Of relevance to the subject Planning Proposal are the strategic directions for “Growing and Renewing Centres”, “Housing Sydney’s Population”, and “Achieving Equity, Liveability and Social Inclusion”.

The following objective for “Growing and Renewing Centres” is of relevance:

- *B1 – To focus activity in accessible centres*

The proposal assists in creating appropriate social infrastructure within the growing Rouse Hill Town Centre by facilitating the possibility for long term expansion of a cemetery use. The subject site is well served with public transport and is closely connected to the services and facilities of Rouse Hill Major Centre for ease of access by the community.

The following objective for “Housing Sydney’s Population” is of relevance:

- *D1 – To ensure an adequate supply of land and sites for residential development.*

Whilst the planning proposal will result in a minor reduction in residential land supply, the land is surplus to Landcom’s requirements in developing The Ponds residential estate. Rezoning of the land for cemetery purposes, will result in economic use of the land and will provide critical support infrastructure to serve the North-West Growth Sector over coming decades.

The following action for “Achieving Equity, Liveability and Social Inclusion” is of relevance:

- *H2.1 – Plan and coordinate the effective and timely provision of social infrastructure and services*

The Strategy comments that planning for social infrastructure and services should be integrated with land-use planning to deliver facilities and services. As stated above, the proposal utilises surplus residential land to provide essential social infrastructure to the growing region and will also strengthen the Rouse Hill Major Centre’s role within the region.

The planning proposal is therefore consistent with the “Growing and Renewing Centres”, “Housing Sydney’s Population”, and “Achieving Equity, Liveability and Social Inclusion” objectives and actions of the Strategy.

The Draft North West Subregion Subregional Strategy

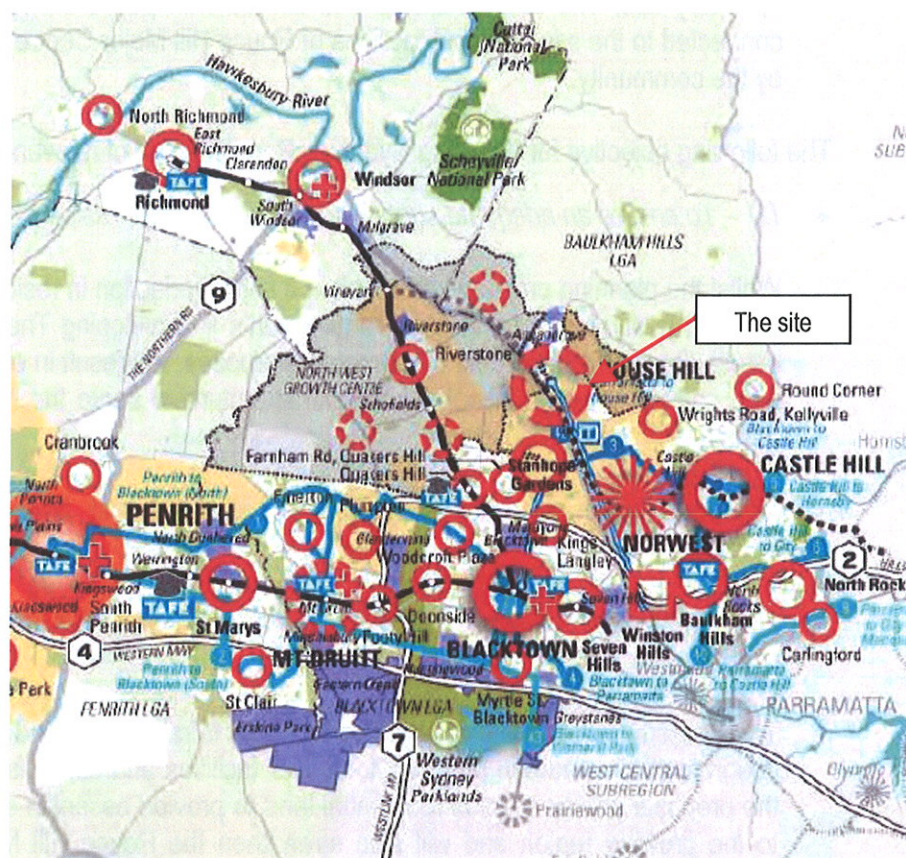
The *Draft North West Subregion Subregional Strategy* which was placed on exhibition between 14 December 2007 and 28 March 2008 provides a more detailed layer of planning considerations in relation to the broad objectives outlined in the Sydney Metropolitan Strategy. The North West Subregion includes the Local Government Areas of Baulkham Hills, Blacktown, Blue Mountains, Hawkesbury and Penrith.

In relation to housing, the Subregional Strategy sets a target for the North West Subregion of 140,000 additional homes by the year 2031. In particular the following actions are relevant to the proposal:

*B3.3 – Use Government assets and investment to support centres*

*C1.1.2 - The Growth Centres Commission to plan for and provide infrastructure to support the development of the North West Growth Centre.*

The proposal is consistent with the action of providing additional social infrastructure to the North West growth centre and demand for cemetery space would be expected to rise in conjunction with the increased housing supply within the region. Surplus government land is to be better utilised, in providing infrastructure in the growing North West region.



**Figure 1: Structure Plan of the North West Subregion (Source: North West Subregion Draft Subregional Strategy)**

Accordingly, the proposal is consistent with the objective and actions of the draft North West Subregional Strategy and assists with the implementation of infrastructure and support of new housing within the region.

Sydney Regional Environmental Plan No. 19 – Rouse Hill

The site is on land affected by Sydney Regional Environmental Plan (SREP) No. 19 – Rouse Hill. The aims of the SREP are outlined below:

“ **2 Aims, objectives etc**

(1) The general aims of this plan are:

(a) to accommodate part of the long-term growth of the Sydney Region by providing a mechanism for identifying land suitable for urban purposes and by providing for the orderly and economic development of that land,

(b) for the physical environment of the Rouse Hill Development Area:

(i) to conserve and enhance areas of high landscape, flora and fauna value and, in particular, to protect the Hawkesbury River and its tributaries from the potential impact of urban development,

(ii) to conserve areas of cultural, historical and architectural significance,

(iii) to manage the impact of urban development on the environment by controlling development which otherwise would cause pollution, and

(iv) to ensure that appropriate measures are taken to manage land subject to flooding,

(c) for economic activity within the Rouse Hill Development Area:

(i) to encourage job opportunities by developing a hierarchy of centres within the Area and by promoting the maintenance and development of local businesses and industries, and

(ii) to maximise access to jobs and services and to minimise travel times to work,

(d) for the provision of physical services and facilities within the Rouse Hill Development Area:

(i) to enable the provision of public and private infrastructure in the most cost effective manner, and

(ii) to enable the provision of an efficient public and private transport system, and

(e) for the provision of housing and of human services within the Rouse Hill Development Area:

(i) to provide accommodation, including a variety in housing type, tenure, price and location, and

(ii) to facilitate the equitable, efficient and timely provision of a full range of human services at a regional, district and local level.”

The proposal is considered to meet the objectives of the SREP. The proposal will not give rise to development that will adversely affect the landscape, flora and fauna qualities of the locality or cultural significance of the area. The proposal utilises surplus residential land to provide essential social infrastructure to the growing region and will also strengthen the Rouse Hill Major Centre's role within the region.

Part 3 of the SREP contains “matters to be included in draft local environmental plans”. Of relevance, Clause 8 relates to public utilities. The proposal will not give rise to urban development and therefore will not present any servicing issues. Clause 9 relates to transport however given the nature of the planning proposal, is not of direct relevance. Clause 12 relates to flooding. The subject site is not flood prone and therefore this clause is not of relevance. The site is not listed as a heritage item under the SREP.

**5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?**

“Blacktown City 2025 – Delivering the Vision Together” is the strategic plan for Blacktown City. The Vision aims to set a framework within which Council can practically manage the future growth of the City, and retain its place as a regional leader, helping to shape the health and prosperity of not only this City but also the broader western region. Blacktown

City 2025 is a blueprint that seeks to enable Council to begin the process of having in place a plan that will allow the Vision to be achieved. The Strategy includes eight key strategies which embrace the many aspects of city life and 9 unique "Trigger Projects" which support the delivery of these strategies.

Of relevance to the current proposal is the "Urban Living and Infrastructure" Strategy. The overarching aim of this Strategy is to *"provide housing that meets the diverse needs of our community in liveable neighbourhoods and is supported by infrastructure that serves the current and future demands of the community in a balanced manner."* The proposal facilitates infrastructure provision, in the form of expansion of a cemetery use, which is considered critical to serving long-term future population growth.

Therefore, the Planning Proposal is considered to be consistent with the Strategic Plan and will allow for provision of infrastructure that will serve an area of high population growth in a manner that integrates with the local community.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

There are no State Environmental Planning Policies (SEPPs) or known Draft SEPPs that would prohibit or restrict the planning proposal. An assessment against all current and Draft SEPPs has been undertaken and given the nature of the proposal, the only SEPP of relevance is SEPP No. 55 – Remediation of Land. Assessment against that SEPP is provided below:

SEPP	Relevance	Consistency	Comments
SEPP No 55- Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land.	Yes	There is no reason to suspect that the subject site is affected by widespread contamination that would preclude future use of the site for cemetery purposes. Land suitability was investigated in detail during the development phase of The Ponds residential estate (refer to Annexure C which identifies environmental studies).

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The proposal is consistent with all applicable Ministerial Directions under Section 117 of the Environmental Planning & Assessment Act, 1979. An assessment against the applicable directions is provided in the following table:

Ministerial Direction	Relevance	Consistency	Implications
<b>1. Employment and Resources</b>			
1.1 Business and Industrial Zones Rural Zones	The objectives of this direction are to encourage employment growth in	Yes	Whilst the subject site will not become a business or industrial zone, the

	<p>suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>(a) give effect to the objectives of this direction,</li> <li>(b) retain the areas and locations of existing business and industrial zones,</li> <li>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</li> <li>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</li> <li>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning</li> </ul>		<p>use of the site as part of the Castlebrook Memorial Park may have benefits of small increases in employment for that facility to undertake maintenance functions, and as a result of any future expansion of the operation.</p>
<b>2.Environmental and Heritage</b>			
<p>2.3 Heritage Conservation</p>	<p>A planning proposal must contain provisions that facilitate the conservation of heritage significance</p>	<p>Yes</p>	<p>The subject allotment does not contain a heritage item. However, the Castlebrook Memorial Park site which the subject land will be consolidated with is listed under Schedule 2 of the Blacktown LEP 1998 as:</p> <p><i>"Place—Battle of Vinegar Hill—Part of Lot 2, DP 129670, Windsor Road"</i></p> <p>The Memorial Park contains a memorial to the battle which is located north of the</p>

			<p>chapel, crematorium and office building at the centre of the western part of the site.</p> <p>The subject land, being further west is well separated from the monument. It is acknowledged that the heritage listing applies to the "place" and in this regard it is reiterated that it is not intended that the parcel be used for any purpose in the short to medium term. Therefore, rezoning of the land will not give rise to any significant adverse impacts. If in the future the area is used for any purpose, a heritage assessment would be required at that time.</p>
<b>3.Housing,Infrastructure and Urban Development</b>			
3.1 Residential Zones	<p>The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and services and minimise the impact of residential development on the environment and resource lands.</p> <p>A planning proposal, inter alia, must not contain provisions which will reduce the permissible residential density of land.</p>	Yes	<p>Whilst the proposal seeks to remove the residential zoning on the site which will reduce density potential for residential uses in the locality, it is noted that the site is in effect a residual parcel from The Ponds residential estate. The site is of a size, dimensions and topography that would not facilitate orderly residential development, and given the contribution of The Ponds to meeting residential targets in the LGA, it is considered that the proposal will not be antipathetic to this Direction.</p>
3.4 Integrating Land Use and Transport	<p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(1) <i>Improving Transport Choice – Guidelines for</i></p>	Yes	<p>The subject site is located within an established urban area well served by public buses and a variety of services in the surrounding area.</p> <p>Accordingly, the planning proposal is considered to</p>

	<p><i>planning and development</i> (DUAP 2001), and</p> <p>(2) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>		<p>be consistent with the aims and objectives of these documents.</p>
<p><b>4.Hazard and Risk</b></p>			
<p>The site is not affected by acid sulphate soils, is not within an area identified as being subject to mine subsidence or unstable land, is not flood prone or bushfire prone. Therefore, the Directions relating to hazard and risk are not relevant to the current Planning Proposal. Refer also to environmental studies undertaken previously, identified in Annexure C.</p>			
<p><b>6.Local Plan Making</b></p>			
<p>6.1 Approval and Referral Requirements</p>	<p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>• minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority,</li> <li>• not identify development as designated development unless the relevant planning authority has obtained the approval of the Director-General of the Department of Planning</li> </ul>	<p>Yes</p>	<p>The Planning Proposal does not introduce any additional concurrence requirements or identify the development as designated development.</p>
<p>6.3 Site Specific Provisions</p>	<p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained</p>	<p>Yes</p>	<p>The Planning Proposal seeks to rezone the subject site to a Special Use zone consistent with the existing Castlebrook Memorial Park which adjoins the site and will be amalgamated with the subject site. Consistent with this Direction, the proposal does not seek to introduce any new or additional planning controls applicable to the site. The Standard Instrument – Principal Local Environmental Plan contains a clause to allow development near zone boundaries to adopt the zoning of the adjoining zone if a more logical and appropriate development outcome</p>

	<p>in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>		<p>would result. It is considered that this approach would not be suitable in the current circumstances, as it would provide little certainty for the proponent or surrounding land owners as to likely future development. This is considered to be undesirable given the significant difference in character of the land uses concerned.</p> <p>Council has indicated that it is intended to retain the Special Uses – “Cemetery and Crematorium” zoning for the Castlebrook Memorial Park under the new LEP, which is currently being prepared. Accordingly, the preferred approach to rezoning the site can be maintained under the new LEP.</p>
<b>7. Metropolitan Planning</b>			
7.1 Implementation of the Metropolitan Strategy	Planning proposals shall be consistent with the Metropolitan Strategy: City of Cities, A Plan for Sydney's Future	Yes	Refer to discussions elsewhere in this report.

**SECTION C – Environmental, Social and Economic Impact**

**8. 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?**

The site is generally characterised by grassland, with some scattered vegetation. Given that the Planning Proposal seeks to change the zoning from a residential zone, the impact of future development is likely to be far less than residential development that may occur under the current zoning. In any case, the site has been the subject of several studies during the development application phase of The Ponds residential estate and was not identified as having any significant environmental constraints that would preclude this Planning Proposal (refer to Annexure C).



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

No other natural environment impacts are envisaged as a result of the planning proposal. The subject site is not affected by any natural constraints or hazards such as bushfire, flooding, acid sulphate soils or landslip.

In terms of built environment impacts, as indicated, it is unlikely that the subject site will accommodate any built structures in the medium or even long term. In any case, future use of the site could be designed in such a way to maintain a generous buffer to future residential uses within The Ponds residential estate.

Therefore it is considered that there are no impediments to future development occurring on the site in accordance with Council's controls and in a manner that is compatible with surrounding development. Impacts of specific development would be considered at the development application stage.

**10. How has the planning proposal adequately addressed any social and economic effects?**

The social and economic effects of the planning proposal have been considered in detail in the context of net public benefit analysis in Section 3.

**SECTION D – State and Commonwealth Interests**

**11. Is there adequate public infrastructure for the planning proposal?**

The site is within an established area and would be capable of connecting to electricity, telephone, gas, water and sewerage services if necessary. However, the proposal is in itself unlikely to generate any demand for additional public infrastructure including transport infrastructure.

**12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

State and Commonwealth authorities will be consulted in accordance with Section 57 of the EP&A Act, 1979, following the outcomes of the gateway determination.

## **PART 4 - COMMUNITY CONSULTATION**

In accordance with Section 57(2) of the EP&A Act, 1979, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition is likely to include a newspaper advertisement, inclusion on the Council's web-site, written notification to adjoining landowners and a public meeting. The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal.

Pursuant to Section 57(8) of the EP&A Act, 1979 the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.