

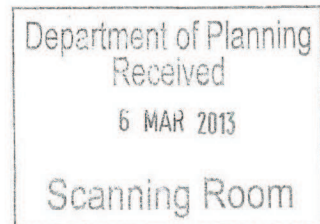
Our Contact: Rita Vella
Direct Phone: 9330 9437
Our Reference:



4 March 2013



Ms Juliet Grant
Regional Director - Sydney Region East
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Juliet

Submission of Planning Proposal for Section 56 Gateway Determination – Minor Housekeeping Amendments to Kogarah LEP 2012

Council has prepared a planning proposal under section 55 of the *Environmental Planning & Assessment Act 1979* to amend Kogarah LEP 2012. Council now seeks a gateway determination under section 56 of the Act.

A review of Kogarah LEP 2012 undertaken prior to gazettal identified a number of errors and inconsistencies, some of which the Department was aware of prior to notification. The amendments proposed in the planning proposal are necessary to ensure the Kogarah LEP 2012 continues to represent Council policy and delivers consistent and reliable outcomes for the community.

A report outlining the proposed amendments was presented to Council's Planning & Environmental Services Working Party Meeting on 18 February 2013. Subsequently, Council, at its meeting on 25 February 2013 resolved the following:

- a) *That the amendments to the Kogarah Local Environmental Plan 2012 (KLEP 2012) as outlined in the body of the report with the exception of the deletion of "Griffith House" from Schedule 5 (Heritage Schedule) be adopted for the purpose of incorporation into a Planning Proposal.*
- b) *That the Planning Proposal referred to in (a) above be submitted to the Department of Planning and Infrastructure for Gateway Determination.*

Council requests the Director General delegate the plan making functions of the Act in respect of the draft LEP as described in the Department's Circular PS12-006.

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Enclosed are copies of:

- Copy of the report to the Planning & Environmental Services Working Party dated 18 February 2013 and Council's subsequent resolution dated 25 February 2013 (included on CD).
- The planning proposal, including the Evaluation Criteria for the Delegation of Plan Making Functions, prepared in accordance with the Department's *A Guide to Preparing Planning Proposals*.
- Supporting map sheets (included on CD)

Should you require further information please do not hesitate to contact the undersigned on 9330 9437 or email rita.vella@kogarah.nsw.gov.au

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Rita Vella', written in a cursive style.

Rita Vella

Coordinator – Strategic Planning

INFORMATION CHECKLIST

Attachment 1

> STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

> STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Urban Design Considerations		
• Demonstrated consistency with relevant Regional Strategy	☒	☐	• Existing site plan (buildings vegetation, roads, etc)	☐	☒
• Demonstrated consistency with relevant sub-regional strategy	☒	☐	• Building mass/block diagram study (changes in building height and FSR)	☐	☒
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	☐	☒	• Lighting impact	☐	☒
• Demonstrated consistency with Threshold Sustainability Criteria	☐	☒	• Development yield analysis (potential yield of lots, houses, employment generation)	☐	☒
Site Description/Context			Economic Considerations		
• Aerial photographs	☒	☐	• Economic impact assessment	☐	☒
• Site photos/photomontage	☒	☐	• Retail centres hierarchy	☐	☒
Traffic and Transport Considerations			• Employment land	☐	☒
• Local traffic and transport	☐	☒	Social and Cultural Considerations		
• TMAP	☐	☒	• Heritage impact	☐	☒
• Public transport	☐	☒	• Aboriginal archaeology	☐	☒
• Cycle and pedestrian movement	☐	☒	• Open space management	☐	☒
Environmental Considerations			• European archaeology	☐	☒
• Bushfire hazard	☐	☒	• Social and cultural impacts	☐	☒
• Acid Sulphate Soil	☐	☒	• Stakeholder engagement	☐	☒
• Noise impact	☐	☒	Infrastructure Considerations		
• Flora and/or fauna	☐	☒	• Infrastructure servicing and potential funding arrangements	☐	☒
• Soil stability, erosion, sediment, landslip assessment, and subsidence	☐	☒	Miscellaneous/Additional Considerations		
• Water quality	☐	☒	List any additional studies N/A		
• Stormwater management	☐	☒			
• Flooding	☐	☒			
• Land/site contamination (SEPP55)	☐	☒			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	☐	☒			
• Sea level rise	☐	☒			