

Planning Proposal

Amendments to Rockdale Local
Environmental Plan 2011 to Facilitate a
Mixed-use Retail/Commercial/
Residential Development

108 Princes Highway
ARNCLIFFE

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1.0 Introduction

This planning proposal has been prepared in accordance with Section 55(1) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and seeks to amend provisions contained in *Rockdale Local Environmental Plan 2011 (RLEP 2011)* applying to the redevelopment of the land at 108 Princes Highway, Arncliffe:

- to make them consistent with the *Princes Highway Corridor Strategy (Highway Strategy)* adopted by Rockdale City Council on 4 September 2013; and
- to facilitate the economic use and development of the land in accordance with the object of Section 5(a)(ii) of the *EP&A Act* and contemporary town planning principles and practice relating to the integration of transport and land use planning and transit-oriented development.

The amendments are designed to facilitate the economically viable redevelopment of the land for a mixed-use complex which incorporates active retail/commercial activities at footpath level along its Princes Highway frontage and apartments at the upper floor levels of the complex.

108 Princes Highway contains an obsolete one (1)/part two (2) storey industrial/warehouse complex.

The land is situated within a B6 Enterprise Corridor zone under the terms of *RLEP 2011*, a zoning which prohibits “residential accommodation”, i.e. all forms of residential development.

However, under the terms of Clause 2(2) in Schedule 1 of *RLEP 2011*, development of the land for the purposes of mixed-use development incorporating “shop top housing” and “shops” is permissible, with Council’s consent.

Consequently, development of the nature proposed to be undertaken is generally permissible, with Council’s consent, under the terms of the *Plan*.

While *RLEP 2011* applies a predominant floor space ratio standard of 2.5:1 to development on the land:

- Clause 4.4(2B)(a) of *RLEP 2011* restricts the floor space ratio to be used for residential accommodation to a maximum of 1:1; and
- Clause 4.6(8)(ca) of the *Plan* precludes the operation of the provisions of Clause 4.6(2) to enable the approval of development that would otherwise contravene the development standard contained in Clause 4.4(2B)(a), i.e. the restriction on the extent of the development to be devoted to residential use.

The economic use and development of the land is dependent on a much higher proportion of the development being devoted to residential use.

This planning proposal seeks to amend *RLEP 2011* to rationalise the town planning controls relating to the redevelopment on this land into the new legislative framework contemplated by Council in its adopted *Highway Strategy*, in place of the site-specific controls currently applying to it.

2.0 Land Details

2.1 The Land

The land to which this planning proposal applies is known as 108 Princes Highway, Arncliffe, and comprises all of the land referred to as “108 Princes Highway” in Clause 2(1) in Schedule 1 of *RLEP 2011*.

The sixteen (16) allotments that formerly comprised the site were recently consolidated into one (1) allotment known as Lot 1, DP 1199713, registered on 2 October 2014.

The land is located on the eastern side of the Princes Highway, at the south-eastern corner of the Highway and Kyle Street.

Figure 1 indicates the location of the site, while **Figure 2** contains a copy of DP 1199713.

The site is large and irregular in shape.

It has:

- frontages of some 107.9m to the Princes Highway, 72.49m to Kyle Street and 61.51m to Charles Street;
- a depth varying from 60.27m and 74.3m in relation to its Princes Highway frontage; and
- an area of 7,416m².

The site represents all of the land currently zoned B6 Enterprise Corridor under *RLEP 2011* between Kyle Street and 130 Princes Highway to the south.

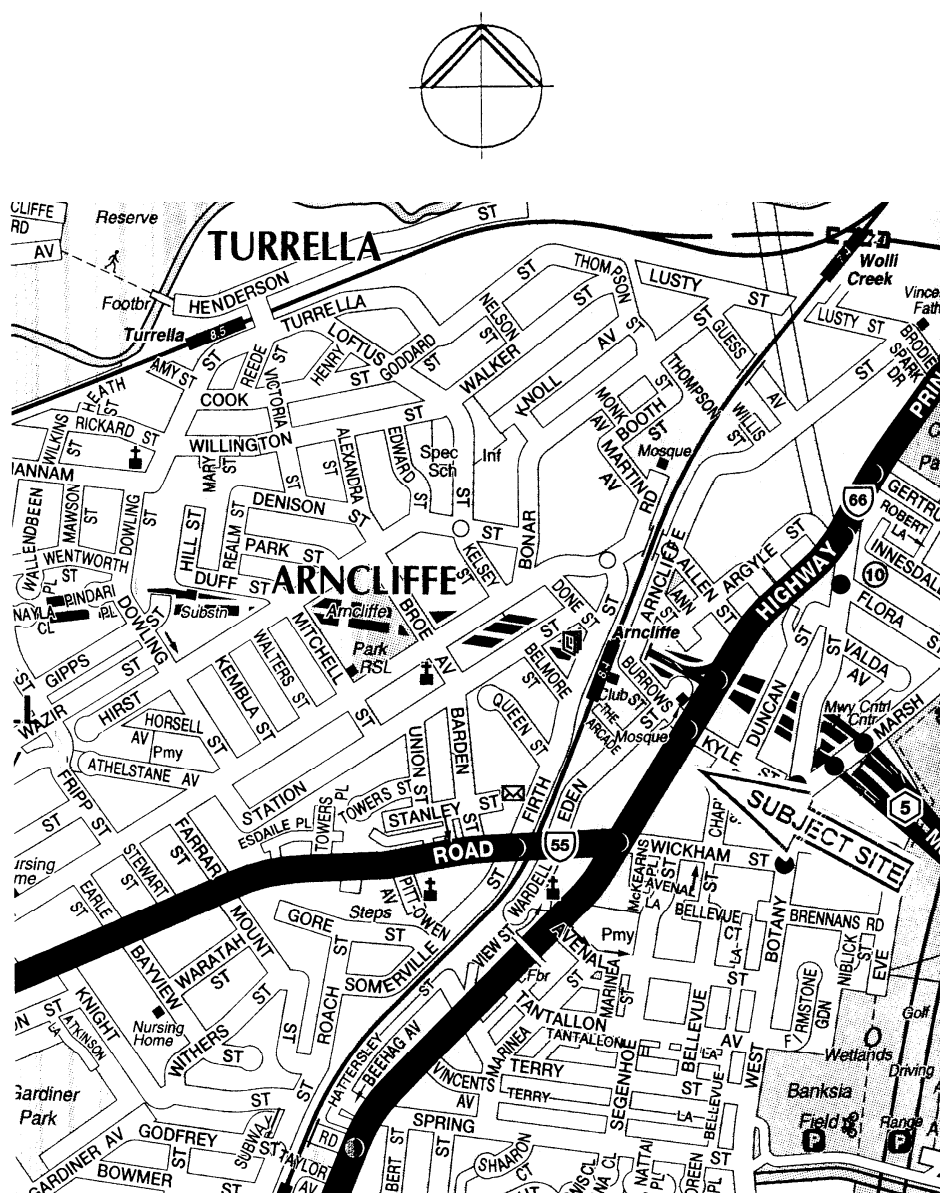
The land contains an obsolete one (1)/part two (2) storey brick/galvanised iron industrial/warehouse complex, constructed circa 1936, which has been divided into a number of industrial/warehouse occupancies.

The complex is, or has been, occupied by a wide range of companies, including:

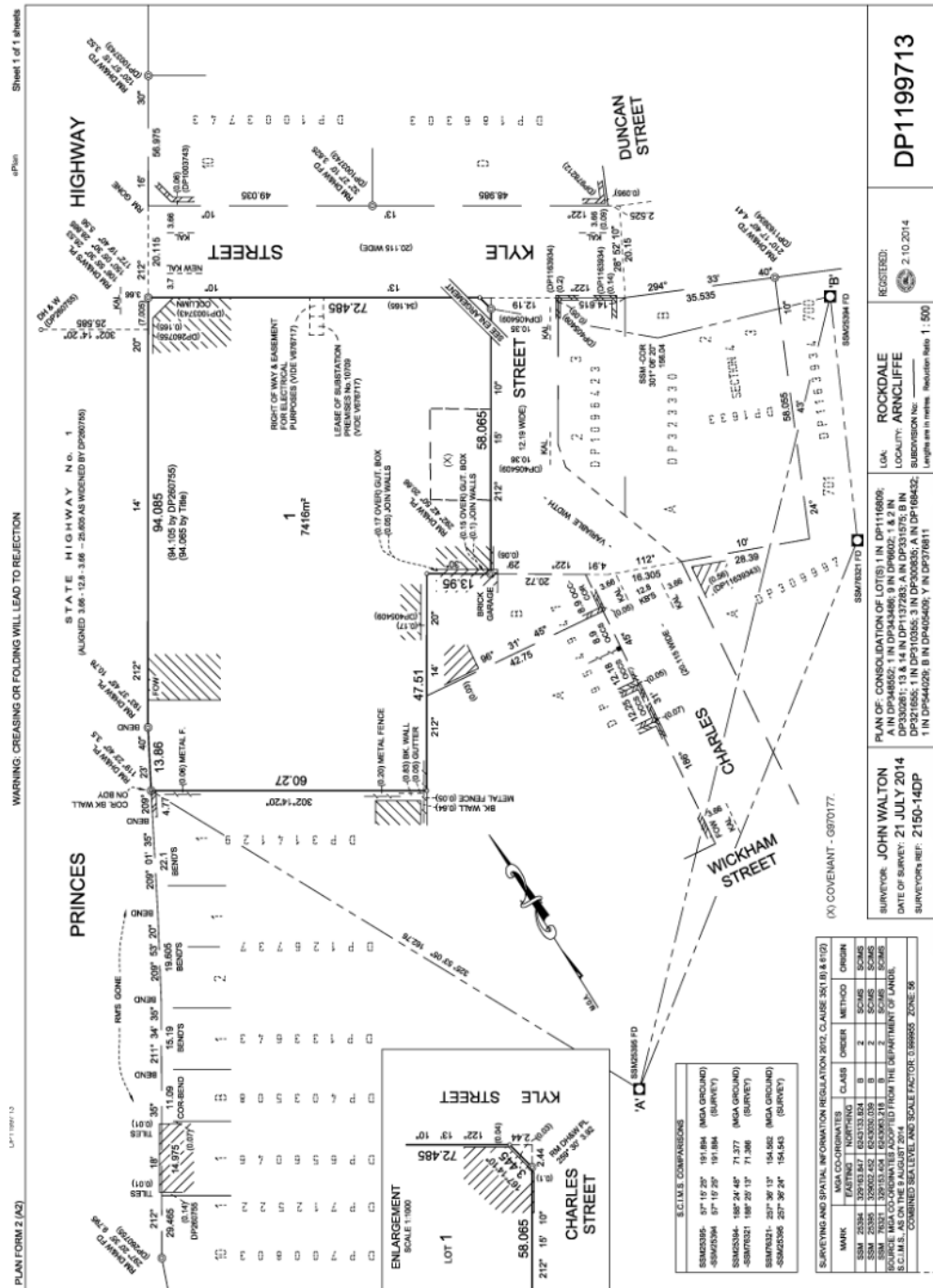
- Austextiles Pty Ltd;
- JMV Engineering Pty Ltd;
- AFCCO All Metal Works;
- Downtime Eliminators;
- Accent Fabrications; and
- Van Haren & Co Pty Ltd.

The southern section of the site comprises a large open storage area visible from the Princes Highway.

The site does not provide any off-street car parking facilities.



**Figure 1
Locality Plan**



There are three (3) vehicular footpath crossings to the site from the Highway and four (4) from Kyle Street.

The land experiences a moderate fall of some 4.5m from its south-western corner adjacent to the Highway to its north-eastern corner adjacent to the Kyle Street/Charles Street intersection.

This represents a grade of some 1 in 29, or 3.5%.

The land does not contain any trees or vegetation.

2.2 Site Context

The land is situated in a precinct that includes a wide range of development in terms of the nature and scale of surrounding buildings and land uses.

The land to immediately to the south of the site, comprises the property known as 130 Princes Highway.

This land is used for a used-car sales yard operated as Good Deal Auto.

The land further to the south at 132 Princes Highway contains a single storey brick commercial building occupied by the Motor Vehicle Assessment Centre.

The land immediately to the east of the site, comprises the properties known as 1-5 Charles Street.

These properties contain single storey older-styled dwelling houses.

The land further to the east, on the opposite side of Charles Street, comprises the properties known as 15 Kyle Street and 2A-4 Charles Street.

These properties contain single storey older-styled dwelling houses.

The land to the north, on the opposite side of Kyle Street, comprises the properties known as 96-102 Princes Highway and 49-51 Duncan Street.

These properties contain:

- a single storey industrial building on 96-102 Princes Highway occupied by KK Civil Engineering; and
- single storey semi-detached dwelling houses on 49-51 Duncan Street.

The land to the west, on the opposite side of the Highway, comprises the properties known as 10-24 Eden Street and 157-179 Princes Highway.

These properties contain:

- the Masjid Darul Imaan mosque on 10-12 Eden Street;
- a three (3) storey residential flat building, with parking under it, on 16 Eden Street;
- a single storey commercial building occupied by DigiCraft Design on 157-159 Princes Highway;
- a three (3) storey residential flat building, with parking under it, on 20-24 Eden Street; and
- a large three (3) storey Department of Housing residential flat complex on 163-179 Princes Highway.

Development along the Highway in this locality is largely dominated by automotive businesses.

The Kyle Street/Princes Highway intersection is traffic signal controlled and facilitates a pedestrian crossing of the Highway.

Vehicular access from the Highway to Kyle Street is limited to left-in for southbound vehicles.

There are No Parking and No Stopping restrictions applying along the site's Princes Highway frontage.

The area is conveniently located to major public transport services, with:

- Arncliffe Railway Station located 300m to the west of the site; and
- Marsh Street and the Highway accommodating major bus routes operated by Sydney Buses, including:
 - Route 400
Burwood – Sydney Airport – Eastgardens – University of NSW – Bondi Junction
 - Route 410
Rockdale – Eastgardens – University of NSW – Bondi Junction
 - Route 422
Kogarah – Tempe – St. Peters – Sydney CBD.

The site is eminently suitable for the construction of a contemporary, vibrant mixed-use development accommodating higher-density retail/commercial/residential development of the nature advocated by contemporary town planning principles and practice relating to the integration of transport and land use planning and transit-oriented development.

3.0 Planning Proposal

3.1 Planning Proposal

This planning proposal seeks amend *RLEP 2011* as follows:

Issue	Current	Proposed	Consistency with <i>Highway Strategy</i>
Land Zoning Map	B6 Business Enterprise	B4 Mixed Use	✓
Height of Buildings Map	28m	29.5m	✓ See Section 5.0
Floor Space Ratio Map	108 Princes Highway - 2.5:1	No change proposed	✓
	Lot 1, DP 1116809 - 1.5:1	2.5:1	✓
Active Street Frontages Map	Nil	To be required at the corner of Kyle Street and Princes Highway	✓
Clause 2 in Schedule 1 - Additional permitted uses	Applies	To be deleted	✓
Clause 4.4(2B)(a)	Applies	To be deleted	✓

The zoning and building height, floor space ratio and active street frontages standards are proposed to be amended to make them consistent with the adopted *Highway Strategy* and will facilitate the deletion of the following site-specific controls currently contained in *RLEP 2011*.

Clause 2 in Schedule 1 of *RLEP 2011* provides that in addition to the development that is otherwise permissible, with Council's consent, on this land, development for the purposes of a mixed use development incorporating shop top housing and shops is permissible.

The proposed rezoning of the land from B6 Business Enterprise to B4 Mixed use, the zoning contained in the *Highway Strategy*, would enable development for these purposes to be carried out.

In this context, Clause 2 in Schedule 1 of *RLEP 2011* becomes redundant and unnecessary and is proposed to be deleted.

Clause 4.4(2B)(a) of *RLEP 2011* restricts the maximum floor space ratio of residential development on this land to a floor space ratio of 1:1.

The adopted *Highway Strategy* does not propose any limitation on the extent of residential development to be permitted on land within the B4 Mixed Use zone.

In this context, it is proposed to delete Clause 4.4(2B)(a) of *RLEP 2011*.

3.2 Purpose of Proposal

The lack of demand for retail and office space on the eastern side of the Princes Highway makes a development with a restricted residential component economically unviable and would result in the perpetuation of the obsolete industrial/warehouse buildings on the land for a considerable period of time.

This is confirmed in the *Economic & Real Estate Analysis, June 2012 (Economic Analysis)* carried out by Jones Lang LaSalle on Council's behalf, a copy of which is contained in Appendix A of the *Highway Strategy*.

The *Economic Analysis* identifies the following key opportunities and constraints for development along the Highway Corridor:

- medium to high density residential development reflects the most viable land use, a function of the undersupply of residential development in the Sydney market;
- the mismatch between market and economic rents and the lack of recognition of the area as a dedicated commercial office area means that large floorplate commercial uses are very unlikely to occur;
- retail development of a shopping centre is unlikely and opportunities for small/medium retail development is restricted by the low level of pedestrian traffic along the Highway and access issues;
- large scale bulky goods outlets are unlikely to occur and there may be some potential for smaller outlets;
- there may be some demand for industrial land uses; and
- there may be some potential for motor showroom development.

The *Economic Analysis* concludes that:

- a “do nothing” approach that encourages employment land uses by excluding residential uses will more than likely see employment decline over time;
- employment will be generated from a larger residential population increasing the demand for a range of local services, including retail, commercial and service industries; and
- the potential loss of employment opportunities along the Highway is likely to be replaced by increased employment opportunities adjacent to the Arncliffe Railway Station.

The purpose of the planning proposal is:

- to ensure the promotion and co-ordination of the orderly and economic use and development of the land in accordance with the object contained in Section 5(a)(ii) of the *EP&A Act*;
- to be consistent with State and regional planning strategies;
- to facilitate the redevelopment of the land in the manner fostered and promoted by the *Highway Strategy* adopted by Council on 4 September 2013;
- to facilitate the redevelopment of the land in a manner consistent with contemporary town planning principles and practice relating to the integration of transport and land use and transit-oriented development;

- to facilitate the redevelopment of the land for a contemporary, vibrant mixed-use development providing for higher-density retail/commercial/residential development;
- to eliminate the obsolete and unsightly industrial/warehouse development on the land;
- to revitalise and rejuvenate development in this locality and realise Council's vision for growing Arncliffe as a residential precinct and as a centre; and
- to provide a catalyst for future redevelopment of land in this locality in a manner consistent with Council's vision and adopted *Highway Strategy*.

A site-specific development control plan could be required to implement controls on the future redevelopment of the land.

4.0 Part 1 - Statement of Objective and Intended Outcome

The objective of this planning proposal is to facilitate the economically viable redevelopment of the land at 108 Princes Highway, Arncliffe, for a mixed-use complex which incorporates active retail/commercial activities at footpath level along its Princes Highway frontage and apartments at the upper floor levels of the complex.

This objective is to be achieved by providing flexibility and incentives for redevelopment by amending zoning, floor space ratio, building height and active street frontage standards to accord with Council's adopted *Highway Strategy*.

The intended outcomes of this planning proposal are:

- to remove the outdated and unsightly obsolete industrial/warehouse development on the land;
- to revitalise and rejuvenate development in this locality by constructing a vibrant mixed-use complex accommodating retail/commercial/residential development; and
- to foster and promote development that is consistent with:
 - *A Plan for Growing Sydney* and the Arncliffe Priority Precinct identified in the *Plan* as an area suitable for urban renewal and increased housing;
 - contemporary town planning principles and practice relating to the integration of transport and land use planning and transit-oriented development;
 - Council's vision for growing Arncliffe as a residential precinct and as a centre; and
 - *Rockdale City Plan 2013-2025* and Council's adopted *Highway Strategy*.

5.0 Part 2 - Explanation of Provisions

Zoning Map

The land is currently zoned B6 Business Enterprise under the terms of *RLEP 2011*.

The *Highway Strategy* involves the rezoning of the land as B4 Mixed Use.

It is proposed to amend the *Land Zoning Map* to rezone the land as B4 Mixed Use:

- to make the zoning of the land consistent with the *Highway Strategy*, a zoning which permits development of the nature of additional land uses permitted on this land under the terms of Clause 2 in Schedule 1 of *RLEP 2011*; and
- to facilitate the deletion of the site-specific land use controls contained in Clause 2 in Schedule 1 of *RLEP 2011*.

The current and proposed zonings are shown on **Figures 4** and **5** in Part 4 of this proposal.

Height of Buildings Map

The building height standard currently applying to development on the land under the terms of the *Height of Buildings Map* accompanying *RLEP 2011* is 28m.

The *Highway Strategy* involves an increase in the building height standard of development in this locality from 28m to 29m by including the land within the T4 building height zone under *RLEP 2011*.

However, the T4 height zone permits buildings with a height of up to 29.5m and there is no other height zone in *RLEP 2011* which provides a 29m building height standard.

It is, therefore, proposed to amend the *Height of Buildings Map* to include the land in the T4 height zone to maintain consistency with both the *Highway Strategy* and *RLEP 2011*.

The extent of variation of 1.5m is minor and will be indiscernible and inconsequential in terms of the future character of development in this locality and is sought solely for the purpose of maintaining consistency with the *Highway Strategy* and *RLEP 2011*.

The current and proposed building height standards are shown on **Figures 6** and **7** in Part 4 of this proposal.

Floor Space Ratio Map

The floor space ratio currently applying to development on the land under the terms of the *Floor Space Ratio Map* accompanying *RLEP 2011* is largely 2.5:1, with a small portion of the land, formerly comprising Lot 1, DP 1116809, subject to a floor space ratio of 1.5:1.

The 1.5:1 floor space ratio applying to Lot 1, DP 1116809 appears to have been a drafting error when the site-specific development controls were adopted by Council for the land at 108 Princes Highway.

The *Highway Strategy* involves a 2.5:1 floor space ratio standard for development in this locality.

It is proposed to amend the *Floor Space Ratio Map* applying to Lot 1, DP 1116809 by increasing the floor space ratio for development on that land from 1.5:1 to 2.5:1 to rectify the original drafting error and to maintain consistency with the *Highway Strategy*.

The proposed variation to the floor space ratio standard will increase the potential gross floor area of development on the land from 17,672.2m² to 18,540m², i.e. by some 867.8m².

The extent of variation from the current standard is minor and will be indiscernible and inconsequential in terms of the future character of development in this locality.

The current and proposed floor space ratio standards are shown on **Figures 8** and **9** in Part 4 of this proposal.

Active Street Frontages Map

The requirement for development to provide an active street frontage is indicated on the *Active Street Frontages Map* associated with *RLEP 2011*.

The *Highway Strategy* involves the establishment of an active street frontage at the corner of Kyle Street and Princes Highway extending for a distance of 18m along its Kyle Street frontage.

It is proposed to amend the *Active Street Frontages Map* to indicate the need to provide an active street frontage on the land as identified in the *Highway Strategy*.

The current and proposed active street frontage standards are shown on **Figures 10** and **11** in Part 4 of this proposal.

Clause 2 in Schedule 1

Clause 2 in Schedule 1 of *RLEP 2011* provides that in addition to the development that is otherwise permissible, with Council's consent, on this land, development for the purposes of a mixed use development incorporating shop top housing and shops is permissible.

The proposed rezoning of the land from B6 Business Enterprise to B4 Mixed Use would enable development for these purposes to be carried out.

In this context, Clause 2 in Schedule 1 of *RLEP 2011* becomes redundant and unnecessary.

It is, therefore, proposed to delete Clause 2 in Schedule 1 of *RLEP 2011*.

Clause 4.4(2B)(a)

Clause 4.4(2B)(a) of *RLEP 2011* restricts the maximum floor space ratio of residential development on this land to a floor space ratio of 1:1.

The *Highway Strategy* does not propose any limitation on the extent of residential development on land within the B4 Mixed Use zone.

In this context, Clause 4.4(2B)(a) of *RLEP 2011* becomes redundant and unnecessary.

It is, therefore, proposed to delete Clause 4.4(2B)(a) of *RLEP 2011*.

6.0 Part 3 - Justification

6.1 Justification

The justification for the planning proposal is that:

- it will ensure the promotion and co-ordination of the orderly and economic use and development of the land in accordance with the object contained in Section 5(a)(ii) of the *EP&A Act*;
- it will be consistent with *A Plan for Growing Sydney* and the Arncliffe Priority Precinct identified in the *Plan* as an area suitable for urban renewal and increased housing;
- it will facilitate the redevelopment of the land in the manner fostered and promoted by *Rockdale City Plan 2013-2025* and Council's adopted *Highway Strategy*;
- it will facilitate the redevelopment of the land in a manner consistent with contemporary town planning principles and practice relating to the integration of transport and land use and transit-oriented development;
- it will facilitate the redevelopment of the land for a vibrant mixed-use development providing for higher-density retail/commercial/residential development;
- it will lead to the elimination of outdated and unsightly obsolete industrial/warehouse development on the land;
- it will revitalise and rejuvenate development in this locality and realise Council's vision for growing Arncliffe as a residential precinct and as a centre; and
- it will provide a catalyst for future redevelopment of land in this locality in a manner consistent with Council's vision and *Highway Strategy*.

6.2 Section A - Need for Planning Proposal

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

The proposal has its genesis in the *Highway Strategy* adopted by Council on 4 September 2013.

The planning proposal is consistent with the *Strategy*. See Sections 5.0 and 6.3.2.

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

The planning proposal is consistent with Council's approach of promoting and fostering the redevelopment of this land on a site-specific basis.

The land use controls and development standard applying under the terms of Clause 4.4(2B)(a) and Clause 2 of Schedule 1 in *RLEP 2011* apply on a site-specific basis.

The amendment of those controls is, therefore, most appropriately accommodated by this planning proposal, particularly as the proposed amendments are consistent with Council's *Highway Strategy*.

The only other way to facilitate the proposed amendments is to await the making of a local environmental plan that will result from the processing of *Strategy*.

Such a plan is likely to take up to eighteen (18) months to come into force.

Such a delay is unwarranted having regard to the following public benefits that would flow from the planning proposal:

- the provision of increased housing opportunities in accordance with metropolitan, sub-regional and local planning strategies;
- the economic and employment benefits resulting from the construction of the development;
- the significant improvement in the urban form of the Princes Highway in Arncliffe; and
- the catalyst and impetus for further development along the Highway resulting from the redevelopment of this land.

This planning proposal is the best means of achieving its objectives and intended outcomes.

6.3 Section B - Relationship to Strategic Planning Framework

6.3.1 State & Regional Planning Context

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) ?

The strategic planning context for the consideration of this planning proposal involves:

- *A Plan for Growing Sydney*; and
- its associated *South Subregional Strategy (Subregional Strategy)*.

6.3.1.1 A Plan for Growing Sydney

A Plan for Growing Sydney was published by the NSW Department of Planning & Environment in December 2014.

Its vision for Sydney is “*a strong global city, a great place to live*”.

This vision is to be realised by Sydney achieving the following goals:

- Goal 1: A competitive economy with world-class services and transport
- Goal 2: A city of housing choice with homes that meet our needs and lifestyles
- Goal 3: A great place to live with communities that are strong, healthy and well connected
- Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The *Plan* provides the following relevant directions and actions relating to this planning proposal.

Direction/Action	Proposal
<u>Direction 2.1: Accelerate housing supply across Sydney</u> Action 2.1.1 Accelerate housing supply and local housing choices Action 2.1.2 Accelerate new housing in designated infill areas (established urban areas) through the Priority Precinct program	The site is appropriately located to facilitate significant urban renewal and to accelerate housing supply and local housing choice in terms of: • its proximity to employment opportunities; • its proximity to the Arncliffe Town Centre; • its proximity to high volume/high frequency public transport services; • the existing infrastructure servicing this area; • its location within the Arncliffe Priority Precinct established under the <i>Plan</i>; and • Council's adopted <i>Highway Strategy</i>. The size of the site, 7,417m², and its proximity to the Arncliffe Town Centre and transport services make the land eminently suitable for the revitalisation of development in this locality and increased residential density potential.

Direction/Action	Proposal
<u>Direction 2.2: Accelerate urban renewal across Sydney - providing homes closer to jobs</u> Action 2.2.1 Use the Greater Sydney Commission to support Council-led urban infill projects Action 2.2.2 Undertake urban renewal in transport corridors which are being transformed by investment	The proposal will facilitate additional housing supply and urban renewal and complies with Council's adopted <i>Highway Strategy</i> which is based on lifting housing production around the Arncliffe Railway Station. The proposal will facilitate housing in proximity of the local employment opportunities as well as those available in the Sydney CBD.
<u>Direction 2.3: Improve housing choice to suit different needs and lifestyles</u> Action 2.3.1 Require Local Housing Strategies to plan for a range of housing types Action 2.3.3 Deliver more opportunities for affordable housing	The proposal will facilitate additional housing supply and urban renewal and complies with Council's adopted <i>Highway Strategy</i> which is based on lifting housing production around the Arncliffe Railway Station. The proposal will facilitate increased opportunities for affordable housing.
<u>Direction 3.1: Revitalise existing suburbs</u>	The proposal will provide a catalyst for the revitalisation of the obsolete industrial development in this locality. In this regard, the proposal complies with Council's adopted <i>Highway Strategy</i> which is designed to rejuvenate development along the Highway corridor.

The *Plan* is based on achieving a target of an additional 664,000 new dwellings by 2031 throughout the metropolitan area.

This target is to be facilitated through a Priority Precinct program designed to coordinate planning and investment to revitalise local centres, services and infrastructure.

In this regard, the Arncliffe Priority Precinct is one of 10 precincts that have been identified by the Department of Planning & Environment for the accelerated provision of additional new housing.

The site is located in the Arncliffe Priority Precinct.

The planning proposal:

- is consistent with the goals, directions and actions contained in the *Plan*;
- accelerates urban renewal and housing production;
- removes barriers to increased housing production: and
- puts into place flexible planning controls which enable housing development that are feasible and appropriately located for increased residential densities.

6.3.1.2 South Subregional Strategy

The *South Subregion* includes the LGA's of Canterbury, Hurstville, Kogarah, Rockdale and Sutherland.

The priority for accelerating housing supply, choice and affordability and building great places to live in the *South Subregional Strategy* expressed in *A Plan for Growing Sydney* is to work with Councils to identify suitable locations for housing intensification and urban renewal, particularly around Priority Precincts, established centres and key public transport corridors.

The site is located in the Arncliffe Priority Precinct, an area identified as being suitable for accelerated new housing in *A Plan for Growing Sydney*.

The planning proposal is, therefore, consistent with the key priority for the provision of increased housing in this part of the *Subregional Strategy*.

6.3.2 Local Planning Context

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan ?

Rockdale City Plan 2013-2025 (City Plan) was adopted by Council on 17 April 2013.

The *City Plan* was developed to be consistent with State plans, metropolitan development strategies and, more particularly, *South Subregional* targets of delivering a minimum of 42,000 new homes and 43,000 new jobs in the subregion by 2031, and includes priorities for:

- urban renewal around accessible centres; and
- more intense housing in appropriate existing areas, particularly centres on the Illawarra railway line.

In this regard, the *City Plan* embraced the concept of Urban Activation Precincts, the forerunner to the Priority Precincts now embodied in *A Plan for Growing Sydney*.

These precincts are designated:

- to substantially increase the supply of housing and employment; and
- to improve housing choice and affordability.

The *Highway Strategy* is an integral part of the *City Plan* and reflects Council's strong desire to encourage redevelopment of it as part of an Urban Activation Precinct focused on Arncliffe.

Council, in fact, nominated Arncliffe and the Highway Corridor as a potential Urban Activation Precinct to the Department of Planning & Environment to achieve this outcome.

This outcome has now been achieved by the identification of Arncliffe Priority Precinct in *A Plan for Growing Sydney* as an area to substantially increase housing supply and improve housing choice and affordability.

In relation to 108 Princes Highway, the *Highway Strategy* proposes:

- to rezone the land from B6 Enterprise Corridor to B4 Mixed Use under the terms of *RLEP 2011*;
- to retain the existing floor space ratio standard of 2.5:1 applying to any development on the land;
- to increase the building height standard from 28m to 29.5m (see Section 5.0 of this proposal).

The B4 Mixed Use zone under *RLEP 2011* permits, relevantly, development for the purposes of:

- commercial premises, which includes shop premises;
- shop top housing; and
- residential flat buildings.

There is no restriction on the extent of residential development that may occur within the B4 Mixed Use zone under *RLEP 2011*, other than the floor space ratio standard applying to any development on the land.

Accordingly, the planning proposal is consistent with:

- the strategic vision and recommendations of the *Highway Strategy* to grow Arncliffe as a residential precinct and revitalise the Highway Corridor for employment uses; and
- Council's *City Plan* and its strategic planning for development along this section of the Highway Corridor.

6.3.3 State Environmental Planning Policies

Is the planning proposal consistent with applicable state environmental planning policies ?

A summary assessment of the proposal in terms of State environmental planning policies and Sydney regional environmental plans is as follows.

State Environmental Planning Policy	Consistency
SEPP No.1 – Development Standards	N/A
SEPP No.14 – Coastal Wetlands	N/A
SEPP No.15 – Rural Landsharing Communities	N/A
SEPP No.19 – Bushland in Urban Areas	✓
SEPP No.21 – Caravan Parks	N/A
SEPP No.26 – Littoral Rainforests	N/A
SEPP No.29 – Western Sydney Recreation Area	N/A
SEPP No.30 – Intensive Agriculture	N/A
SEPP No.32 – Urban Consolidation	N/A
SEPP No.33 – Hazardous and Offensive Development	N/A
SEPP No.36 – Manufactured Home Estates	N/A
SEPP No.39 – Spit Island Bird Habitat	N/A
SEPP No.44 – Koala Habitat Protection	N/A
SEPP No.47 – Moore Park Showground	N/A
SEPP No.50 – Canal Estate Development	N/A
SEPP No.52 – Farm Dams and Other Works	N/A
SEPP No.55 – Remediation of Land	✓
SEPP No.59 – Central Western Sydney Regional Open Space and Residential	N/A
SEPP No.62 – Sustainable Aquaculture	N/A
SEPP No.64 – Advertising and Signage	✓
SEPP No.65 – Design Quality of Residential Flat Development	✓
SEPP No.70 – Affordable Housing	✓
SEPP No.71 – Coastal Protection	N/A
SEPP (Affordable Rental Housing) 2009	✓
SEPP (Building Sustainability Index; BASIX) 2004	✓
SEPP (Exempt and Complying Development Codes) 2008	✓
SEPP (Housing for Seniors or People with a Disability) 2004	✓
SEPP (Infrastructure) 2007	✓
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A
SEPP (Kurnell Peninsula) 1989	N/A
SEPP (Major Development) 2005	N/A
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A
SEPP (Miscellaneous Consent Provisions)	N/A
SEPP (Penrith Lakes Scheme) 1989	N/A
SEPP (Port Botany and Port Kembla) 2013	N/A
SEPP (Rural Lands) 2008	N/A
SEPP (SEPP 53 Transitional Provisions) 2011	N/A
SEPP (State and Regional Development) 2011	N/A
SEPP (Sydney Drinking Water Catchment) 2011	N/A
SEPP (Sydney Region Growth Centres) 2006	N/A
SEPP (Urban Renewal) 2010	N/A
SEPP (Western Sydney Employment Area) 2009	N/A
SEPP (Western Sydney Parklands) 2009	N/A

Sydney Regional Environmental Plans	Consistency
SREP No.8 – (Central Coast Plateau Areas)	N/A
SREP No.9 – Extractive Industry	N/A
SREP No.16 – Walsh Bay	N/A
SREP No.18 – Public Transport Corridors	N/A
SREP No.19 – Rouse Hill Development Area	N/A
SREP No.20 – Hawkesbury-Nepean River	N/A
SREP No.24 – Homebush Bay Area	N/A
SREP No.25 – Orchard Hills	N/A
SREP No.26 – City West	N/A
SREP No.30 – St. Marys	N/A
SREP No.33 – Cooks Cove	N/A
SREP (Sydney Harbour Catchment) 2005	N/A

This assessment indicates that the planning proposal is consistent with all relevant State environmental planning policies and regional environmental plans.

6.3.4 Section 117 Directions

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

6.3.4.1 Summary Assessment

A summary assessment of the proposal in terms of the Directions issued by the Minister for Planning & Environment under Section 117 of the *EP&A Act* is as follows.

Direction	Proposal	Consistency
<u>Direction 1.1:</u> Business and Industrial Zones	See Section 6.3.4.2	✓
<u>Direction 1.2:</u> Rural Zones	Not applicable to this proposal	✓
<u>Direction 1.3:</u> Mining, Petroleum Production and Extractive Industries	Not applicable to this proposal	✓
<u>Direction 1.4:</u> Oyster Aquaculture	Not applicable to this proposal	✓
<u>Direction 1.5:</u> Rural Land	Not applicable to this proposal	✓
<u>Direction 2.1:</u> Environment Protection Zones	Not applicable to this proposal	✓
<u>Direction 2.2:</u> Coastal Protection	Not applicable to this proposal	✓
<u>Direction 2.3:</u> Heritage Conservation	The proposal does not involve any amendment to the heritage provisions contained in <i>RLEP 2011</i>	✓
<u>Direction 2.4:</u> Recreation Vehicle Areas	Not applicable to this proposal	✓
<u>Direction 3.1:</u> Residential Zones	See Section 6.3.4.3	✓

Direction	Proposal	Consistency
<u>Direction 3.2:</u> Caravan Parks and Manufactured Home Estates	Not applicable to this proposal	✓
<u>Direction 3.3:</u> Home Occupations	The proposal does not involve any amendment of the provisions contained in <i>RLEP 2011</i> relating to home occupations	✓
<u>Direction 3.4:</u> Integrating Land Use and Transport	See Section 6.3.4.4	✓
<u>Direction 3.5:</u> Development Near Licensed Aerodromes	Clauses 6.3 and 6.4 of <i>RLEP 2011</i> contain provisions relating to development in areas subject to aircraft noise and airspace operations	✓
<u>Direction 3.6:</u> Shooting Ranges	Not applicable to this proposal	✓
<u>Direction 4.1:</u> Acid Sulfate Soils	The proposal does not involve any change to the designation of acid sulfate soils as shown on the <i>Acid Sulfate Soils Map</i> accompanying <i>RLEP 2011</i>	✓
<u>Direction 4.2:</u> Mine Subsidence and Unstable Land	Not applicable to this proposal	✓
<u>Direction 4.3:</u> Flood Prone Land	The proposal does not create, remove or alter a zone or a provision that affects flood prone land.	✓
<u>Direction 4.4:</u> Planning for Bushfire Protection	Not applicable to this proposal	✓
<u>Direction 5.1:</u> Implementation of Regional Strategies	The proposal is consistent with the <i>South Subregional Strategy</i> . See Section 6.3.1.2	✓
<u>Direction 5.2:</u> Sydney Drinking Water Catchment	Not applicable to this proposal	✓
<u>Direction 5.3:</u> Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to this proposal	✓
<u>Direction 5.4:</u> Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to this proposal	✓
<u>Direction 5.5:</u> Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010	✓
<u>Direction 5.6:</u> Sydney to Canberra Corridor	Revoked 10 July 2008	✓
<u>Direction 5.7:</u> Central Coast	Revoked 10 July 2008	✓

Direction	Proposal	Consistency
Direction 5.8: Second Sydney Airport: Badgerys Creek	Not applicable to this proposal	✓
Direction 6.1: Approval and Referral Requirements	The proposal does not involve any provisions that: - require the concurrence, consultation or referral of development applications to a Minister or public authority; or - identify development as designated development	✓
Direction 6.2: Reserving Land for Public Purposes	The proposal does not involve creation, alteration or reduction of existing zonings or reservations of land for public purposes. The Minister or public authority is not expected to request that any part of the land to be reserved for a public purpose	✓
Direction 6.3: Site Specific Provisions	The proposal involves amendments to existing site-specific planning controls	✓
Direction 7.1: Implementation of the Metropolitan Plan for Sydney 2036	The proposal is consistent with the NSW Government's <i>Plan for Growing Sydney</i> published in December 2014. See Section 6.3.1.1	✓

6.3.4.2 Direction 1.1 - Business and Industrial Zones

An assessment of the planning proposal in terms of the directions contained in Clause (4) of this Direction is as follows.

Objectives of the Direction

The objectives of Direction 1.1 - Business and Industrial Zones are:

- to encourage employment growth in suitable locations;
- to protect employment land in business and industrial zones; and
- to support the viability of identified strategic centres.

An *Economic & Real Estate Analysis, June 2012* was conducted by Jones Lang LaSalle on Council's behalf to underlay the *Highway Strategy* adopted by Council on 4 September 2013. See Section 3.2.

In relation to land use the *Economic Analysis* concluded that:

- a "do nothing" approach that encouraged employment land uses by excluding residential uses was more than likely see employment decline over time;
- employment generated from a larger residential population would increase demand for a range of local services, including retail, commercial and service industries; and

- the potential loss of employment opportunities along the Highway was likely to be replaced by increased employment opportunities adjacent to the Arncliffe Railway Station.

Consequently, the land on the eastern side of the Highway is most appropriately located in a business zone that allows a wider range of land uses, including residential development.

The planning proposal complies with Council's adopted *Highway Strategy* to rezone the land on the eastern side of the Highway in this locality as B4 Mixed Use, a zone that will continue to permit a wide range of employment-related uses.

Residential development is currently permissible on this land under the terms Clause 2(2) in Schedule 1 of *RLEP 2011*.

The land is located in the Arncliffe Priority Precinct identified in *A Plan for Growing Sydney* published in December 2014 as an area to substantially increase housing supply and improve housing choice and affordability.

The planning proposal is consistent with contemporary State and regional town planning principles and practice relating to the integration of transport and land use and transit-oriented development.

The proposal is, therefore, consistent with the objectives of Direction 1.1.

Retention of Existing Business Zones

The planning proposal will retain the zoning of the land for business purposes, albeit for a zone which is to permit a wider range of land uses which reflect local economic and planning issues and contemporary State and regional planning principles and practice.

Retention of Potential Floor Space in Business Zones

The planning proposal does not involve any reduction in the total floor space potential of the land and will, in fact, marginally increase that potential. See Section 5.0.

Retention of Potential Floor Space in Industrial Zones

This direction is not applicable to this planning proposal.

New Employment Areas

This planning proposal does not involve the creation of any new employment area.

Conclusion

The planning proposal is consistent with Direction 1.1.

6.3.4.3 Direction 3.1 - Residential Zones

The objectives of Direction 3.1 - Residential Zones are:

- to encourage a variety and choice of housing types to provide for existing and future housing needs;
- to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and
- to minimise the impact of residential development on the environment and resource lands.

This direction applies to this proposal as it will affect land within a zone in which significant residential development is permitted.

An assessment of the planning proposal in terms of the directions contained in Clauses (4) and (5) of this Direction is as follows.

Provision of Housing

The planning proposal will encourage the provision of additional housing opportunities by eliminating the maximum 1:1 floor space ratio restriction currently imposed by Clause 4.4(2B)(a) of *RLEP 2011* for residential development on this land.

The planning proposal will:

- facilitate the broadening of housing choice in this locality;
- make more efficient use of existing infrastructure and services, particularly the extensive public transport available in this area;
- assist in reducing demand for the consumption of land for housing and associated development on the urban fringe; and
- facilitate the construction of housing that is well designed.

Utility Services

Clause 6.12 of *RLEP 2011* requires that development consent must not be granted unless Council is satisfied that utility services that are essential for any proposed development are available or that adequate arrangements have been made to make them available when required.

Residential Densities

The planning proposal does not contain any provision which will reduce the permissible residential density of the land.

It will, in fact, increase the land's potential residential density.

Conclusion

The planning proposal is consistent with Direction 3.1.

6.3.4.4 Direction 3.4 - Integrating Land Use and Transport

The objective of Direction 3.4 - Integrating Land Use and Transport is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- improving access to housing, jobs and services by walking, cycling and public transport;
- increasing the choice of available transport and reducing dependence on cars;
- reducing travel demand including the number of trips generated by development and the distances travelled, especially by car;
- supporting the efficient and viable operation of public transport services; and
- providing for the efficient movement of freight.

The planning proposal complies with the *Highway Strategy* adopted by Council on 4 September 2013 and is consistent with contemporary State and regional town planning principles and practice relating to the integration of transport and land use and transit-oriented development.

The land is located in the Arncliffe Priority Precinct identified in *A Plan for Growing Sydney* published in December 2014 as an area to substantially increase housing supply and improve housing choice and affordability.

The planning proposal

Consequently, the planning proposal is consistent with the objectives of this direction and contemporary town planning principles and practice and would not be inconsistent with aims, objectives and principles contained in:

- *Improving Transport Choice - Guidelines for Planning and Development (DUAP 2001)*; and
- *The Right Place for Business and Services - Planning Policy (DUAP 2001)*.

Conclusion

The planning proposal is consistent with Direction 3.4.

6.3.5 Summary

This planning proposal is consistent with:

- the strategic State, regional and local planning framework for development in this part of the Sydney sub-region;
- all relevant State environmental planning policies; and
- all relevant Section 117 Directions.

6.4 Section C - Environmental, Social & Economic Impact

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 land is situated in a suburban context and is intensely developed for industrial, warehouse and commercial uses.

The proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor will it have any adverse environmental effects.

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

Development likely to result from the proposal will not have any unexpected or unplanned environmental impacts.

The impacts of any development on the land are capable of being managed and regulated in the same way as any development contemplated on the site under the current zoning and development standards contained in *RLEP 2011*.

Has the planning proposal adequately addressed any social or economic effects ?

The proposal will not result in any adverse social or economic impacts.

It will, in fact:

- facilitate the economic use and development of the land for a mixed-use retail/commercial/residential development;
- increase the extent of housing available in this area;
- generate economic activity in the building and construction industry and create employment opportunities during both the construction and operational phases of the development of the land; and
- be consistent with the State, regional and local planning strategic directions.

6.5 Section D - State & Commonwealth Interests

Is there adequate public infrastructure for the planning proposal ?

There is extensive public utility service infrastructure available in this area which supports the existing industrial, warehouse and business activities, including:

- water;
- sewerage;
- electricity;
- gas;
- telecommunications;
- roads; and
- public transport.

The available infrastructure is expected to be more than adequate to support development of the land as facilitated by this planning proposal.

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

The proposal does not raise any issues that are expected to be of concern to any State or Commonwealth public authority.

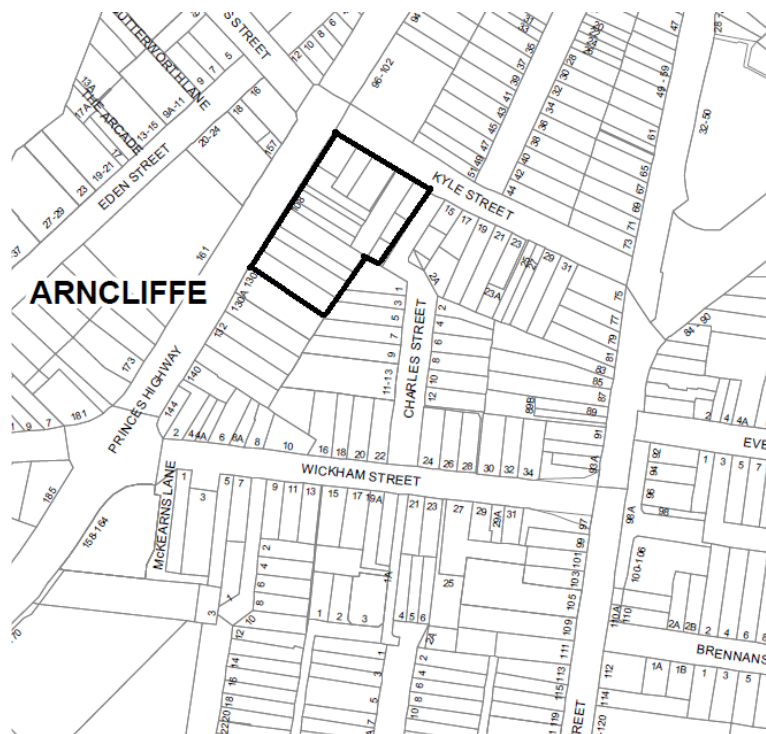
Any State or Commonwealth authority identified in the Gateway Determination as needing to be consulted, will be consulted following that determination.

7.0 Part 4 - Mapping

Figures 3 to 11 illustrate:

- the land to which this planning proposal applies; and
- the current and proposed development standards to be applied to its redevelopment in terms of:
 - land zoning;
 - height of buildings;
 - floor space ratio; and
 - active street frontages.

Figure 3 - Land to which Planning Proposal Applies



Land to which this Planning Proposal applies is shown edged heavy black.

Figure 5 - Proposed Land Zoning Map



Figure 4 - Current Land Zoning Map



Figure 7 - Proposed Height of Buildings Map



Figure 6 - Current Height of Buildings Map



Figure 9 - Proposed Floor Space Ratio Map



Figure 8 - Current Floor Space Ratio Map



Figure 11 - Proposed Active Street Frontages Map



Figure 10 - Current Active Street Frontages Map



8.0 Part 5 - Community Consultation

The community consultation program to be undertaken for this proposal is expected to involve the normal requirements, including:

- the community consultation requirements of Section 57 of the *EP&A Act* and the *Environmental Planning and Assessment Regulation 2000*; and
- any consultations considered necessary by the Department of Planning & Environment with relevant State and Commonwealth authorities.

9.0 Part - Project Timeline

The expected timeline for this planning proposal is as follows.

Task	Timing
Anticipated commencement date (date of Gateway determination)	Mid-April 2015
Anticipated timeframe for completion of required technical information	N/A
Timeframe for Government agency consultation (pre and post exhibition as required by Gateway determination)	4 weeks (estimated)
Commencement and completion dates for public exhibition	May to June 2015
Dates for public hearing (if required)	Not expected to be required
Timeframe for consideration of submissions	4 weeks
Timeframe for the consideration of the planning proposal following exhibition	4 weeks
Consideration of planning proposal by Council (Council Meeting)	August 2015
Date of submission to the Department to finalise LEP	August 2015
Anticipated date LEP will be made	September 2015