

Draft Rockdale Local Environmental Plan 2012 (50A Francis Avenue, Brighton Le Sands)

Proposal Title : **Draft Rockdale Local Environmental Plan 2012 (50A Francis Avenue, Brighton Le Sands)**

Proposal Summary : **The objective of the Planning Proposal is to amend Rockdale LEP 2011 to:**

- **Rezone the land at 50A Francis Avenue, Brighton Le Sands from RE2 Private Recreation to SP2 Infrastructure (School);**
- **Rezone part of land at 91 Bestic Street, Brighton Le Sands and 310 West Botany Street, Rockdale from RE1 Public Recreation to SP2 Infrastructure (School);**
- **Include the land at 50A Francis Avenue, Brighton Le Sands on the Land Reservation Acquisition Map; and**
- **Identify the Department of Education and Communities as the relevant acquisition authority in clause 5.1 of Rockdale LEP 2011.**

These amendments will facilitate the relocation of the Cairnsfoot School for children with special needs, from 18-22 Loftus Street Turrella.

PP Number : **PP_2012_ROCKD_007_00** Dop File No : **12/20091**

Proposal Details

Date Planning Proposal Received :	07-Dec-2012	LGA covered :	Rockdale
Region :	Sydney Region East	RPA :	Rockdale City Council
State Electorate :	ROCKDALE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	50A Francis Avenue		
Suburb :	Brighton Le Sands	City :	Rockdale
Land Parcel :	Lots 1 & 2, DP 32304 and Lot M, DP 410368		
Postcode :	2216		
Street :	Part 91 Bestic Street		
Suburb :	Brighton Le Sands	City :	Rockdale
Land Parcel :	Part Lot 1, DP 221518		
Postcode :	2216		
Street :	Part 310 West Botany Street		
Suburb :	Rockdale	City :	Rockdale
Land Parcel :	Part Lot 1, DP 517350		
Postcode :	2216		

DoP Planning Officer Contact Details

Contact Name : **Michael Kokot**
Contact Number : **0292286239**
Contact Email : **michael.kokot@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Shaun Beckley**
Contact Number : **0295621873**
Contact Email : **sbeckley@rockdale.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :	0	Date of Release :	
Area of Release (Ha)	0.00	Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? :

If Yes, comment : **The Department is not aware of any meetings or communications with registered lobbyists concerning this Planning Proposal.**

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the Planning Proposal is to amend Rockdale LEP 2011 to:**

- **Rezone the land at 50A Francis Avenue, Brighton Le Sands from RE2 Private Recreation to SP2 Infrastructure (School);**
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Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council's explanation of the provisions is considered to be consistent with Council's and other planning policies.**

A. The Rockdale LEP 2011 Land Zoning Map (LZN) Map is proposed to be amended by rezoning the land to SP2 Infrastructure (School) as shown in Attachment 1.

B. The Rockdale LEP 2011 Land Reservation Acquisition (LRA) Map is proposed to be amended by identifying the land at 50A Francis Street and 310 West Botany Street as shown in Attachment 2.

Both changes will enable use of the land for the purpose of an educational establishment.

C. Clause 5.1 of Rockdale LEP 2011 – Relevant acquisition authority is proposed to be amended by inserting the following at the end of the table in clause 5.1(2):

- * Type of land shown on map - Zone SP2 Infrastructure and marked 'School'; and**
- * Authority of the State - Department of Education and Communities.**

This will enable the acquisition of the subject site by DEC.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6—Number of Storeys in a Building

SEPP No 55—Remediation of Land

SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

The Planning Proposal has been appropriately justified by Council and is consistent with the SEPPs and Section 117 Directions identified as being relevant.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council has provided extracts from the relevant LEP maps. Whilst this is sufficient to proceed to the Gateway, Council will be requested to include in the exhibition package a full set of relevant maps which show the subject site.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **If supported, Council will exhibit the Planning Proposal in accordance with the Gateway Determination, through a comprehensive engagement strategy including:**

- advertising in a local newspaper (ie. St George Leader);**
- letters to relevant Agencies and authorities nominated by the Department;**
- a supporting Information Brochure;**
- letters to adjoining properties and those within 150 metres of the site;**
- advertising on Council's website;**
- exhibition of the Planning Proposal at Council's Customer Services Centre; and**
- any other consultation methods appropriate for the proposal.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Rockdale LEP 2011 was finalised in December 2011.**

Assessment Criteria

Need for planning proposal :

The existing Turrella site has a number of constraints which restrict the expansion/redevelopment of the Cairnsfoot School, including the presence of a heritage item in the middle of the site and the slope of the site, which creates issues for mobility impaired students. This has resulted in the need to look for an alternative site for the school.

The School provides education to children with special needs, including physical and mental impairment. The existing school site contains 9 permanent classrooms and 8 demountable classrooms. DEC needs to upgrade the accommodation so all classrooms are permanent and superior in terms of thermal comfort, internal fit-out and provision of bathroom facilities.

The new site is expected to accommodate 102 students in 17 classrooms, each with a maximum of 6 students. The topography of the proposed site is more suitable for the

specific needs of the students and all buildings are planned to be on one level.

DEC has been identifying suitable sites for relocating the school for several years and 15 potential sites have been investigated. The subject site, which requires a zoning change for the school, is considered suitable by DEC. Meetings between the Department, DEC and Council have been held in relation to this matter.

Council agrees with DEC's suitability assessment for the school use and the lack of other viable alternative sites in the area.

The main parcel of land at 50A Francis Avenue was previously used for private recreation purposes, consisting of a registered club and lawn bowls facilities. This use ceased operation over a year ago. The site is now fenced off with no access to the public provided to the land or open space areas beyond.

While SEPP 2007(Infrastructure) would usually enable the carrying out of this development, the SEPP does not apply to the current zoning of the site.

Consistency with strategic planning framework :

The Planning Proposal supports the Metropolitan Plan 2036 Action H1.4 - Ensure the special needs of particular groups are considered in plan making and planning decision-making, by facilitating the relocation of a school that provides educational opportunities for students with physical and mental disabilities. The Planning Proposal is also consistent with the intent of objectives of the draft South Subregional Strategy.

The Planning Proposal is consistent with the Rockdale City Community Strategic Plan as follows:

- 1.3 Education: ensuring access to learning opportunities to maximise the community's potential and access to a diverse skills base; and
- 2.5 Land Planning and Management: improving community sustainability by providing valuable social infrastructure.

As Part Lot 1 DP 221518 is owned by the Office of Strategic Lands (OSL), the agency was consulted and raised no objection to the Planning Proposal. OSL also highlighted that the subject site adjoins land reserved for a future transport corridor(F6 reservation) outlined in the Long Term Transport Masterplan. This means that the proposed school may adjoin a busy transport corridor in the future.

Environmental social economic impacts :

The site is cleared of natural vegetation and there are no mapped areas of known critical habitats, threatened species or endangered ecological communities.

DEC carried out detailed site analysis and no significant issues were identified that could result in significant environmental effects. Council has advised that the known issues, including flooding and acid sulfate soils, can be resolved at the development application stage.

The proposal will provide needed social infrastructure that is not currently adequately provided. This will result in positive social effects. The investment in new education infrastructure will create direct and indirect economic benefits for the region.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	14 Days
Timeframe to make LEP :	9 Month	Delegation :	DDG
Public Authority Consultation - 56(2)(d) :	Department of Education and Communities Other		

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The proposed relocation of the Cairnsfoot School will have positive community benefits and is supported by DEC and Council.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
SECTION 55(2) SUBMISSION - 50A Francis Ave.pdf	Proposal Covering Letter	Yes
UPDATED PLANNING PROPOSAL - 50A Francis Avenue, Brighton Le Sands.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.4 Integrating Land Use and Transport**
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the Planning Proposal proceed, subject to the following conditions:**

- 1: the Planning proposal is exhibited for 14 days; and**
- 2. the Planning Proposal is completed in 9 months' time; and**

The RPA should be advised that:

- 1. the Planning Proposal is considered to be consistent with all Section 117 Directions and Council does not need to address these directions further;**
- 2. no consultation with Public authorities is required;**
- 3. Council is to include a full set of relevant LEP maps as part of the exhibition package; and**
- 4. no further studies are required to be carried out.**

Supporting Reasons : **The above conditions are recommended to ensure that a transparent and orderly planning proposal process is undertaken.**

Signature:

Karati.

Printed Name:

Danijela KARAC'

Date:

9 January 2013