

Planning Proposal

Rockdale Local Environmental Plan 2011 'Housekeeping LEP'



18 April 2012

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Introduction

This Planning Proposal explains the intended effect of, and justification for the proposed amendment to *Rockdale Local Environmental Plan (LEP) 2011*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Infrastructure guides, including 'A Guide to Preparing Local Environment Plans' and 'A Guide to Preparing Planning Proposals'.

Background

Rockdale LEP 2011 was notified on 5 December 2011. The LEP was prepared in accordance with the Department of Planning's Standard Instrument.

Rockdale LEP 2011 has been implemented for a four month period. During this time, a review of the LEP has identified a number of matters, some of which have existed from the time the LEP was notified.

A Planning Proposal is necessary to ensure that *Rockdale LEP 2011* continues to represent Council policy and deliver consistent and reliable outcomes for the Rockdale community. It is also a condition of an LEP Acceleration Fund agreement that Council forward a Planning Proposal to the Department of Planning and Infrastructure (DP&I) by 27 April 2012.

Part 1 - Objectives or Intended Outcomes

The objectives of the Planning Proposal are to amend *Rockdale LEP 2011* to:

1. Correct anomalies in the land use table.
2. Install objectives in the R2 and R3 zones that ensure new development considers the character and amenity of surrounding development.
3. Correct clause 4.1(3B) so that the clause is not restricted to 'existing' dual occupancy development.
4. Reinstate clause 4.4(2D)(f) as it was intended when Draft Rockdale LEP 2011 was exhibited.
5. update development controls applying to certain sign types in Schedule 2 – Exempt Development
6. Amend the Heritage Schedule and Heritage Map on account of changes to certain heritage items to be consistent with 'Rockdale Heritage Inventory Review'.
7. Update relevant LEP maps to:
 - a) Make necessary cosmetic changes and correct anomalies which were made by the DP&I immediately prior to the making of the LEP; and
 - b) Update the Natural Resources – Biodiversity Map to reflect Council's Biodiversity Study.

Part 2 - Explanation of Provisions

A Land use table

The proposed amendments to the certain land use tables are described in Table 1 below.

Table 1 – Proposed land use table amendments

Zone	Amendment	Explanation
RU4 Primary Production Small lots	Insert environmental protection works, flood mitigation works and water supply systems under 3 Permitted with consent	Corrects anomalies
R2 Low Density Residential	Insert environmental protection works, flood mitigation works and water supply systems under 3 Permitted with consent	Corrects anomalies
R3 Medium Density Residential	Insert environmental protection works and water supply systems under 3 Permitted with consent	Corrects anomalies
R4 High Density Residential	• Insert water supply systems under 3 Permitted with consent • Insert industrial retail outlets under 4 Prohibited	Corrects anomalies
B1 Neighbourhood Centre	Insert exhibition homes, plant nurseries and shops under 3 Permitted with consent	Corrects an anomaly and reflects rollover
B2 Local Centre	Insert exhibition homes under 3 Permitted with consent	Corrects anomalies

B4 Mixed Use	• Insert exhibition homes under 3 Permitted with consent • Insert correctional facilities and warehouse or distribution centres under 4 Prohibited • Delete restricted premises from 4 Prohibited	Corrects anomalies
B6 Enterprise Corridor	• Insert animal boarding or training establishments, industrial training outlet and kiosks under 3 Permitted with consent • Insert waste or resource management facilities under 4 Prohibited	Corrects anomalies
RE1 Public Recreation	Insert recreation facilities (major) and water supply systems under 3 Permitted with consent	Corrects anomalies
RE2 Private Recreation	Insert recreation facilities (major) and water supply systems under 3 Permitted with consent	Corrects anomalies
SP3 Tourist	• Insert environmental protection works under 3 Permitted with consent • Insert open cut mining and warehouse or distribution centres under 4 Prohibited	Corrects anomalies

B Objectives in R2 Low Density and R3 Medium Density Residential zones

Since the notification of *Rockdale LEP 2011*, the land use tables in the R2 Low Density and R3 Medium Density Residential zones allow a range of non-residential uses that can potentially impact on the surrounding area, specifically with regards to density, character and the nature of their operation. These uses include **boarding houses, community facilities, educational establishments** and **places of public worship**.

On account of a recent development application for one of these uses, it was identified that the objectives of the R2 and R3 zones – where non-residential development is proposed to adjoin residential development – are insufficient in considering interface issues.

Therefore, a new objective for each zone is sought to require that such development does not detrimentally affect the character and amenity of the area.

C Minimum subdivision lot size

Clause 4.1(3B) is an exception clause that allows for the subdivision of existing **dual occupancies** provided the proposal is consistent with the minimum lot size requirements as show on the Minimum Lot Size Map.

It was not intended that this clause limit subdivision to ‘existing’ **dual occupancies**. It was also intended to apply to approved dual occupancy development. However, a recent development application for a subdivision of a dual occupancy has identified the unintended limitations of the clause.

Therefore, the clause needs to be amended so that it is clear it applies to all **dual occupancies**.

D Wolli Creek development incentive

Clause 4.4(2D)(f) provides a floor space ratio (FSR) incentive for land in the vicinity of Arncliffe Street and Brodie Spark Drive, Wolli Creek. This is delineated as Area E in *Rockdale LEP 2011* Floor Space Ratio Map (Refer to Sheet FSR_003). The area is within the commercial heart of Wolli Creek.

The original intent of the clause - as it was drafted for the purposes of the exhibited Draft Rockdale LEP 2011 - sought to encourage **commercial premises** (ie. **business premises**, **retail premises** and **office premises**) by providing an 'add-on' of an additional 2:1 FSR for **commercial premises** development. This additional 2:1 FSR for **commercial premises** only was in addition to the base FSR of 3:1 achieved by way of the Floor Space Ratio Map. Otherwise, the base FSR of 3:1 remained for all other development types. The intent of the clause was to encourage or, act as an incentive for, commercial development over this land.

After the exhibition of the Draft LEP, when the draft instrument was forwarded to the DP&I for progression, the DP&I's Legal Branch modified the clause consequently changing its intent. The current clause now provides a FSR of 5:1 with a requirement for no less than 2:1 FSR for **commercial premises**. Drafted this way, the clause implies - or establishes an expectation - that this land is eligible for a 5:1 FSR regardless of the type or split of uses. In addition, the clause does not provide the flexibility to the developer as the original wording as any development erected under this clause must now have a minimum commercial premises component of 2:1.

If the clause remains in its existing form, there is concern that if the market works more strongly in favour of residential development, developers will seek to amend the clause so that a 5:1 FSR should be expanded to non-commercial uses, specifically residential development. This outcome would mean that not only is the original intent of the clause undermined in terms of realising the commercial centre, but that an inappropriate scale of residential development could occur over this land. Hence, the clause does not provide an incentive for commercial development, as Council originally intended.

This clause needs to be amended to return the clause to its original intent which would provide – in addition to the base FSR of 3:1 (as per the Floor Space Ratio Map) that an additional 2:1 FSR is available but only for **commercial premises**. This will ensure that the maximum FSR of 3:1 for any residential development is returned. It ensures consistency with discussions with the owner of the site during exhibition of the draft LEP and is also in line with the original intent of the draft (exhibited) clause.

E Exempt Development (Schedule 2)

Council allows A-frame signage and sandwich boards as exempt development in Schedule 2 provided they are portable, free standing and not located on a public footpath.

At present, A-frames and sandwich boards on public land and within approved Footway Trading areas require development consent. However, Council would like Schedule 2 amended to ensure that A-frame signage and sandwich boards on public land can be exempt development provided the signage is situated within a designated area subject to a Footway Trading Agreement.

F Heritage (Schedule 5 and Heritage Map)

A number of amendments are proposed to the Heritage Schedule (Schedule 5) and the Heritage Map as per below:

- The following heritage items have been subject to extensive modifications and no longer warrant heritage listing, as per Rockdale Heritage Inventory Review. Therefore, delete the items from Schedule 5 and Heritage Map:
 - Heritage Item No.2 - 26 Atkinson Street, Arncliffe
 - Heritage Item No.8 - 5 Duncan Street, Arncliffe
 - Heritage Item No.17 - 23 Fairview Street, Arncliffe
 - Heritage Item No.34 - 15 Kyle Street, Arncliffe
 - Heritage Item No.40 - 14 Mitchell Street, Arncliffe
 - Heritage Item No.80 - 13 East Street, Bardwell Valley
 - Heritage Item No.134 - 500 Forest Road, Bexley
 - Heritage Item No.144 - 35 Harrow Road, Bexley
 - Heritage Item No.166 - 5 Brighton Parade, Brighton Le Sands
 - Heritage Item No.187 - 20 Willison Road, Carlton
- Street trees at Heathcote Street, Rockdale (Heritage Item No.214) are no longer an intact group of trees and have no heritage value as per Rockdale Heritage Inventory Review. Therefore delete the item from Schedule 5 and Heritage Map.
- The following heritage items have been demolished and hence no longer exist. Therefore, delete the items from Schedule 5 and the Heritage Map:
 - Heritage Item No.14 - Road reserve - Fairview Street, Arncliffe
 - Heritage Item No.192 - Kingsgrove Avenue, Kingsgrove
- The street address and lot and deposited plan need to be updated for Heritage Item No.94 – 17 Abercorn Street, Bexley is in Schedule 5.
- Heritage Item No.171 - Teralba Street, Brighton Le Sands needs to be identified on the Heritage Map (refer to Sheet HER_004).
- The following heritage items have been incorrectly listed and have no heritage significance and need to be removed from Schedule 5 and the Heritage Map:
 - 35 Harrow Road, Bexley
 - 5 Brighton parade, Brighton Le Sands

G Mapping amendments

- **Sydney Regional Environmental Plan No.33 - Cooks Cove**

The *Rockdale LEP 2011* excludes land covered by *Sydney Regional Environmental Plan No.33 - Cooks Cove (SREP)*. The *LEP 2011* maps published by DP&I do not appropriately delineate this land. For instance, the *LEP 2011* Land Application Map illustrates the SREP area with a thick border and separate grey shading. However, there is no corresponding legend item that explains this delineated area.

In the case of the Land Zoning Map: (1) the land appears to be unzoned and part of Cooks River; and (2) some "REP 33" notations appear on land that is not part of the land affected by the SREP.

In the case of the Lot Size Map, the Height of Buildings Map, the Floor Space Ratio Map, the Land Reservation Acquisition Map, the Heritage Map, the Acid Sulfate Soil Map, the Flood Planning Map, the Biodiversity Map, the Natural Resource - Wetlands Map and the Active Frontages Map, the SREP area is not clearly delineated.

It is recommended to have these maps amended to apply a clear edging, shading and labelling on the map and legends to ensure that the SREP area is easily identifiable.

○ **Natural Resources - Biodiversity Map**

Council has been informed of recent identification of threatened species and endangered ecological communities within the City which has prompted Council officers to review the Natural Resources - Biodiversity Map. A number of minor amendments were identified to ensure consistency with these recent discoveries and ensure consistency with Council's Biodiversity Strategy. The Natural Resources - Biodiversity Map requires the amendments listed in Table 2, below.

Table 2 – Proposed amendments to the Natural Resources – Biodiversity Map

Location	Change	Explanation
Wolli Creek, Turrella (near Rickard Street, Turrella)	Add land north of railway line	Grey Headed Flying fox habitat as identified by Sydney Metropolitan Catchment Management Authority
Bardwell Valley near Bexley Road	Expand area shown on existing map	Ensure consistency with Biodiversity Strategy
Hawthorn Street Reserve, Kogarah	Expand area shown on existing map	Ensure consistency with Biodiversity Strategy
Bado-berong Creek, Sans Souci	Expand area shown on existing map	Ensure consistency with Biodiversity Strategy
Bicentennial Ponds, Rockdale	Expand area shown on existing map	Ensure consistency with Biodiversity Strategy
Muddy Creek (near Bryant Street, Rockdale)	Add small pocket of land on edge of Muddy Creek	Endangered ecological community identified by Dragonfly Environmental consulting
Georges River, immediately south of Riverside Drive, Sans Souci	Add area below high tide water mark, within Georges River.	Habitat for migratory birds identified by Office of Environment and Heritage

○ **Acid Sulfate Soils Map**

The Acid Sulfate Soils Map applies to all land except land covered by the *Sydney Regional Environmental Plan No.33 - Cooks Cove*. However, the Acid Sulfate Soils Map (Sheet 003) illustrates the Class 5 layer extending over into the SREP area; land which should be excluded from the LEP. Furthermore, in the same vicinity, the extent of the Class 5 layer is also illustrated as being excluded from a portion of land where it should apply. As such, the Acid Sulfate Map needs to be amended accordingly.

○ **Cosmetic changes to all maps**

The suite of *Rockdale LEP 2011* maps have been produced with poor legibility. Certain information on all maps - such as the cadastre and street names - are not legible nor are they to the quality which other Council LEP maps have been produced. For instance, the *Mosman LEP 2012* maps have high quality legibility for the following reasons: (1) a black font has been applied to street names and property numbers; and (2) a darker shade of grey, along with a thicker line has been used for the cadastre layer.

Therefore, the following cosmetic changes to improve legibility to all *Rockdale LEP 2011* maps are proposed:

- Add the property numbers as a layer in a black coloured font
- Apply a black font for street names
- Apply a darker and thicker line to over the cadastre
- Include street numbers on properties

Part 3 - Justification

A Need for the planning proposal

A1 Is the planning proposal a result of any strategic study or report?

Biodiversity Map

Yes, the proposed amendments to the Natural Resources – Biodiversity Map are based on findings from Council's Biodiversity Strategy.

Heritage

Yes, the proposed amendment to Schedule 5 and the Heritage Map have been informed by the Rockdale Heritage Inventory Review prepared by Council's Heritage Advisor.

Other remaining changes

All other amendments are either anomalies either from typographical errors or they ensure that the policy position reflects a direct rollover from Council's previous LEP – Rockdale LEP 2000.

A2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The main objectives of the Planning Proposal relate to resolving inconsistencies and clarifying policy position within *Rockdale LEP 2011*. The only option to make these necessary amendments is through the Planning Proposal process.

A3 Is there a net community benefit?

It is intended that the Planning Proposal would deliver the following community benefit:

- Prohibiting certain forms of development which the community would identify as undesirable
- Clarifying land that has heritage significance
- Focusing of the commercial 'heart' of Wolli Creek

The following table (Table 3) addresses the evaluation criteria for conducting a net community benefit test within the Draft Centres Policy (2009) as required by the Department's guidelines.

Table 3 - Consistency with Net Community Benefit Evaluation Criteria

Evaluation Criteria	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes. There are no matters within the Planning Proposal that are inconsistent with State and Regional Planning.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	No.
Is the LEP likely to create a precedent or create or change the expectations of the landowners or other landholders?	No
Have the cumulative effects of other spot rezoning proposals in the locality been	Not applicable

considered? What was the outcome of these considerations?	
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No. There are no changes to zoning proposed as a part of this Planning Proposal.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No. There are no changes to zoning proposed as a part of this Planning Proposal.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposal site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	Not applicable
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Not applicable
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	Not applicable
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	Not applicable
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Not applicable
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Not applicable
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	Not applicable
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The Planning Proposal provides clarification of planning matters within the current LEP. This will ensure greater certainty for the community and remove any ambiguity within the LEP.

B Relationship to strategic planning framework

- B1 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)?**

Sydney South Draft Subregional Strategy

The Sydney South Draft Subregional Strategy sets Key Directions and Key Actions for the implementation of the Metropolitan Strategy (for the year 2031) at a more local level. The Draft Subregional Strategy sets targets for 7,000 new dwellings and 11,000 new jobs to be provided in Rockdale City Council LGA by 2031.

Economy and Employment:

The Planning Proposal includes amendments to commercial land uses within the zoning table. These amendments are minor in nature and will not subvert the intent of any business or industry zone.

Despite these amendments, there still remains a large range of permissible uses within the business and industrial zones. This ensures consistency with the Subregional Strategy.

Metropolitan Plan For Sydney 2036

The Metropolitan Plan For Sydney 2036 is the second blueprint for metropolitan Sydney and replaces the Metropolitan Strategy: City of Cities which was the vision for Sydney for the year 2031.

The Planning Proposal includes a number of minor amendments that will ensure *Rockdale LEP 2011* is consistent with Council policy and addresses existing anomalies within the LEP.

There are no amendments proposed that would not support the Metropolitan Strategy.

B2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Rockdale City Community Strategic Plan

Through our Vision: One Community, Many Cultures, Endless Opportunity, we have created a blueprint for where the community wants to be by 2025, through five community outcomes:

1. A vibrant, healthy and socially connected City of many cultures
2. A sustainable City
3. A strong economy
4. Appropriate infrastructure
5. A leading organisation

Table 4 below identifies how the Planning Proposal is consistent with the community outcomes.

Table 4 – Consistency with Rockdale City Community Strategic Plan

Outcome	Strategy	Consistency
1	1.6 Heritage and History. Ensure that Rockdale's natural and built heritage is respected, protected and well maintained reflecting the rich and diverse past of both indigenous and more recent settlement."	The Planning Proposal supports this Strategy by ensuring that property identified as having heritage significance still retains an appropriate level of significance. By removing inappropriate items from the Heritage Schedule in LEP 2011, Council and the community can be more confident in the integrity and applicability of the heritage list.
2	2.1 Strategic planning for a sustainable future Protect, preserve and promote the City's built and natural environment	The Planning Proposal includes amendments to the Natural Resources – Biodiversity Map. These amendments identify additional land that has recently been found to contain either an endangered ecological community, habitat for endangered

		fauna or identified within Council's Biodiversity Strategy. The natural environment will be further protected through the amendments proposed in the Planning Proposal. The inclusion of additional objectives within the low and medium density residential zones will aid protection of the existing residential area within the City.
2	2.5 Land Planning and Management Promote high quality, well designed and sustainable development that enhances the City.	The Planning Proposal supports this Strategy by improving community sustainability (by removing inappropriate development from the land use table) The revision of the development incentive clause for Wolli Creek will help to deliver a high quality development on the site.

B3 Is the planning proposal consistent with applicable state environmental planning policies?

Yes. A copy of the completed s.117 Directions is provided in Table 5, below.

Table 5 - Consistency with State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
1	Development Standards	Not applicable
4	Development Without Consent and Miscellaneous Exempt and Complying Development	Not applicable
6	Number of Storeys in a Building	Not applicable
14	Coastal Wetlands	Not applicable
15	Rural Landsharing Communities	Not applicable
19	Bushland in Urban Areas	Not applicable
21	Caravan Parks	Not applicable
22	Shops and Commercial Premises	Not applicable
26	Littoral Rainforests	Not applicable
29	Western Sydney Recreation Area	Not applicable
30	Intensive Aquaculture	Not applicable
32	Urban Consolidation (Redevelopment of Urban Land)	Not applicable
33	Hazardous and Offensive Development	Not applicable
36	Manufactured Home Estates	Not applicable
39	Spit Island Bird Habitat	Not applicable
41	Casino Entertainment Complex	Not applicable
44	Koala Habitat Protection	Not applicable
47	Moore Park Showground	Not applicable
50	Canal Estate Development	Not applicable
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
55	Remediation of Land	Not applicable
59	Central Western Sydney Regional Open Space and Residential	Not applicable
60	Exempt and Complying Development	Not applicable
62	Sustainable Aquaculture	Not applicable
64	Advertising and Signage	Not applicable

65	Design Quality of Residential Flat Development	Not applicable
70	Affordable Housing (Revised Schemes)	Not applicable
71	Coastal Protection	Not applicable
	(Affordable Rental Housing) 2009	Not applicable
	(Building Sustainability Index: BASIX) 2004	Not applicable
	(Exempt and Complying Development Codes) 2008	Not applicable
	(Housing for Seniors or People with a Disability) 2004	Not applicable
	(Infrastructure) 2007	Not applicable
	(Kosciuszko National park Alpine Resorts) 2007	Not applicable
	(Kurnell Peninsula) 1989	Not applicable
	(Major Development) 2005	Not applicable
	(Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
	(Penrith Lakes Scheme) 1989	Not applicable
	(Rural Lands) 2008	Not applicable
	(Sydney Drinking Water Catchment) 2011	Not applicable
	(Sydney Region Growth Centres) 2006	Not applicable
	(Temporary Structures) 2007	Not applicable
	(Urban Renewal) 2010	Not applicable
	(Western Sydney Employment Area) 2009	Not applicable
	(Western Sydney Parklands) 2009	Not applicable

See Table 6 below which reviews the consistency with the State Regional Environmental Plans, now deemed SEPPs.

Table 6 - Consistency with deemed State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
5	(Chatswood Town Centre)	Not applicable
8	(Central Coast Plateau Areas)	Not applicable
9	Extractive Industry (No.2 – 1995)	Not applicable
16	Walsh Bay	Not applicable
18	Public Transport Corridors	Not applicable
19	Rouse Hill Development Area	Not applicable
20	Hawkesbury-Nepean River (No.2 – 1997)	Not applicable
24	Homebush Bay Area	Not applicable
25	Orchard Hills	Not applicable
26	City West	Not applicable
28	Parramatta	Not applicable
30	St Marys	Not applicable
33	Cooks Cove	Consistent
	(Sydney Harbour Catchment) 2005	Not applicable

B4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

See Table 7 below which reviews the consistency with the Ministerial Directions for LEPs under section 117 of the *Environmental Planning and Assessment Act 1979*.

Table 7 - Consistency with applicable Ministerial Directions

1. Employment and Resources

No.	Title	Consistency with Planning Proposal
1.1	Business and Industrial Zones	Yes. The Planning Proposal does not reduce the extent of commercial or industrial land within the City.

1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable

2. Environment and Heritage

No.	Title	Consistency with Planning Proposal
2.1	Environmental Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Yes. The items being removed from the Heritage Schedule do not warrant heritage listing as they either no longer exist or have been extensively modified.
2.4	Recreation Vehicle Areas	Not applicable

3. Housing, Infrastructure and Urban Development

No.	Title	Consistency with Planning Proposal
3.1	Residential Zones	Not applicable
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating land use and Transport	Not applicable
3.5	Development near Licensed Aerodromes	Not applicable
3.6	Shooting ranges	Not applicable

4. Hazard and Risk

No.	Title	Consistency with Planning Proposal
4.1	Acid Sulfate Soils	Not applicable
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Not applicable
4.4	Planning for Bushfire Protection	Not applicable

5. Regional Planning

No.	Title	Consistency with Planning Proposal
5.1	Implementation of Regional Strategies	Yes. The Planning Proposal is of minor significance and does not contravene the objectives of the Subregional Strategy.
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5	Development on the vicinity of Ellalong...	(Revoked)
5.6	Sydney to Canberra Corridor	(Revoked)
5.7	Central Coast	(Revoked)
5.8	Second Sydney Airport: Badgerys Creek	Not applicable

6. Local Plan Making

No.	Title	Consistency with Planning Proposal
6.1	Approval and Referral Requirements	Yes. The Planning Proposal does not include any provisions that require the referral or approval from a public authority.
6.2	Reserving land for Public Purposes	Yes. The Planning Proposal does not include the reservation of any land.

6.3	Site Specific Provisions	Yes. The Planning Proposal includes site specific permissibility for car parking. This is proposed to be included in Schedule 1 of Rockdale LEP 2011. No development standards have been set for the use.
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7. Metropolitan Planning

No.	Title	Consistency with Planning Proposal
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Yes. The Planning Proposal is of a minor nature and does not contravene the objectives of the Metropolitan Plan.

C Environmental, social and economic impact

C1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal does not include any change to land zonings. Any Development Application made as a result of this Planning Proposal would be required to demonstrate that no threatened communities or habitats are affected by the proposed development.

C2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. Any Development Application made as a result of this Planning Proposal would be required to demonstrate that no threatened communities or habitats are affected by the proposed development.

C3 How has the planning proposal adequately addressed any social and economic effects?

No. The Planning Proposal does not include any change to land zonings. Any Development Application made as a result of this Planning Proposal would be required to demonstrate that no threatened communities or habitats are affected by the proposed development.

D State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

It is highly unlikely that this Planning Proposal requires additional public infrastructure. Whilst no studies have been undertaken to determine whether there is adequate infrastructure capacity (in terms of open space, road capacity, sewerage, stormwater, etc) – or are proposed - consultation will be undertaken with State and Commonwealth agencies as per Section D2 of this Planning Proposal.

Council anticipates advice from the Department of Planning and Infrastructure on this matter.

D2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with appropriate State and Commonwealth public authorities has not yet been undertaken.

Part 4 - Community Consultation

The Planning Proposal will be placed on public exhibition in accordance with the Gateway Determination.

A comprehensive engagement strategy will be prepared by Council which would include the following mechanisms:

- Advertisement in a local newspaper (ie. *St George Leader*).
- Notification letters to relevant State Agencies and other authorities nominated by the Department.
- A supporting Information Brochure.
- Notification (via letter) to the following land holders:
 - Heritage Items affected by Planning Proposal
- Advertise the proposal on Council's website.
- Exhibit the Planning Proposal at the following locations:
 - Council's Customer Services Centre, 2 Bryant Street, Rockdale,
 - Rockdale Library
 - Arncliffe Library
 - Bexley Library
 - Bexley North Library
 - Brighton Le Sands Library
 - Sans Souci Library.
- Undertake any other consultation methods appropriate for the proposal.

Appendices

Appendix 1 Council report and Minutes from Council Meeting, 18 April 2012 - Item Ord 12

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