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PLANNING PROPOSAL No.3/2013

Zoning of School Sites of Botany Bay Local Environmental
Plan 2013

23 December 2013

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INTRODUCTION

The Standard Instrument LEP Program was initiated in 2006 to create a common format and content for LEPs. The *Botany Bay Local Environmental Plan (BBLEP) 2013* has been prepared in response to the State Government's initiative and in accordance with relevant Department of Planning & Infrastructure's Practice Notes and Circulars.

As part of the Standard Instrument process, all educational establishments within the Botany Bay LGA have been zoned in conformity to the adjacent land uses (i.e. R2 – Low Density Residential or R3 – Medium Density Residential).

The *Botany Bay Local Environmental Plan 2013* was gazetted on 21 June 2013.

On 11 December 2013, Council at its Meeting resolved to prepare a Planning Proposal in accordance with the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000* to amend the *Botany Bay Local Environmental Plan 2013* as follows

5. *All land hosting educational facilities, no matter what the zoning, should be zoned "Education Special Uses".*

A copy of the Council's Report and Resolution can be found in **Attachment 3**.

Address of Land

The educational establishments subject to this planning proposal are listed below:

School	Address	Lot and DP	Current Zoning under BBLEP 2013
Banksmeadow Public School	Trevelyan St, Botany	Lot 1 DP 503435 Lot 2 DP 503435 Lot 1 DP 305773 Lot 2 DP 305773 Lot 12 DP 859010	R2 – Low Density Residential
Botany Public School	1076 Botany Rd, Botany	Lot 1 DP 433364 Lot 1 DP 194311	R2 – Low Density Residential
Daceyville Public School	Joffre Crescent, Daceyville	Part Lot 1 DP 997642 Lot 2 DP 997642	R2 – Low Density Residential
Eastlakes Public School	Florence Ave, Eastlakes	Lot 4 DP 791176	R2 – Low Density Residential
J J Cahill Memorial High School	Sutherland Street, Mascot	Lot 1 DP 735717	R2 – Low Density Residential
Mascot Public School	King St, Mascot	Lot 1 DP 813088	R2 – Low Density Residential
Matraville Public School	310 Bunnerong Rd, Matraville	Lot 238 DP 752015 Lot 239 DP 752015	R3 – Medium Density Residential
Pagewood Public School	60 Page St, Botany	Lot 1 DP 795104 Lot 18A DP 393556 Lot 600 DP 12567 Lot 601 DP 12567 Lot 602 DP 12567 Lot 603 DP 12567 Lot 604 DP 12567 Lot 605 DP 12567 Lot 606 DP 12567 Lot 607 DP 12567 Lot 608 DP 12567 Lot 609 DP 12567 Lot 610 DP 12567 Lot 611 DP 12567 Lot 612 DP 12567 Lot 613 DP 12567 Lot 614 DP 12567 Lot 615 DP 12567 Lot 616 DP 12567 Lot 617 DP 12567 Lot 618 DP 12567 Lot 619 DP 12567	R2 – Low Density Residential
St Bernard's Catholic Primary School	Ramsgate Street, Botany	Lot 24 DP 15897 Lot 25 DP 15897 Lot 26 DP 15897 Lot 27 DP 15897 Lot 28 DP 15897	R2 – Low Density Residential
St Michael's Catholic Primary School	Haig Avenue, Daceyville	Part Lot 1 DP 186759	R2 – Low Density Residential

St Therese Catholic Primary School	43 Sutherland Street Mascot	Lot 1 DP 87303 Lot 3 DP 523972	R2 – Low Density Residential
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Table 1 – Properties subject to the Planning Proposal

Relevant Planning Controls

Educational establishments are either zoned R2 – Low Density Residential or R3 – Medium Density Residential within the Botany Bay local government area. The objectives of the R2 zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To encourage development that promotes walking and cycling.*

The R2 zone permits the following uses with development consent:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Hospitals; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings

The objectives of the R3 zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To encourage development that promotes walking and cycling.*

The R3 zone permits the following uses with development consent:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Any other development not specified in item 2 or 4

The Planning Proposal seeks to rezone all educational establishments to SP2 – Education Establishments under the BBLEP 2013. The objectives of the SP2 – Infrastructure zone are as follows:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The SP2 – Infrastructure zone permits the following uses with development consent:

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

The Planning Proposal also seeks to remove the height of buildings and floor space ratio controls for all educational establishments within the Botany Bay LGA. As education establishments are either zoned R2 – Low Density Residential and R3 - Medium Density Residential, controls for building height and floor space ratio have been specified under the *Botany Bay Local Environmental 2013*. However, height of buildings and floor space ratio controls are not applicable to the SP2 zone.

History & Council Resolution

County of Cumberland Planning Scheme

County of Cumberland Planning Scheme was gazetted in 1955 and educational establishments were zoned as “Living Areas”.

Botany Interim Development Order No. 19

Botany Interim Development Order No.19 was gazetted on 2 September 1977 and educational establishments were zoned as Special Uses “A”.

Botany Local Environmental Plan (BLEP) 1995

Botany Local Environmental Plan 1995 was gazetted in 30 June 1995 and educational establishments are zoned as a residential zoning, either a 2(a) - Residential “A” or 2(b) - Residential “B” subject to the location of the site and adjoining uses.

Botany Bay Local Environmental Plan 2013

The Standard Instrument LEP Program was initiated in 2006 to create a common format and content for LEPs. The *Botany Bay Local Environmental Plan (BBLEP) 2013* has been prepared in response to the State Government’s initiative and in accordance with relevant Department of Planning & Infrastructure’s Practice Notes and Circulars.

Educational establishments zone under BLEP 1995 was converted to ‘best match’ zones allowed under the Standard Instrument. Educational establishments are either zoned R2 – Low Density Residential or R3 – Medium Density Residential zone and are conformity to the adjacent land uses.

At the Ordinary Council Meeting held on 28 November 2012, Council adopted the draft *Botany Bay Local Environmental Plan 2012* [subject to items (a) to (ooo)] and resolved to forward the draft Plan to the *Department of Planning & Infrastructure* under Section 68(4) of the *Environmental Planning & Assessment Act 1979* with a request for referral to Minister for Planning and Infrastructure to make the Plan, and to seek the Governor’s approval of the Plan.

Note: As the sites are zoned as R2 – Low Density Residential and R3 - Medium Density Residential, a building height and floor space ratio controls has been specified for all educational establishments under the *Botany Bay Local Environmental 2013*. However, height of buildings and floor space ratio controls are not applicable to the SP2 zone.

The *Botany Bay Local Environmental Plan 2013* was gazetted on 21 June 2013 and commenced on 26 June 2013.

Planning Proposal

At the Ordinary Council Meeting held on 11 December 2013, it (the Council) resolved to prepare a Planning Proposal to rezone “*all land hosting education facilities*” to “*Education Special Uses*”. A copy of the Council's Report and Resolution can be found in **Attachment 3**.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

Objectives

This Planning Proposal will rezone all educational establishments from R2 – Low Density Residential or R3 – Medium Density Residential to SP2 – Education Establishments and delete the height of buildings and floor space ratio controls from the school sites identified in **Table 1**.

Intended Outcomes

The intended outcomes of the Planning Proposal are to:

- Retain and preserve existing community education assets (primary and secondary) within the Botany Bay LGA;
- Ensure sufficient educational establishments are provided and available for the existing and future residents;
- Create certainty for the local community in relation to the retention of community assets; and
- Enable greater input from the community into the future uses of these sites.

PART 2 - EXPLANATION OF PROVISIONS

Proposed amendment

The Planning Proposal seeks the following site specific amendments:

Banksmeadow Public School – Trevelyan Street, Botany (Lot 1 and 2 DP 503435; and Lot 12 DP 859010)

- Amend the zoning for Banksmeadow Public School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 and 2 DP 503435 and Lot 12 DP 859010; and
- Remove the height of buildings control for Lot 1 and 2 DP 503435 and Lot 12 DP 859010.

Botany Public School – 1076 Botany Road, Botany (Lot 1 DP 433364; Lot 1 DP 194311 and Lot 5248 DP 820566)

- Amend the zoning for Botany Public School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 DP 433364; Lot 1 DP 194311 and Lot 5248 DP 820566;
- Remove the height of buildings control for Lot 1 DP 433364; Lot 1 DP 194311 and Lot 5248 DP 820566;

Daceyville Public School – Joffre Crescent, Daceyville (Part Lot 1 DP 997642; and Lot 2 DP 997642)

- Amend the zoning for Daceyville Public School from R2 – Low Density Residential to SP2 – Education Establishments;

- Remove the floor space ratio control for Part Lot 1 DP 997642; and Lot 2 DP 997642; and
- Remove the height of buildings control for Part Lot 1 DP 997642; and Lot 2 DP 997642.

Eastlakes Public School – Florence Avenue, Eastlakes (Lot 4 DP 791176)

- Amend the zoning for Eastlakes Public School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 4 DP 791176; and
- Remove the height of buildings control for Lot 4 DP 791176.

JJ Cahill Memorial High School – Sutherland Street, Mascot (Lot 1 DP 735717)

- Amend the zoning for JJ Cahill Memorial High School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 DP 735717; and
- Remove the height of buildings control for Lot 1 DP 735717.

Mascot Public School – King Street, Mascot (Lot 1 DP 813088)

- Amend the zoning for Mascot Public School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 DP 813088; and
- Remove the height of buildings control for Lot 1 DP 813088.

Matraville Public School – 310 Bunnerong Road, Matraville (Lot 238 and 239 DP 752015)

- Amend the zoning for Matraville Public School from R3 – Medium Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 238 and 239 DP 752015; and
- Remove the height of buildings control for Lot 238 and 239 DP 752015.

Pagewood Public School – 60 Page Street, Botany (Lot 1 DP 795104; Lot 18A DP 393556; and Lot 600 to 619 DP 12567)

- Amend the zoning for Pagewood Public School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 DP 795104; Lot 18A DP 393556; and Lot 600 to 619 DP 12567; and
- Remove the height of buildings control for Lot 1 DP 795104; Lot 18A DP 393556; and Lot 600 to 619 DP 12567.

St Bernard's Catholic Primary School – Ramsgate Street, Botany (Lot 24 to 28 DP 15897)

- Amend the zoning for St Bernard's Catholic Primary School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 24 to 28 DP 15897; and
- Remove the height of buildings control for Lot 24 to 28 DP 15897.

St Bernard's Catholic Primary School – Ramsgate Street, Botany (Lot 24 to 28 DP 15897)

- Amend the zoning for St Bernard's Catholic Primary School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 24 to 28 DP 15897; and
- Remove the height of buildings control for Lot 24 to 28 DP 15897.

St Michael's Catholic Primary School – Haig Avenue, Daceyville (Part Lot 1 DP 186759)

- Amend the zoning for St Michael's Catholic Primary School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Part Lot 1 DP 186759; and
- Remove the height of buildings control for Part Lot 1 DP 186759.

St Therese's Catholic Primary School – 43 Sutherland Street, Mascot (Lot 1 DP 87303 and Lot 3 DP 523972)

- Amend the zoning for St Therese's Catholic Primary School from R2 – Low Density Residential to SP2 – Education Establishments;
- Remove the floor space ratio control for Lot 1 DP 87303 and Lot 3 DP 523972; and
- Remove the height of buildings control for Lot 1 DP 87303 and Lot 3 DP 523972.

PART 3 – JUSTIFICATION

Section A - Need for the planning proposal.

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

The Planning Proposal is not the result of any strategic study or report. It is the result of a Council's resolution, dated 11 December 2013, which supports the preparation of a Planning Proposal to the Department to rezone all educational establishments within Botany Bay LGA from R2 – Low Density Residential or R3 – Medium Density Residential zone to SP2 – Education Establishments.

As part of the Standard Instrument process, Council has ensured sufficient land is zoned for residential purposes to meet the housing targets (i.e. 6500 dwellings by 2031) identified in the draft East Subregional Strategy. The *Botany Bay Development Control Plan 2013* also encourages a dwelling mix within LGA (i.e. the combined total number of one-bedroom dwellings shall not exceed 25% of the total number of dwellings within any single site area). Therefore, Council anticipates significant changes in the household structure within the Botany Bay LGA.

It is forecasted that the population of the LGA will grow to 59,386 including 11,828 persons between 0-19 age group. This is an additional of 2,110 persons between 0-19 age group, which represents an increase of 21.7%. Based on the statistical evidence, it is essential that the educational establishments be retained and preserved within the LGA to ensure sufficient educational establishments are provided for the existing and future residents.

The proposed zoning (i.e. SP2 – Education Establishments) is consistent with other councils located in the East Subregion (i.e. Randwick and Waverley). Council also noted that a Planning Proposal was supported by the Department of Planning & Infrastructure for the rezoning of educational establishments in the Marrickville local government area.

A copy of the Council's report and determination can be found in **Attachment 3**.

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

The Planning Proposal is the only means of achieving the objectives and intended outcomes as it involves a statutory amendment to the Botany Bay Local Environmental Plan 2013. Other possible options (i.e. community education and new administrative processes) are unable to achieve the outcomes sought by Council.

Section B – Relationship to strategic planning framework.

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 strategy)?

Metropolitan Plan for Sydney 2036

Metropolitan Plan for Sydney 2036 establishes a long-term planning framework to manage Sydney's growth in a sustainable manner and strengthen its economic development whilst enhancing the unique lifestyle, heritage and environment of Sydney.

The following objectives and actions apply to the subject precinct:

- **Objective H2** – *To ensure appropriate social infrastructure and services are located near transport, jobs and housing;*
- **Action H2.1** – *Plan and coordinate the effective and timely provision of social infrastructure and services;*

The rezoning of educational establishments will provide long-term certainty to the existing educational establishments and “*address the current needs and future project demand*” in the Botany Bay LGA. Hence, the Planning Proposal is not inconsistent with the *Metropolitan Plan for Sydney 2036*.

Draft Metropolitan Strategy for Sydney to 2031

The draft *Metropolitan Strategy for Sydney to 2031* is a new plan to guide our Sydney's growth to 2031. The draft Metropolitan Strategy is a consultation document and was placed on public exhibition until 28 June 2013.

The draft Metropolitan Strategy does not contain objectives and actions relating social infrastructures or educational establishments. Hence, the Planning Proposal is not inconsistent with the draft *Metropolitan Strategy for Sydney to 2031*.

Draft East Subregional Strategy

The draft *East Subregional Strategy* is an intermediate step in translating the Metropolitan Plan at a local level and acts as a broad framework for the long-term development of the area, guiding government investment and linking local and state planning issues.

The following directions and actions apply to the subject precinct:

- **A2.4** – *Utilise local assets to encourage learning and innovation;*

The Planning Proposal will ensure educational establishments are preserved and retained within the LGA and “*can facilitate improved learning knowledge exchange*”. Hence, the Planning Proposal is not inconsistent with the draft *East Subregional Strategy*.

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

The *Botany Bay Planning Strategy 2031* (the Strategy) establishes a framework for growth and development for the Botany Bay Local Government Area and addresses the draft East Subregional Strategy dwelling and job targets. The Strategy also provides the foundation for the development of the Botany Bay Local Environmental Plan 2013.

The Strategy does not contain objectives and actions relating social infrastructures or educational establishments. Hence, the Planning Proposal is not inconsistent with the *Botany Bay Planning Strategy 2031*.

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

The State Environmental Planning Policies directly applicable to the planning proposal are addressed below.

Attachment 4 summarise the Planning Proposal’s consistency with State Environmental Planning Policies (SEPPs) and relevant deemed SEPPs.

State Environmental Planning Policy (Infrastructure) 2007

The intent of the State Environmental Planning Policy (Infrastructure) 2007 is to effectively delivery of infrastructure across the State by providing greater flexibility in the location of infrastructure and service facilities and improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and provision of services.

The Planning Proposal will not deter the effective delivery of infrastructure across NSW and does not contain provisions that contradict or would hinder future application of SEPP (Infrastructure) 2007.

The Planning Proposal is consistent with SEPP (Infrastructure) 2007 as it will improve regulatory certainty and efficiency.

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

Ministerial Directions (s.117 directions) directly applicable to the Planning Proposal are addressed below.

3.1 Residential Zones

The intent of this direction is to encourage variety and choice in housing types to provide for existing and future housing needs; to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and to minimise the impact of residential development on the environment.

In accordance with Practice Note PN 10–001, educational establishments within the Botany Bay LGA have been zoned in conformity to the adjacent land uses (i.e. R2 – Low Density Residential or R3 – Medium Density Residential). The Planning Proposal is seeking to rezone the sites to SP2 – Education Establishments. The Planning Proposal will enable to retention of existing community assets; ensure sufficient educational establishments are provided for existing and future residents; create certainty for the local community in relation to the retention of community assets; and enable greater input from the community into the future uses of these sites.

The Planning Proposal is not inconsistent with the direction as the educational establishments are not intended or anticipated to be used for residential purposes. Hence, the sites will not contribute to the existing and future housing needs of Sydney.

3.5 Development Near Licensed Aerodromes

The intent of this direction is to ensure the effective and safe operation of aerodromes; does not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.

The rezoning of the educational establishments and the removal of the height buildings control will not impact on the effective and safe operation of Sydney Airport.

Furthermore, a model local provision (i.e. Clause 6.8 Airspace Operations) has been incorporated into the *Botany Bay Local Environmental Planning 2013*.

Future developments that penetrate the Limitation or Operations Surface will be referred to “relevant Commonwealth body” (i.e. Sydney Airport Corporation Limited) for comments. Any impacts on the effective and safe operation of aerodromes can be addressed during the development application stage. Hence, the Planning Proposal is consistent with the Direction.

4.1 Acid Sulfate Soils

The intent 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 direction requires an acid sulfate soils study to be prepared if the planning proposal requires an intensification of land uses.

A model local provision (i.e. Clause 6.1 – Acid Sulfate Soils) and an Acid Sulfate Soil Map has been incorporated into the *Botany Bay Local Environmental Planning 2013*.

Future developments (i.e. any works below the natural ground surface or by which watertable is likely to be lowered) will be subjected to Council’s consent and an acid sulfate soil management plan will be required. Any significant adverse environmental impacts can

be addressed during the development application stage. Hence, the Planning Proposal is consistent with the Direction.

4.3 Flood Prone Land

The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Some of the existing educational establishments are subject to flooding.

The properties are currently been used for educational purposes. The Planning Proposal will ensure that the future uses of these properties remain for education purposes only. No works are proposed as part of the Planning Proposal. Hence, the Planning Proposal will not alter the potential flood impacts both on and off the subject lands.

Future developments (i.e. excluding exempt and complying developments identified in the SEPP (Infrastructure) 2007) will be subjected to consent. Any significant adverse environmental impacts can be addressed during the development application stage. Hence, the Planning Proposal is consistent with the Direction.

6.1 Approval and Referral Requirements

The intent of the direction is to ensure that LEP provisions to encourage the efficient and appropriate assessment of development.

No concurrence, consultation or referral of a Minister or public authority is required for any of the sites.

6.3 Site Specific Provisions

The objective of the direction is to discourage unnecessarily restrictive site specific planning controls.

The Planning Proposal seeks to remove site specific planning control (i.e. height of buildings) for all educational establishments within Botany Bay which is consistent with this Direction. Please refer to Planning Proposal No.2/2013.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The intent of direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the *Metropolitan Plan for Sydney 2036*.

As illustrated above, the planning proposal is not inconsistent with the Strategic Directions and Actions of the *Metropolitan Plan for Sydney 2036*.

Section C – Environmental, social and economic impact.

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

Eastern Suburbs Banksia Scrub has been identified at Banksmeadow Public School (Lot 1 and 2 DP 503435; Lot 1 and 2 DP 305773 and Lot 12 DP 859070).

The Planning Proposal comprises the rezoning of educational establishments from R2 – Low Density Residential to SP2 – Education Establishments and the deletion of FSR and height of buildings controls. No physical works are proposed.

The Planning Proposal ensures the future uses of the site remain for education purposes only. Any other developments, except environmental protection works and roads, are prohibited.

Clause 6.4 of the BBLEP 2013 will ensure “Endangered Ecological Communities” are preserved and protected from the impacts of future developments. Future developments at Banksmeadow Public School are subject to Council’s consent and impacts to the Eastern Suburbs Banksia Scrub will be considered as part of the development assessment process.

The Planning Proposal will not produce outcomes that adversely impact on the Eastern Suburbs Banksia Scrub located at Banksmeadow Public School.

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

The planning proposal is of minor significance, and it is not envisaged that there will be any adverse environmental effects on the precinct:-

- Some of the educational establishments are impacted by aircraft noise. If development is proposed in areas of aircraft noise exposure forecast levels of greater than 20 ANEF, appropriate measure will be taken so that the development will meet *Australian Standard 2021 (AS 2021)*;
- All educational establishments located in the areas of aircraft noise exposure forecasts levels of greater than 25 ANEF have been insulated under the *Sydney and Adelaide Noise Insulation Programs*;
- Botany Bay Local Government Area is not subject to landslide and bushfire hazard; and
- No physical works are proposed. Hence, there will be minimal impacts to the precinct and adjoining areas.

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

The Planning Proposal is unlikely to impact on items or places of European or Aboriginal cultural heritage; existing social infrastructure (i.e. open space, hospitals); and existing retail centres.

Social effects: In 2011, the population of Botany Bay LGA is 41,669 including 9,718 persons between 0-19 age group. By 2021, it is forecasted that the population of the LGA will grow to 59,386 including 11,828 persons between 0-19 age group. This is an additional of 2,110 persons between 0-19 age group, which represents an increase of 21.7%. Based on the statistical evidence, it is essential that the educational establishments be retained and preserved within the LGA to ensure sufficient educational establishments are provided for the existing and future residents.

Economic effects: The Planning Proposal will have minimal economic effects as the Planning Proposal aims to preserve existing educational establishments within the Botany

Bay LGA. The proposal will not result in the reduction of employment within the Botany Bay LGA.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The proposal will not place additional demands or pressures on existing public infrastructure.

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

The following State and Commonwealth government authority will be consulted:

- Department of Education & Communities

Should the gateway determination deem it necessary for Council to consult with other State and Commonwealth government authorities, Council will forward a copy of the planning proposal to the relevant authorities.

PART 4 - MAPPING

Mapping for the Planning Proposal can be found in **Attachment 1 & 2**.

PART 5 - COMMUNITY CONSULTATION

Council proposes that the planning proposal be exhibited as follows:

- In accordance with section 57 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the planning proposal will be placed on public exhibition for 28 days; and
- Any other requirements as determined by the Gateway under section 56 of the EP&A Act.

PART 6 – PROJECT TIMELINE

The project timeline for the Planning Proposal is as follow:

	<i>Timeframe*</i>
<i>Anticipated commencement date</i>	30 January 2014
<i>Anticipated timeframe for the completion of required technical information</i>	N/A
<i>Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)</i>	6 February 2014
<i>Commencement date for public exhibition period</i>	3 March 2014
<i>Dates for public hearing (if required)</i>	N/A
<i>Timeframe for consideration of submissions</i>	6 April 2014
<i>Timeframe for the consideration of a proposal post exhibition</i>	24 April 2014
<i>Date of submission to the Department to finalise the LEP</i>	8 May 2014
<i>Anticipate date RPA will make the plan (if delegated)</i>	29 May 2014
<i>Anticipated date RPA will forwarded to the Department for notification</i>	29 June 2014

Table 2 – Proposed Timeframe

* Subject to the Department of Planning & Infrastructure approval and timeframe

PART 7 – CONCLUSION

In summary, the Planning Proposal seeks the following amendments:

- Rezone all educational establishments from R2 – Low Density Residential or R3 – Medium Density Residential to SP2 – Education Establishments; and
- Delete the height of buildings and floor space ratio controls for all educational establishments.

As illustrated in the Planning Proposal, the proposed rezoning is generally consistent with relevant State and local legislations; directions, policies and strategic documents and will have a minimal environmental, social and economic impact.

As part of the Standard Instrument process, Council has ensured sufficient land is zoned for residential purposes to meet the housing targets (i.e. 6500 dwellings by 2031) identified in the draft *East Subregional Strategy*. The *Botany Bay Development Control Plan 2013* also encourages a dwelling mix within LGA. Therefore, Council anticipates significant changes in the household structures within the Botany Bay LGA.

For the above reason, it is essential that the educational establishments be retained and preserved within the LGA to ensure sufficient educational establishments are provided for the existing and future residents.

ATTACHMENT

1. Botany Bay Local Environmental Plan 2013 – Zoning and Planning Controls
2. Proposed Zoning and Planning Controls
3. Council's Report and Resolution
4. List of State Environmental Planning Policies