



Planning,
Industry &
Environment

IRF21/2559

Gateway determination report – PP-2021-3892

Public Open Space Legacy Program – Accelerated
Medium Term Housing Supply

June 21



Published by NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Gateway determination report – PP-2021-3892

Subtitle: Public Open Space Legacy Program – Accelerated Medium Term Housing Supply

© State of New South Wales through Department of Planning, Industry and Environment 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (June 21) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Contents

1	Introduction	..... Error! Bookmark not defined.
1.1	Overview of planning proposal	..... 1
1.2	Description of Subject Area	..... 3
1.3	Rockdale Town Centre Masterplan	..... 3
2	Planning Proposal	..... 4
2.1	Objectives and Intended Outcomes	..... 4
2.2	Explanation of Provisions	..... 4
2.3	Mapping	..... 9
3	Need for the planning proposal	..... 11
4	Strategic assessment	..... 12
4.1	District Plan	..... 12
4.2	Local	..... 13
4.3	Local planning panel (LPP) and Council recommendation	..... 15
3.5	Section 9.1 Ministerial Directions	..... 16
3.6	State environmental planning policies (SEPPs)	..... 22
5	Site-specific assessment	..... 25
5.1	Environmental	..... 25
5.2	Social and economic	..... 27
5.3	Infrastructure	..... 27
6	Consultation	..... 28
6.1	Community	..... 28
5.2	Agencies	..... 28
6	Timeframe	..... 28
7	Local plan-making authority	..... 29
8	Assessment Summary	..... 29
9	Recommendation	..... 29

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Draft Planning Proposal 10 June 2021
Urban Design and Built Form Study Rockdale Town Centre Version 1.0 May 2021
Urban Design and Built Form Study Walz Street Precinct Version 1.0 May 2021
Traffic and Transport Assessment Report 4 May 2021 prepared by Bitzios Consulting
Flood Constraints Review Final Report April 2021 prepared by WMAwater
Bayside Council Meeting Agenda, Attachments and Minutes (9 June 2021)

1 Introduction

1.1 Overview of planning proposal

Table 2 Planning proposal details

LGA	LGA name
PPA	Bayside Council
NAME	Public Open Spaces Legacy Program – Accelerated Medium Term Housing Supply
NUMBER	PP-2021-3892
LEP TO BE AMENDED	Bayside Local Environmental Plan 2021
ADDRESS	Rockdale Centre Housing Investigation Area; and Walz Street Housing Investigation Area
DESCRIPTION	Land within the Rockdale Town Centre as described below and section 1.2 of this report.
RECEIVED	4/06/2021
FILE NO.	IRF21/2559
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

The planning proposal seeks to assist in providing for the medium-term housing supply in the Bayside LGA. It is proposed that new housing be provided in two separate precincts within the Rockdale Town Centre. These two precincts are referred to as:

- Rockdale Town Centre Investigation Area (Rockdale Town Centre Precinct); and
- Walz Street Housing Investigation Area (Walz Street Precinct).

To achieve these objectives, the planning proposal seeks to amend the Rockdale LEP 2011 (or the pending draft Bayside LEP 2021), by:

- increasing the mapped building height to part 34m and part 40m in the Rockdale Town Centre Precinct (highlighted blue in **Figure 1**).

Where the mapped building height is increased, the application of bonus height under 'Area 1' (as referenced in the draft Bayside LEP 2021) will be removed (highlighted blue in **Figure 1**).

The mapped building height increase will exclude the:

- Rockdale Interchange Precinct (highlighted yellow in **Figure 1**); and
- Rockdale Civic Precinct (highlighted red in **Figure 1**).

As such, 'Area 1' will continue to apply to these two areas;

- increasing the building height to part 25m, part 28m and part 30m in the Walz Street Precinct (highlighted orange in **Figure 1**);
- =rezone 3-5 Watkin Street, Rockdale to RE1 Public Recreation, with Council as acquisition authority (highlighted green in **Figure 1**); and
- introducing the draft Bayside LEP 2021 design excellence clause into the Rockdale Town Centre, as identified in the Rockdale Town Centre Masterplan 2012 (highlighted aqua in **Figure 1**)

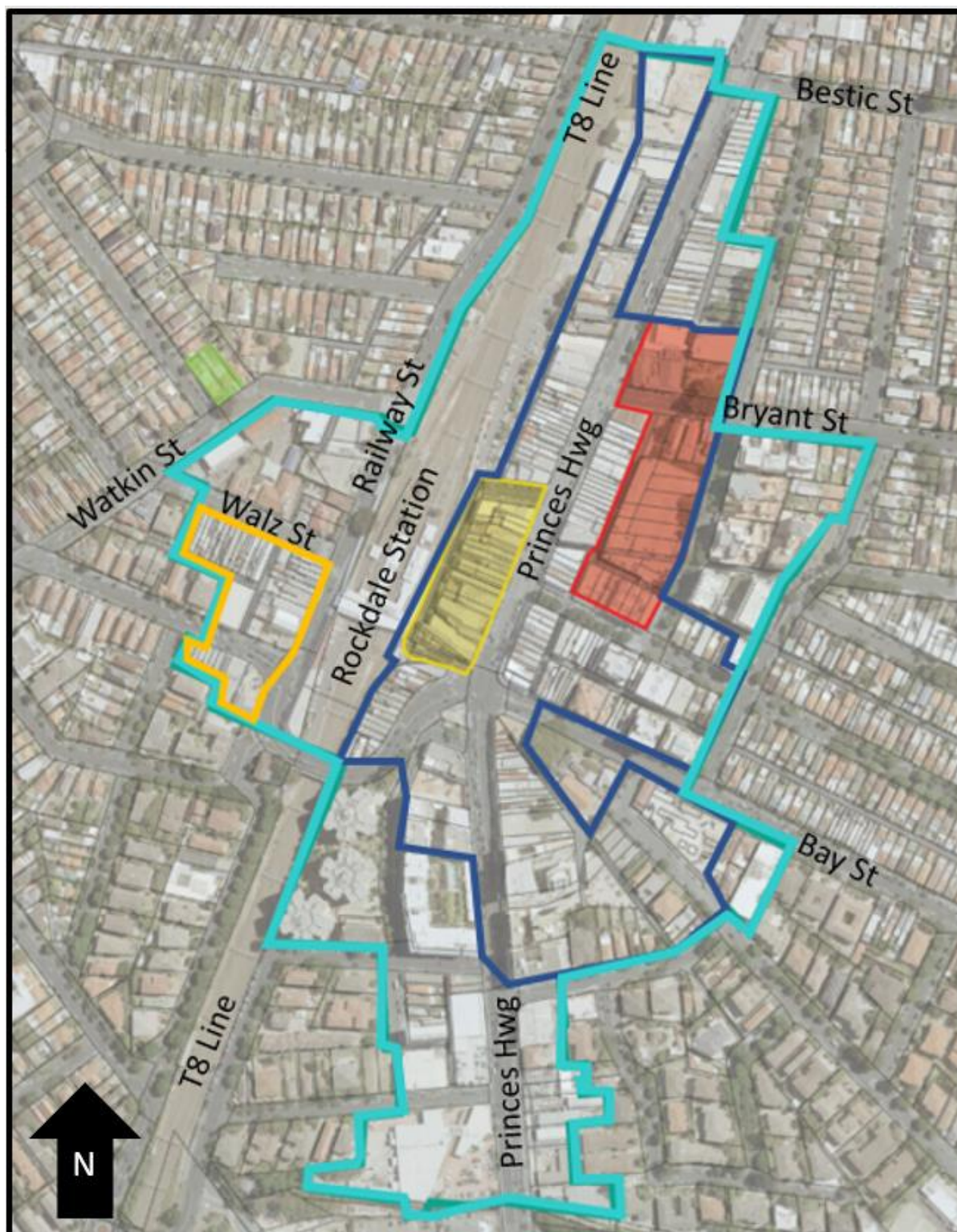


Figure 1: Planning proposal context map (Source: the planning proposal)

1.2 Description of subject area

Rockdale Context

Rockdale is in the western part of the Bayside LGA and is identified within both the Eastern City District Plan and Bayside Local Strategic Planning Statement as serving the function of a local centre. It provides civic and population serving functions and facilities for the surrounding area with access to rail and bus services.

The Bayside LSPS contains a Bayside Land Use Vision 2036 which also states that Council intends to nominate Rockdale as a proposed Strategic Centre in recognition of its role as a civic and community hub and in supporting the Kogarah Collaboration Place Strategy (Kogarah Collaboration Area) achieve its vision for 2036. The Kogarah Collaboration Area includes the Rockdale Town Centre and identifies a strategic supporting role for Rockdale in achieving the Kogarah Collaboration Area Vision by 2036.

Rockdale Town Centre Precinct

The Rockdale Town Centre Precinct is located on the eastern side of the Rockdale Railway line and composes the core of the Rockdale Town Centre. It extends along the Princess Highway and composes a mixture of recently completed missed use residential developments and one-two storey shop and business premises. The Precinct is approximately 22.7 hectares in size.

Walz Street Precinct

The Walz Street Precinct is located on the western side of the T8 Line and is directly opposite the entrance to Rockdale Station. It is bound by Walz Street to the north including properties with access to Frederick Lane, Railway Street to the east, extending to include properties that face Frederick Street to the corner of Rawson Street.

The area provides a different built form character to the eastern side of the Rockdale Centre with a predominant two storey street scale along Walz and Railway Streets. The two storey shop fronts establish a modest existing character to the area with the subdivision pattern being largely narrow with a few larger sized lots. The area has an active small business character providing local facilities and shops to service the local community.

Two additional properties relate to the Walz Street Precinct and are located just outside the Rockdale Town Centre at 3 and 5 Watkin Street, Rockdale. They each contain a dwelling house. The supporting urban design analysis has identified these properties to be rezoned RE1 Public Recreation to provide additional open space provision in the area.

1.3 Rockdale Town Centre Masterplan 2012

The land subject to this planning proposal is within the area covered by the Rockdale Town Centre Masterplan 2021 (see **Figure 1** – highlighted aqua). The Masterplan was adopted by the former Rockdale City Council on 5 December 2012.

The aim of the Masterplan is to identify key precincts that have redevelopment potential, need revitalisation, and would have the greatest impact on improving the vibrancy of the Rockdale town centre.

Amendments to implement some of the recommendations of the Masterplan have been made to the Rockdale LEP 2011. However, the planning proposal states that since the adoption of the Masterplan, redevelopment has occurred on the fringes of the Rockdale Centre where land ownership patterns have been less constrained. The planning proposal states that reconsidering the Masterplan within 10 years is necessary to consider changed conditions so that landowners, developers and tenants are prepared to invest in the vision.

The planning proposal is supported by urban design studies that have reviewed the areas identified above with the aim of:

- updating planning and design controls considering the existing Rockdale Town Centre Masterplan 2012 and the character of redevelopment that has occurred since its adoption.
- unlocking development on sites to be redeveloped by providing more certainty to developers.
- making the Rockdale town centre a more attractive place for investment and residents by improving the quality of built form and public domain outcomes through development.

2 Proposal

2.1 Objectives and Intended Outcomes

The planning proposal states that the objectives of the planning proposal are to assist in the medium-term housing supply in the Bayside LGA to be realised. The provision of additional housing supply is proposed to be achieved by amending development standards and zoning within two separate housing investigation areas.

The objectives and intended outcomes are clear and adequate for community consultation.

2.2 Explanation of provisions

The planning proposal seeks to amend the Rockdale LEP 2011 or the pending draft Bayside LEP 2021. It is noted that the draft Bayside LEP 2021 retains the existing zoning and provisions applicable to this planning proposal on the affected land.

The proposed amendments under this planning proposal are described below:

- Section 2.2.1 describes the application of design excellence to the Rockdale Town Centre as identified in the Rockdale Town Centre Masterplan 2012
- Section 2.2.2 describes the proposed amendments to the Rockdale Town Centre Precinct;
- Section 2.2.3 describes the proposed amendments to the Walz Street Precinct;

2.2.1 Design Excellence Provisions

The planning proposal seeks to apply design excellence to the Rockdale Town Centre, as identified on a proposed Design Excellence Map (**Figure 2**).

Design excellence already applies to several parts of the Rockdale Town Centre, including 'areas' (as referenced in clause 4.3(2A) with the draft Bayside LEP 2021):

- Area 1;
- Area 6;
- Area 7;
- Area 8;
- Area 9; and
- Area 11

These 'areas' provide a specific height bonus based upon achieving a specified minimum lot area. This means where the maximum potential height is sort, then design excellence would be applied to that development application.

The planning proposal considers that the broader review of planning controls in the Rockdale Town Centre:

- provides an opportunity to achieve design excellence outcomes across the broader masterplan area; and
- gives effect to the Bayside LSPS's vision for Rockdale as a well-designed future strategic centre, with high amenity as part of the Kogarah Collaboration Area.



Figure 2: Proposed design excellence map with applicable land highlighted black (Source: the planning proposal)

2.2.2 Rockdale Town Centre Precinct

Table 3: Amendments to the Rockdale Town Centre Precinct

Control	Current	Proposed
---------	---------	----------

Zone	B2 Local Centre B4 Mixed Use	No Change
Maximum height of the building	22m and 28m with 12m height bonus for sites >1500m ² in area (as per Clause 4.3(2A)).	34m and 40m (area will not be subject to existing bonus height under clause 4.3(2A))
Floor space ratio	Does not apply	No Change
Design Excellence	Applies to some parts of the precinct	Apply to all parts of the precinct

Height of Buildings

The proposed amendments to the height of buildings as part of the Rockdale Town Centre Precinct is supported by an Urban Design and Built Form Study (Urban Design Study). This provides a review of the existing planning controls for the Rockdale Town Centre, as identified in the Rockdale Town Centre Masterplan 2012.

The planning proposal states that the primary focus of the Urban Design Study is to provide the evidence base to amend the existing controls within the centre to unlock latent capacity and direct better built form and spatial outcomes. This will be achieved in accordance with a height strategy for the centre based on amalgamation patterns, rather than a minimum site area which has led to individual site-specific responses to redevelopment of the centre.

The proposed amendments to the height provisions apply will not apply to the following land:

*Civic Precinct (highlighted red in **Figure 2**)*

The planning proposal states that this area is excluded because it includes a combination of Council-owned and privately owned land and requires further detailed investigations to be carried out.

*Rockdale Transport Interchange Precinct (highlighted yellow in **Figure 2**)*

This area is currently the subject of a separate planning proposal (the Rockdale Interchange Planning Proposal) which was granted Gateway on 2 June 2021. The Rockdale Interchange Planning Proposal includes the following amendments:

- retain the existing B2 Local Centre zoning;
- increase the maximum permissible height from 22m to 27m for the entire site. Currently an incentive (clause 4.3(2A)(a)) applies to the site, which provides for an additional 12m of height for buildings in 'Area A' on sites greater than 1,500m² subject to:
 - design excellence considerations under clause 6.14; and
 - a design review plan reviewing the development application (clause 6.14(5)(a)(1)).
- remove the applicable FSR of 2:1 that currently applies to the site. This approach is consistent with the bulk of Rockdale Town Centre where built form is currently controlled by the height standard and building envelope controls in the Rockdale Development Control Plan 2011.

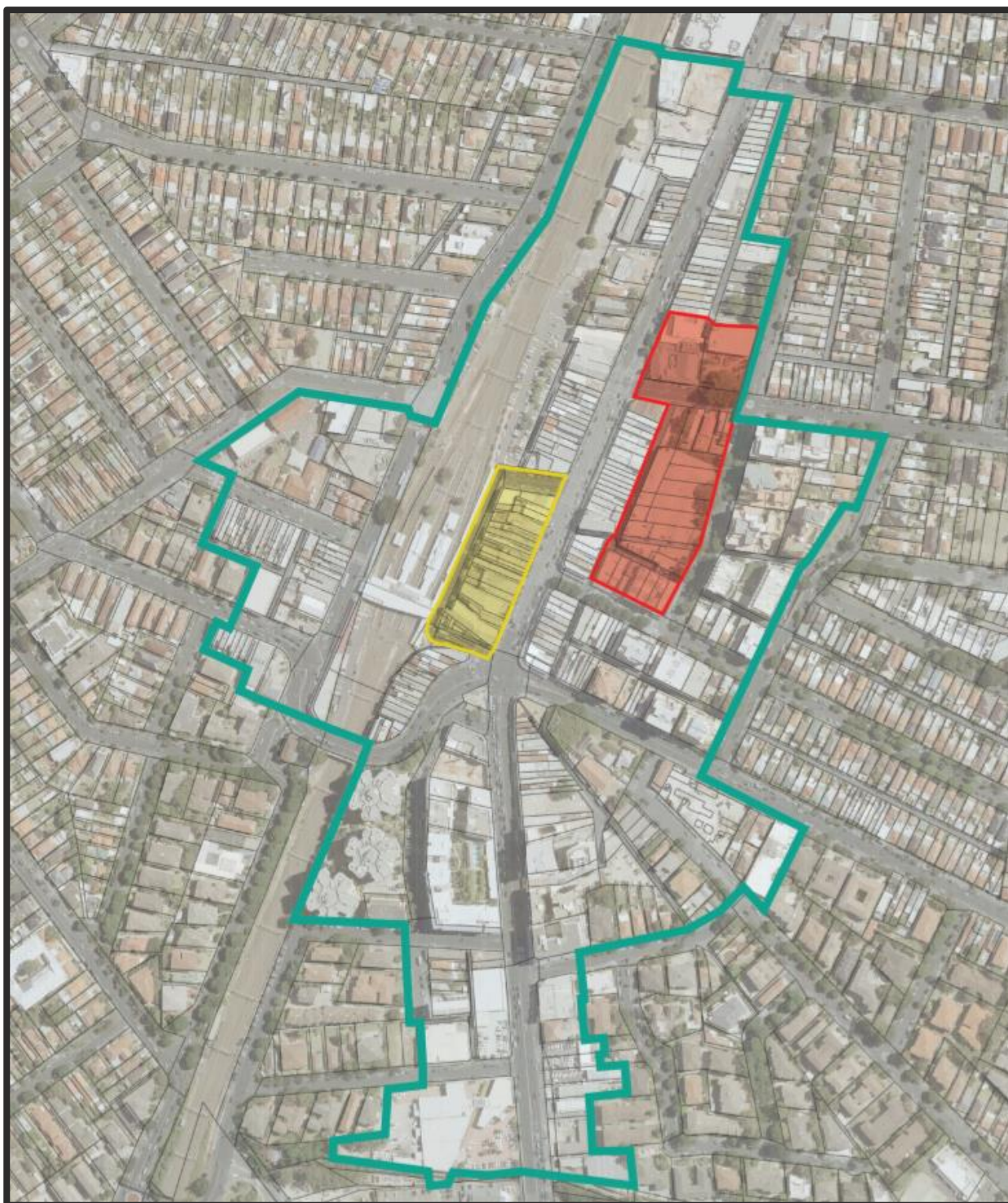


Figure 3: Rockdale Town Centre (highlight aqua) with the Interchange and Civic Precincts (Source: the planning proposal)

Development Control Plan

To implement the recommendations of the Urban Design Study, the planning proposal states that a development control plan (DCP) will be prepared which is also intended to establish preferred amalgamation patterns for undeveloped sites in the Rockdale Centre. The amalgamation patterns will form the basis of the built form strategy for redevelopment of the centre. Controls will be included in the site-specific DCP, requiring negotiations between landowners to enable a coordinated approach to redevelopment of the centre and to avoid isolated lots.

The planning proposal states that the site specific DCP will propose a suite of provisions in relation to active street frontages; street setbacks; street wall heights; upper level setbacks; building massing; scale and articulation; height transition; facade design; site access and servicing; vehicular crossings and splay corners; parking; site facilities; urban greening; development on busy roads; and building typologies which aim to provide additional guidance for redevelopment of the centre and to facilitate improvements to the public domain.

2.2.3 Walz Street Investigation Area

Table 3: Amendments to the Walz Street Precinct

Control	Current	Proposed
Zone	B2 Local Centre (Walz Street Precinct)	No Change
	R2 Residential (3-5 Watkin St)	RE1 Public Recreation
Maximum height of the building	22m (Walz Street Precinct)	Part 25m, part 28m and part 30m
	8.5m (3-5 Watkin St)	Remove
Floor space ratio	Nil (Walz Street Precinct)	No change
	0.55:1 (3-5 Watkin St)	Remove
Design Excellence	Nil (Walz Street Precinct)	Apply to all Walz Street Precinct
	Nil (3-5 Watkin St)	Will not apply
Land Reservation Acquisition	Nil (Walz Street Precinct)	Will not apply
	Nil (3-5 Watkin St)	Will apply to 3-5 Watkin St, Rockdale. Council are the nominated acquisition authority

The supporting urban design study states that its primary focus is to establish appropriate built form and height controls for the remaining undeveloped block in the Walz Street Precinct on the western side of the railway line, within the Rockdale Town Centre.

The Study area is bound by Walz Street to the north including properties with access to Frederick Lane, Railway Street to the east, extending to include properties that face Frederick Street to the corner of Rawson Street. The area comprises 33 lots which are currently zoned B2 Local Centre under the draft Bayside Local Environmental Plan 2021 and is just over 1 hectare in size.

Development Control Plan

To implement the recommendations of the Urban Design Study, the planning proposal states that a development control plan (DCP) will be prepared to guide built form outcomes via amalgamation patterns, active street frontages, retention of existing lot widths at ground floor, setbacks which includes street wall and podium heights.

2.3 Mapping

The planning proposal includes indicative mapping of the proposed LEP amendments. Extracts can be found below as appropriate.

It is considered necessary that the planning proposal be updated with draft LEP mapping to ensure the amendments are clear for the community and agencies during consultation. The Gateway determination has been conditioned accordingly.

Design Excellence for the Rockdale Town Centre

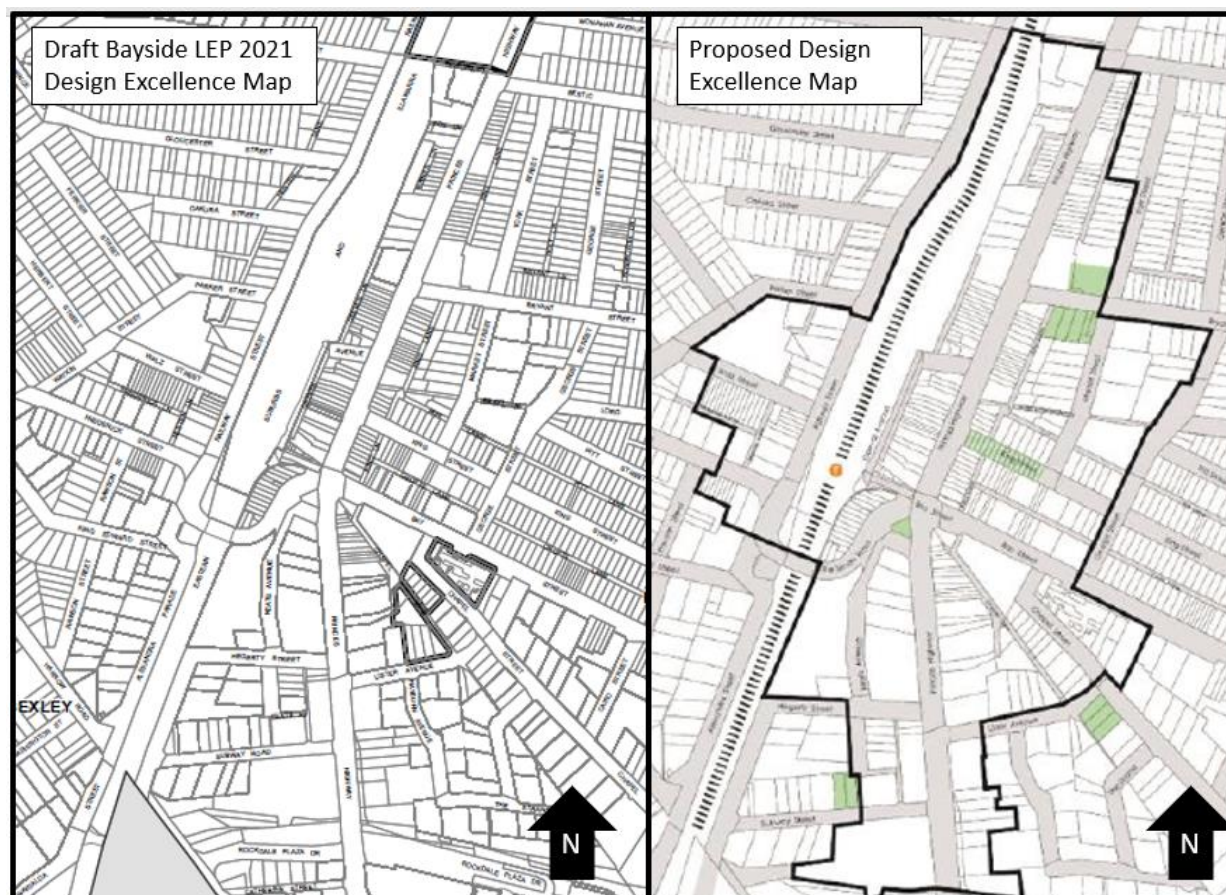


Figure 4: Comparison Design Excellence Maps (Source: the planning proposal)

Rockdale Town Centre Precinct

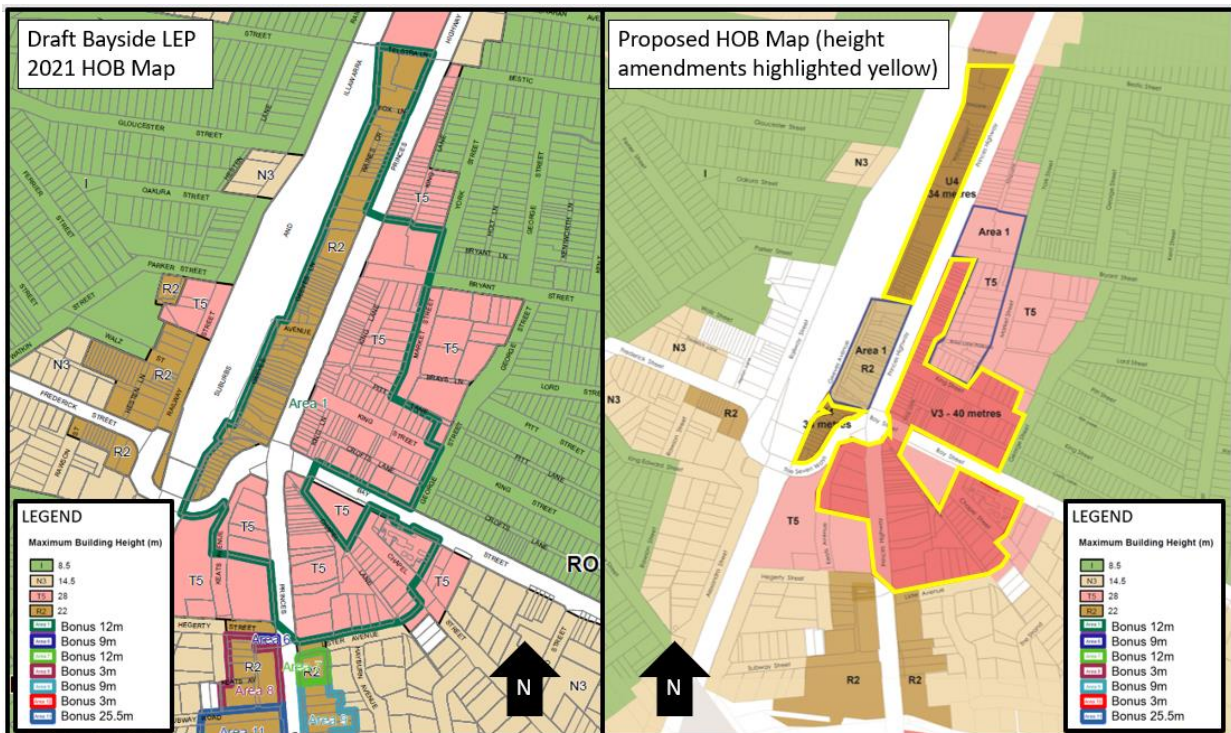


Figure 5: Comparison building height maps (Source: the planning proposal)

Walz Street Precinct

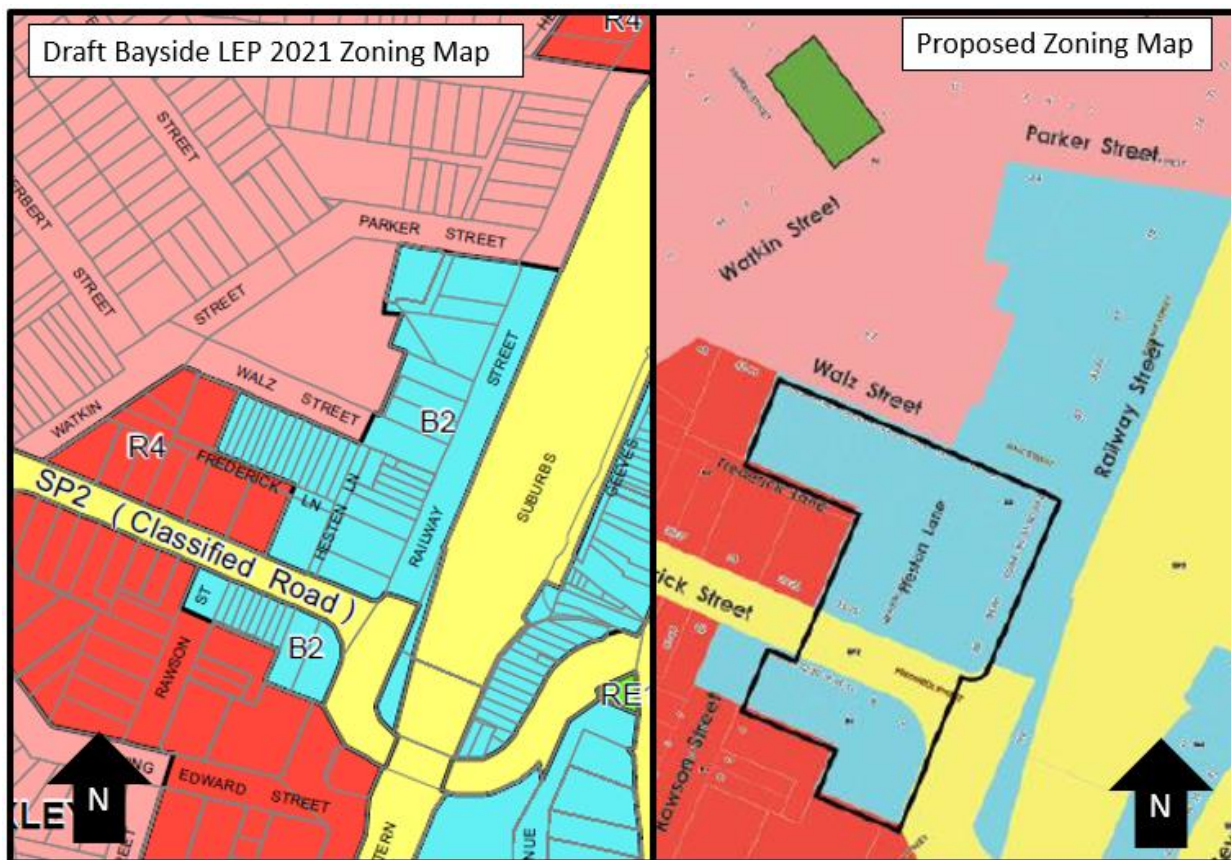


Figure 6: Comparison land zoning maps (Source: the planning proposal)



Figure 7: Comparison building height maps (Source: the planning proposal)

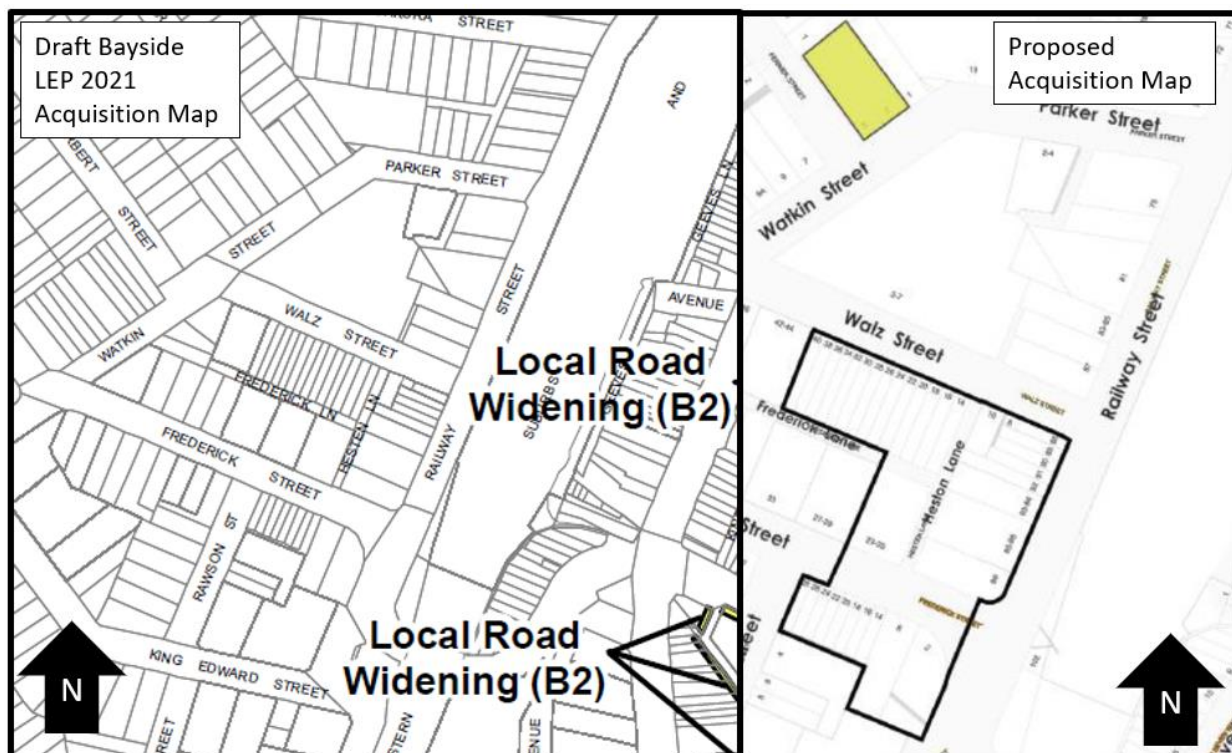


Figure 8: Comparison land acquisition maps (Source: the planning proposal)

3 Need for the planning proposal

The planning proposal states that it has been prepared in response to the Public Spaces Legacy Program announced by the Department in 2020. The planning proposal will enable the provision of additional dwellings to meet the medium term (6-10 year) housing supply requirements.

4 Strategic assessment

4.1 District Plan

The planning proposal affects land within the Eastern City District and the Greater Sydney Commission released the Eastern City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the relevant planning priorities for infrastructure and collaboration, liveability, productivity, and sustainability, including:

- E1 - Planning for a city supported by infrastructure;
- E2 - Working in Collaboration;
- E4 - Fostering healthy, creative, culturally rich and socially connected communities;
- E5 - Providing housing supply, choice and affordability, with access to jobs and services;
- E6 - Creating and renewing great places and local centres, and respecting the District's heritage;
- E10 - Delivering integrated land use and transport planning and a 30-minute city;
- E17 - Increasing urban tree canopy cover and delivering Green Grid connections;
- E18 - Delivering high quality open space;
- E19 - Reducing carbon emissions and managing energy, water and waste efficiently; and
- E20 - Adapting to the impacts of urban and natural hazards and climate change.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979* (the Act), because it:

- will provide the integration of additional residential and commercial floor space within 400m of Rockdale Station and Bus Interchange, which will:
 - assist with optimising existing public transport infrastructure;
 - encourage access and walkability to public transport; and
 - facilitates the objectives of the 30-minute city by providing connections to nearby centres with services and jobs at Hurstville, Kogarah and Sydney CBD;
- facilitates improvements to the public domain, permeability and walkability through potential new publicly accessible through-site connections and new footpaths;
- provides opportunities to improve the Princes Highway as part of the Greater Sydney Green Grid;
- locates new residential development in the Walz Street Precinct near a proposed new pocket park at 3-5 Watkin Street, Rockdale;
- provides an opportunity to achieve improved design outcomes across Rockdale Town Centre;
- facilitates the delivery and maintenance of public open space, identified under the Rockdale Masterplan 2012; and
- includes analysis to demonstrate future development can address urban and natural hazards, which include:

- acid sulfate soils;
- aircraft, vehicular and train noise; and
- flooding.

4.2 Local

The planning proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local Strategies

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	<p>The planning proposal does address the Bayside LSPS. The Department has reviewed the LSPS and notes the following key relevant planning priorities.</p> <p><i>Bayside Planning Priority 1 - Align land use planning and transport infrastructure planning to support the growth of Bayside.</i></p> <p>The planning proposal is near Rockdale Station, Rockdale Bus Interchange and Princes Highway. Future development of Rockdale town centre will optimise the use of this transport infrastructure.</p> <p><i>Bayside Planning Priority 6 – Support sustainable housing growth by concentrating high density urban growth close to centres and public transport corridors.</i></p> <p>The planning proposal intends to facilitate the delivery of new housing supply with a mix of apartment types near:</p> <ul style="list-style-type: none"> • existing public transport (Rockdale Station and Bus Interchange); • the Princes Highway; and • existing jobs and services in the Rockdale town centre. <p><i>Bayside Planning Priority 7 - Provide choice in housing to meet the needs of the community.</i></p> <p>The planning proposal provides for new housing opportunities in the Walz Street Precinct and the realisation of existing housing, through a new mechanism to achieve height and built form outcomes, within the Rockdale Town Centre Precinct.</p> <p><i>Bayside Planning Priority 12 - Delivering integrated land use and a 30-minute city</i></p> <p>The planning proposal will enable new residential and commercial development near Rockdale Station and Bus Interchange. Future residents will be located close to the jobs and services in Rockdale and within 30 minutes of larger employment hubs such as Hurstville, Kogarah and the Sydney CBD.</p> <p>The proposal will deliver integrated land use and transport planning, by locating new housing near Rockdale Station.</p> <p><i>Bayside Planning Priority 15 - Growing investment, business opportunities and jobs in Bayside's strategic centres and centres.</i></p> <p>The planning proposal:</p>

Local Strategies	Justification								
	<ul style="list-style-type: none"> • seeks to provide for new housing within the Rockdale Town centre, contributing to the Bayside LSPS's vision for Rockdale as a future strategic centre; and • provides an opportunity to achieve design excellence outcomes across the broader masterplan area. <p><i>Bayside Planning Priority 16 - Contribute to growing the health and education precincts of Kogarah, Randwick and Camperdown.</i></p> <p>The planning proposal provides new housing which:</p> <ul style="list-style-type: none"> • contributes to supporting employment opportunities within the Kogarah Collaboration Area through new worker housing and business consumers; and • gives effect to the Bayside LSPS's vision for Rockdale as a future strategic centre as part of the Kogarah Collaboration Area. <p><i>Bayside Planning Priority E19 - Reduce carbon emissions through improved management of energy, water and waste.</i></p> <p>The planning proposal is generally consistent with this priority as its location near existing public transport promotes sustainable transport options.</p>								
Bayside Community Strategic Plan 2018-2030	<p>The Bayside Community Strategic Plan sets the strategic direction for Council's Delivery Program and Operational Plans. The proposal is consistent with Plan, including the following relevant strategic directions:</p> <ul style="list-style-type: none"> • Strategic Direction 'Our Places are people-focussed' as it seeks to facilitate a vibrant Rockdale Town Centre; • Strategic Direction 'Our Places Connect People' as it will facilitate new urban development near existing services and infrastructure in the Rockdale Town Centre; and • Strategic Direction 'Local Housing, employment and business opportunities are generated' as it will facilitate additional housing and employment opportunities. 								
Rockdale Town Centre Masterplan 2012	See Section 1.3 – Rockdale Town Centre Masterplan 2012 of this report.								
Draft Bayside Local Housing Strategy	<p>The draft Bayside Local Housing Strategy was adopted by Council on 10 March 2021, and at the time of writing this report, is being considered for endorsement by the Department (the draft Bayside LHS).</p> <p>The draft Bayside LHS sets a 20 year vision for housing supply, which targets the provision of 26,021 additional dwellings between 2016 and 2036, being:</p> <table data-bbox="464 1753 1428 2016"> <tr> <th data-bbox="464 1753 946 1821">Timeframe</th><th data-bbox="946 1753 1428 1821">Dwelling Target</th></tr> <tr> <td data-bbox="464 1821 946 1888">2016 – 2021</td><td data-bbox="946 1821 1428 1888">10,150</td></tr> <tr> <td data-bbox="464 1888 946 1955">2021 - 2026</td><td data-bbox="946 1888 1428 1955">7,720</td></tr> <tr> <td data-bbox="464 1955 946 2016">2026 - 2036</td><td data-bbox="946 1955 1428 2016">8,151</td></tr> </table>	Timeframe	Dwelling Target	2016 – 2021	10,150	2021 - 2026	7,720	2026 - 2036	8,151
Timeframe	Dwelling Target								
2016 – 2021	10,150								
2021 - 2026	7,720								
2026 - 2036	8,151								

Local Strategies	Justification	
	Total 2016 - 2036	26,021
	<p>One of the key principles of the draft Bayside LHS is that growth should occur in centres with good access to public transport and proximity to facilities and services, such as Rockdale.</p> <p>The draft Bayside LHS found that Rockdale is one of the most appropriate centres in the LGA for additional housing intensification as it is near the T8 Line and land available for redevelopment.</p>	

4.3 Local planning panel (LPP) recommendation

Bayside Local Planning Panel

On 20 May 2021, the planning proposal was considered by the Bayside Local Planning Panel (the Panel). The Panel supported the planning proposal and recommended to Council that it proceed to the Department for a Gateway determination.

The Panel considered the previous version of the planning proposal, which included amendments in four precincts, being:

- Bay Street Rockdale/Brighton;
- Railway Street/Walz Street/Parker Street area, Rockdale (Walz Street Precinct);
- West Arncliffe Precinct; and
- Rockdale Town Centre East of the Railway Line (Rockdale Town Centre).

Council subsequently resolved to remove Bay Street Rockdale/Brighton and West Arncliffe Precinct from the planning proposal. This is discussed below.

Council Meeting

On 9 June 2021, Bayside Council considered the recommendation of the Panel and whether to support the planning proposal to proceed to the Department for a Gateway determination.

Council resolved the following:

Bay Street Rockdale/Brighton

Council resolved:

That, pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), Council has considered the recommendation of the Bayside Local Planning Panel from 20 May 2021 in relation to proposed planning control changes in the vicinity of Bay Street Rockdale/Brighton, but will not submit that part of the draft Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination relating to that area.

Railway Street/Walz Street/Parker Street area, Rockdale (Walz Street Precinct)

Council resolved:

1. *That, pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), Council has considered the recommendation of the Bayside Local Planning Panel from 20 May 2021 in relation to proposed planning control changes in the Railway Street/Walz Street/Parker Street area, Rockdale, and will submit that part of the draft Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination relating to that area.*

2. That, should a Gateway Determination be issued by DPIE that enables public exhibition of the proposal, a further report be tabled to Council that considers any submissions received during the public exhibition period.

West Arncliffe Precinct

Council resolved:

1. That, pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), Council has considered the recommendation of the Bayside Local Planning Panel from 20 May 2021, in relation to proposed planning control changes in the West Arncliffe precinct, but will not submit that part of the draft Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination relating to this area.
2. That the new Council establish a Precinct Committee to review potential development of the West Arncliffe precinct.

Rockdale Town Centre East of the Railway Line (Rockdale Town Centre Precinct)

Council resolved:

1. That, pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), Council has considered the recommendation of the Bayside Local Planning Panel from 20 May 2021 in relation to proposed planning control changes in the Rockdale Town Centre east of the railway line, and will submit that part of the draft Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination relating to that area.
2. That, should a Gateway Determination be issued by DPIE that enables public exhibition of the proposal, a further report be tabled to Council that considers any submissions received during the public exhibition period.

The Department is satisfied that the planning proposal's objectives and explanation of provisions reflects the resolution of Council.

4.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Ta 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Business and Industrial Zones	Yes	<p>This Direction aims to encourage employment growth in suitable locations, protect employment land in business zones, and support the viability of identified centres.</p> <p>The planning proposal:</p> <ul style="list-style-type: none"> • retains existing employment zones; • does not decrease existing employment floor space; • provides for new housing in the Rockdale Town Centre, enhancing the viability of the centre through new consumers for business; and • provides a new pocket part on Watkin Street, Rockdale – near the Walz Street Precinct.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
2.3 Heritage Conservation	Unresolved – agency consultation required	<p>The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The planning proposal is not located in a heritage conservation area, but does contain heritage items, which include:</p> <ul style="list-style-type: none"> • local item (I206) at 11 Bay Street, Rockdale – ‘the Uniting Church and buildings’; • local item (I220) at 448 Princes Highway, Rockdale – ‘Rockdale Town Hall’; • local item (I221) at 87 Railway Street, Rockdale – ‘Rockdale School of Arts (Guild Theatre)’; • state item (I222), the Rockdale Railway Station and Yard Group– ‘Brick buildings on platforms, signal box and overhead booking office’; and • local item (I223) at 2-11 Walz Street, Rockdale – ‘St Joseph’s Convent’. <p>The planning proposal:</p> <ul style="list-style-type: none"> • is not supported by a heritage impact statement; • does not propose uplift on sites which contain a heritage item; and • proposes to apply design excellence provisions onto existing heritage items. <p>Council is preparing a DCP to support the proposed amendments, which will include development controls to reduce impacts to neighbouring heritage items from built form impacts. This includes:</p> <ul style="list-style-type: none"> • setback controls; • indicative massing and built form outcomes; and • lot consolidation patterns. <p>The Department considers the planning proposal appropriately responds to this Direction to proceed to exhibition.</p> <p>However, given the planning proposals affects the state listed Rockdale Station, this Direction will not be resolved until:</p> <ul style="list-style-type: none"> • advice from Heritage NSW is sort; and • the planning proposal responds accordingly.
2.6 Remediation of Contaminated Land	Yes	<p>The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>The planning proposal only rezones two low density residential lots into public open space at 3-5 Watkin Street, Rockdale. All other zonings are retained.</p> <p>The Direction only requires detailed consideration of contamination where a rezoning would permit a change of land use.</p> <p>Contamination matters for the rezoning at 3-5 Watkin Street, Rockdale can be considered as part of future works. Similarly, as these are existing residential developments, it is considered unlikely that they will be highly contaminated, with any contamination likely being able to be remediated. Therefore, contamination is capable of being appropriately addressed during the development application process on these two lots.</p> <p>As the remaining zonings are being retained on the other applicable land, the Direction does not need to be considered further. Any contamination on this land is capable of being appropriately addressed as part of the development application process.</p>
3.1 Residential Zones	Minor Inconsistency - justified	<p>This Direction aims to encourage housing choice, make efficient use of infrastructure and services, and minimise the impact of residential development on environment and resource lands.</p> <p>The planning proposal:</p> <ul style="list-style-type: none"> • seeks to facilitate the creation of a new pocket park near the Walz Street Precinct on Watkin Street; • seeks to: <ul style="list-style-type: none"> ○ allow for additional residential floor space in the Walz Street Precinct; ○ facilitate the realisation of existing potential building height and floor space in the Rockdale Town Centre; and ○ provide for good design by introducing design excellence provisions into the Rockdale Town Centre. • is near: <ul style="list-style-type: none"> ○ a range of services in an existing urban centre; ○ existing public transport infrastructure, including Rockdale Station and Bus Interchange. <p>There is a minor inconsistency with this Direction as it seeks to rezone two residential lots to public open space at 3-5 Watkin Street, Rockdale. However, this is considered minor as the planning proposal provides for new housing opportunities across the Rockdale Town Centre.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.4 Integrating Land Use and Transport	Yes	<p>This Direction, a planning proposal must consider improving access to housing, jobs and services by walking, cycling and public transport and reducing reliance on cars.</p> <p>The planning proposal is located near:</p> <ul style="list-style-type: none"> • Rockdale Station and Bus Interchange; and • existing services and facilities in Rockdale Town Centre. <p>The site is also located close to employment opportunities associated with Sydney Airport, the Kogarah Collaboration Area, Hurstville and the Sydney CBD.</p>
3.5 Development Near Regulated Airports and Defence Airfields	Unresolved – agency consultation required	<p>The objectives of this direction are to ensure effective and safe operation of aerodromes, that their operation is not compromised by development, and residential development on land within the 20 and 25 Australian Noise Exposure Forecast (ANEF) incorporates appropriate mitigation measures for aircraft noise.</p> <p><u>Building Height</u></p> <p>The planning proposal is subject to an Obstacle Limitation Surface (OLS) - Inner Horizontal Surface of 51m Australian Height Datum (AHD) and Air Navigation Services - Aircraft Operations Surface (PANS-OPS) of 54.9m AHD. The planning proposal seeks to amend the building height control to allow for:</p> <ul style="list-style-type: none"> • a maximum height of 40m in the Rockdale Town Centre; and • a maximum height of 30m in the Walz Street Precinct. <p>The planning proposal considers the height is acceptable as:</p> <ul style="list-style-type: none"> • these heights do not penetrate the OLS; and • the maximum heights proposed in the Rockdale Town Centre can already be realised, subject to achieving the specified minimum lot size. <p>The proposal states that consultation with Sydney Airport and Commonwealth Department of Infrastructure, Transport, Regional Development and Communications' (DITRDC) is required and that this can occur during exhibition.</p> <p>In order to meet the requirements of Direction 3.5, a Gateway condition is recommended that requires Council to consult with Sydney Airport and the Commonwealth Department of Infrastructure, Regional Development and Cities during community consultation.</p> <p><u>Aircraft Noise</u></p> <p>Section 3.5(7) states that a planning proposal must include a provision to ensure that development meets Australian Standard 2021-2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction where a planning proposal seeks to increase residential densities in areas where the ANEF is between 20 and 25 which applies to this site.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>The planning proposal includes:</p> <ul style="list-style-type: none"> land within the 20-25 ANEF Contour – residential is conditional; and land within the ANEF 25+ contour – does not permit residential. <p>The planning proposal's inconsistency with this part of the Direction is considered minor and justified, because:</p> <ul style="list-style-type: none"> the land subject to this planning proposal (other than to provide a new pocket park) is not proposed to be rezoned; the amendments within the 25+ ANEF Contour do not seek to increase development density beyond what can already be achieved through existing permitted bonus height provisions; and increases in development density within the conditional 20-25 ANEF Contour are in keeping with existing densities affected by this contour in the Rockdale Town Centre are already subject to Clause 6.3 in the Rockdale LEP which requires additional consideration of aircraft noise as part of a development application <p>The Gateway requires consultation with Sydney Airport to ensure this Direction is addressed. Acoustic analysis may be required as a result of this consultation.</p>
4.1 Acid Sulfate Soils	Minor Inconsistency - justified	<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. The site is currently developed for urban purposes and is classified as being affected by Class 5 acid sulfate soils.</p> <p>Clause 6.1 Acid Sulfate Soils in RLEP 2011 is considered adequate to prevent environmental damage arising from exposure of acid sulfate soils. A similar provision is being carried over into the proposed Bayside LEP 2021.</p> <p>It is considered appropriate that this work be undertaken at the development application stage. Detailed design measures can then be implemented to address acid sulfate soil affectation.</p> <p>As such, any inconsistency with this Direction is of minor significance.</p>
4.3 Flood Prone Land	Minor Inconsistency - justified	<p>The objectives of this direction are to ensure that development of flood prone land is consistent the NSW Government's Flood Prone Land</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>Policy, and to ensure that provisions of an LEP are commensurate with flood hazard and considers flood impacts on and off the land.</p> <p>The planning proposal is supported by a flood study prepared by WMA Water and dated April 2021 (the flood study), which identifies that:</p> <ul style="list-style-type: none"> the Walz Street Precinct is affected by ponding in a 1% AEP flood event; and the Rockdale Town Centre is affected by shallow overland flow inundation in the 1% AEP flood event. <p><i>Walz Street</i></p> <p>The flood study considers that:</p> <ul style="list-style-type: none"> risks of exacerbating flooding issues from redevelopment of lots north of Frederick Street to this precinct would be low; and some buildings will need to be structurally designed to consider extreme flood conditions up to the PMF and provide flood-free refuge on higher floor levels. <p><i>Rockdale Town Centre</i></p> <p>The flood study considers that:</p> <ul style="list-style-type: none"> in the 1% AEP design event the hazard classification of overland flow throughout the Rockdale Town Centre precinct is generally low and does not present a major constraint to redevelopment; and this flood affectation can be further considered as part of the development application process. <p>The inconsistency with this Direction is of minor significance. The land that is flood affected is already developed, not in a floodway and the current zoning already permits for residential development. The proposal does not represent a significant increase in development potential. The flood study accompanying the planning proposal considers the flooding affectation to be minor and can be adequately addressed through detailed design measures as part of the development application process.</p>
6.2 Reserving Land for Public Purposes	Yes	<p>The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The planning proposal seeks to provide for new public open space by rezoning 3-5 Watkin Street, Rockdale to RE1 Public Recreation. It is</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>also proposed to identify these two lots for acquisition by Council, as the relevant acquisition authority.</p> <p>The planning proposal is consistent with this Direction, because:</p> <ul style="list-style-type: none"> • it rezones this land consistent with its intended future use; • identifies this land for acquisition by a public authority; and • identifies which public authority is the relevant acquisition authority, in this instance being the Council.

4.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs, including those discussed in the table below.

SEPP (Infrastructure) 2007 (the Infrastructure SEPP)

The Infrastructure SEPP contains provisions to ensure development responds to noise from infrastructure. This infrastructure includes classified roads and railways.

The planning proposal either affects land near or adjacent to:

- the Princes Highway, a classified road; and
- the T8 Line.

The planning proposal is not supported by an acoustic assessment.

The areas subject to this planning proposal already allow residential development and this planning proposal does not seek to introduce any additional sensitive land uses. Noise impacts on the potential future development from road and rail can be managed through the development application process.

A **Gateway Condition** is recommended that requires agency consultation with Transport for NSW (TfNSW).

SEPP No.65 – Design Quality of Residential Apartment Design (SEPP 65)

SEPP 65 aims to improve the design quality of residential apartment development in NSW. SEPP 65 provisions require that the design quality principles, the Apartment Design Guide (ADG) and advice from a design review panel (if any) be considered before a development application is determined by the relevant consent authority.

SEPP 65 includes design principles that are required to be considered as part of any future DA for a mixed-use development that has a residential component.

Walz Street Precinct

Bulk & Scale

The Urban Design and Built Form Study - Walz Street Precinct prepared by Bayside Council and dated May 2021 includes analysis of the potential built form resulting from the proposed amendments.

This analysis demonstrates that the potential future development can achieve the built form requirements in the ADG, including:

- minimum building separation;
- minimum communal open space;
- minimum deep soil area; and
- building envelopes and massing

Overshadowing and Solar Access

The Urban Design and Built Form Study - Walz Street Precinct includes shadow diagrams at 9am, 12pm and 3pm on June 21. These are shown at **Figure 9** below.



Figure 9: Shadow diagrams of Walz Street Precinct (Source: the planning proposal)

The shadow diagrams are indicative of the proposed development, where the highest towers are proposed to be 30m, or approximately 9 storeys.

The submitted information demonstrates that the proposed uplift can meet the Apartment Design Guide (ADG) criteria for solar access. The modelling has also accounted for development achieving the minimum building separation requirements to facilitate satisfactory solar access in accordance with the ADG.

Further consideration of SEPP 65 and the ADG solar access and overshadowing requirements will be required as part of the development application process.

Rockdale Town Centre Precinct

Bulk & Scale

The Urban Design and Built Form Study - Rockdale Town Centre prepared by Bayside Council and dated May 2021 includes analysis of the potential built form resulting from the proposed amendments.

Informed by existing character, opportunities and constraints, detailed built form analysis has been undertaken by dividing the precinct into four areas, known as:

- Area A;
- Area B;
- Area C; and

- Area D.

This analysis demonstrates that the retention of the existing building heights can achieve the built form requirements in the ADG, including:

- minimum building separation;
- minimum communal open space;
- minimum deep soil area; and
- building envelopes and massing

Overshadowing and Solar Access

The Urban Design and Built Form Study - Rockdale Town Centre includes shadow diagrams at 9am, 12pm and 3pm on June 21. These diagrams have been prepared for each of the four areas which form part of the Rockdale Town Centre Precinct.

The shadow diagrams are indicative of the proposed development, where the highest towers are proposed to be 40m, or approximately 12 storeys.

The submitted information demonstrates that the proposed uplift can meet the Apartment Design Guide (ADG) criteria for solar access. The modelling has also accounted for development achieving the minimum building separation requirements to facilitate satisfactory solar access in accordance with the ADG.

Further consideration of SEPP 65 and the ADG for bulk & scale and solar access will be required as part of the development application process.

SEPP No.70 – Affordable Housing (Revised Schemes) (SEPP 70)

SEPP 70 aims to provide for affordable housing across NSW by:

- describing the kinds of households for which affordable housing may be provided; and
- making a requirement with respect to the imposition of conditions relating to the provision of affordable housing.

Similarly, SEPP 70 does not mandate the preparation of an affordable housing contribution scheme. Bayside Council has not prepared an Affordable Housing Contribution Scheme in accordance with SEPP 70 or the Guideline for Developing an Affordable Housing Contribution Scheme. Consequently, the LEP cannot mandate an affordable housing contribution.

This does not prevent Council from exploring appropriate alternative mechanisms to deliver affordable housing in the Rockdale Town Centre and Walz Street Precincts.

5 Site-specific assessment

5.1 Environmental

The following provides an assessment of the potential environmental impacts associated with the proposal.

Biodiversity

The planning proposal is located within an established urban area. It is unlikely there are any biodiversity significance on the applicable land.

Pedestrian Connectivity and the Public Domain

The planning proposal includes analysis to improve pedestrian connectivity and the public domain, which concludes:

- the Rockdale Town Centre is well-serviced by pedestrian pathways and crossings. There are sufficient signalised crossings on Princes Highway to discourage any informal crossing behaviour and is considered adequate to cater for the additional pedestrian trips associated with the proposed development; and
- the Walz Street Precinct is currently well-serviced by pedestrian pathways and crossings. There are currently sufficient pedestrian crossings on Railway Street, Fredrick Street and Walz Street; and

The planning proposal identifies opportunities for an improved public domain and pedestrian connectivity, including:

Rockdale Town Centre

- widen footpaths along Geeves Avenue and Tramway Arcade to provide greater accessibility between Rockdale Station, the bus interchange and the Town Centre;
- enhance footpath/verge treatments consistent with a public domain masterplan for the Rockdale Town Centre;
- improve through site links to Rockdale Station and Bus Interchange as well as the Princes Highway; and
- reinforce existing street tree planting and roadside gardens.

Walz Street Precinct

- widen the southern footpath of Walz Street to improve opportunities for outdoor dining;
- undertake new street tree planting within the Walz Street precinct; and
- provide a new pocket park on Watkin Street, near the Walz Street Precinct.

The planning proposal states that the delivery of these opportunities will be explored through Council's development control plan and contributions plans, with the exception of the new pocket park which will be delivered through rezoning and acquisition.

Traffic

The planning proposal is supported by a Traffic and Transport Assessment Report prepared by Bitzios Consulting, dated 4 May 2021 (the traffic report). This report includes analysis of the planning proposals traffic impacts on the Rockdale Town Centre and Walz Street Precincts.

Walz Street

The traffic report concludes that:

- the existing road network can accommodate the additional trips given majority of key roads consist of two-lane cross sections. The trips generated by the development will be distributed onto the external road network and it is expected a large proportion of those trips will travel south-east towards Sydney via Princes Highway which is already designed as a four-lane arterial road.
- the additional residential units are expected to generate 13 trips in the AM and 10 in the PM peak hour.
- the area is currently well-serviced by high-frequency public transport consisting of numerous bus stops and the Rockdale Train Station. There is a public transport stop within approximately 200m walking distance to the entire study area.
- it is expected that any redevelopment would utilise the rear laneways for access and servicing. The intersection of King Edward Street and Watkin Street is restricted to left in-left out only movements. Whilst there is expected to be additional traffic movements at the Rawson Street / Frederick Street intersection, it is envisaged that motorists currently use

gaps created by the traffic signals at either end of Frederick Street to enable vehicles to enter/exit the main road network.

The traffic report makes several recommendations for further improvements to the local road network.

Rockdale Town Centre

The traffic report concludes that:

- the existing road network can accommodate the additional vehicle trips given majority of the key roads consist of four-lane signalised intersections, with the M6 expected to remove a significant portion of through trips off the Princes Highway;
- the area is currently well-serviced by high-frequency public transport consisting of numerous bus stops and the Rockdale Train Station. There is a public transport stop within approximately 200m walking distance to the entire study area; and
- most of the Rockdale Town Centre precinct is serviced by laneways rather than arterial or collector road street frontages. Further consideration will be required where laneways intersect with higher order roads to ascertain whether their location is too closely spaced with other major intersections.

It is noted that the traffic report includes recommendations to further improve vehicular and pedestrian movements, but that these are not required to ensure satisfactory traffic outcomes.

To ensure the planning proposal does not result in unsatisfactory traffic and transport outcomes, the Gateway determination has been conditioned to require consultation with TfNSW.

5.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 3 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>The planning proposal will promote the opportunity for social benefits through future public domain improvements including wider footpaths and potential new pedestrian through links to encourage ground level activation through retail activity, including the opportunity for cafes and restaurants.</p> <p>The potential for additional residents and consumers will also contribute to improvements to the vitality and vibrancy of the Rockdale Town Centre and Walz Street Precincts. Having mixed use with residential will increase activity in the centre outside of standard business hours and increase surveillance of the precinct.</p>
Economic	<p>The proposal provides the potential to create new economic activity. The additional residential capacity generated by the planning proposal has the potential to support the commercial uses on the site and in the surrounding local area.</p>

5.3 Infrastructure

The planning proposal is well located in terms of public transport infrastructure, being near Rockdale Station and Bus Interchange. This will provide frequent services to nearby centres and the broader public transport network.

The planning proposal also identifies opportunities to facilitate improvements to the public domain and pedestrian connectivity. The Department encourages Council to explore appropriate mechanisms to deliver improvements to the public domain of the Rockdale Town Centre and Walz Street Precincts.

The planning proposal relates to land in an established urban area with good access to other physical and social infrastructure. To ensure infrastructure needs are adequately addressed, it is proposed that TfNSW are consulted.

6 Consultation

6.1 Community

Council has not proposed a time period for a community consultation. A 28 day period for consultation is considered appropriate and forms the conditions of the Gateway determination.

The planning proposal states the exhibition will include:

- an exhibition notice on Council's website;
- community engagement project set up on Council's Have Your Say website;
- notices in Council libraries;
- written notification to all landowners and residents in the LGA. This will include letters to landowners of properties affected by a proposed change in the planning controls;
- notification to all Talking Bayside Members;
- notification to anyone who submitted feedback as part of Council's 'Planning Our Future' and 'Local Strategic Planning Statement' consultation projects; and
- letters to State and Commonwealth Government agencies identified in the Gateway Determination.

6.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given at least 21 days to comment:

- NSW Heritage;
- Transport for NSW;
- Sydney Airport;
- Commonwealth Department of Infrastructure, Regional Development and Cities; and
- Civil Aviation Safety Authority.

7 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The Department recommends a time frame of 12 months to ensure it is completed in line with its commitment to reduce processing times. It is recommended that if the Gateway is supported it also includes conditions requiring council to exhibit and report on the planning proposal by specified milestone dates.

A condition to the above effect is recommended in the Gateway determination.

8 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The planning proposal is located within the Rockdale town centre which is currently subject to additional planning proposals.

The Department should retain delegation as the plan making authority for this current planning proposal to ensure consistency across the planning proposals.

9 Assessment Summary

The planning proposal is supported to proceed with conditions because it:

- is consistent with the relevant objectives and directions of the Greater Sydney Region Plan, the Eastern City District Plan and Bayside LSPS;
- is generally consistent with the section 9.1 Ministerial Directions, noting Directions 2.3, 3.1 and 3.5 remain unresolved;
- contributes to the revitalisation of the Rockdale town centre in keeping with the Rockdale Town Centre Masterplan;
- facilitates the potential for future transit orientated developments which integrate commercial and residential land uses near public transport;
- has been developed in accordance with a height strategy informed by the Rockdale Town Centre Masterplan;
- provides the opportunity to contribute to additional housing and jobs supply; and
- facilitates improved public domain and pedestrian connectivity outcomes in the Walz Street and Rockdale Town Centre Precincts.

10 Recommendation

It is recommended the delegate of the Secretary:

- Note that the consistency with the following section 9.1 Directions is unresolved and will require further consultation:
 - 2.3 Heritage Conservation;
 - 3.1 Residential zones; and
 - 3.5 Development near Licensed Aerodromes.
- Note that the inconsistency with the following section 9.1 Directions is minor and justified:
 - 4.1 Acid Sulfate Soils; and
 - 4.3 Flood prone land.
- Note proposal is consistent with other relevant section 9.1 Directions.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a) include draft LEP mapping which ensures that the amendments are clear for the community and agencies during consultation.
2. Consultation is required with the following public authorities:
 - NSW Heritage;

- Transport for NSW;
 - Sydney Airport;
 - Commonwealth Department of Infrastructure, Regional Development and Cities; and
 - Civil Aviation Safety Authority.
3. The planning proposal should be made available for community consultation for a minimum of **28 days**.
 4. The planning proposal must be reported to council for a final recommendation 9 months from the date of the Gateway determination.
 5. The timeframe for completing the LEP is to be **12 months** from the date of the Gateway determination.
 6. Given the nature of the proposal, Council should not be authorised as the local plan-making authority.



25 June 2021

(Signature)

(Date)

Kris Walsh

Manager, Eastern and South Districts



25 June 2021

Laura Locke

Director, Eastern and South Districts

Assessment officer

Alexander Galea

Senior Planning Officer, Eastern and South Districts

8289 6793