



IRF23/1757

Gateway determination report – PP-2023-1138

Housekeeping and other amendments to Bayside LEP
2021

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans

Planning Proposal Report - Housekeeping LEP 2023

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Bayside
PPA	Bayside Council
NAME	Housekeeping and other amendments
NUMBER	PP-2023-1138
LEP TO BE AMENDED	Bayside Local Environmental Plan 2021
ADDRESS	Various
DESCRIPTION	Various
RECEIVED	30/05/2023
FILE NO.	IRF23/1757
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

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Implement multiple housekeeping amendments to the Bayside LEP 2021 that will correct minor administrative errors.
- To update the Bayside LEP 2021 schedules and update mapping boundaries, labelling, and property descriptions to maintain currency and correct existing errors.
- To make minor zoning and control amendments to specific sites.

The objectives of this planning proposal are clear and adequate.

The intended outcomes are divided into two broad categories - policy and mapping issues. Overall, the proposal seeks to correct the following errors and anomalies:

- 10 items in Schedule 1 Additional Permitted Uses;
- 58 items in Schedule 5 Environmental heritage – Part 1 Heritage Items;
- 2 areas in Schedule 5 Environmental heritage – Part 2 Heritage Conservation Areas;
- Belmore Street Reserve (11 Station Street, Arncliffe) – Amend Land Use Zone, Floor Space Ratio, Height of Building and Lot Size maps;

- 3 amendments to the Heritage Maps;
- 20 amendments to the Land Reservation Acquisition Maps;
- 9 miscellaneous amendments to Floor Space Ratio, Land Reservation Acquisition, Land Use Zone, Height of Buildings and Lot Size Maps; and
- Amend the legend in all Design Excellence Maps.

1.3 Explanation of provisions

The planning proposal seeks to amend the Bayside LEP 2021 per the changes below. The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.3.1 Amendments to Schedule 1 Additional Permitted Uses

The addresses and property details of various sites listed under Schedule 1 Additional Permitted Uses require amendments to accurately reflect the Additional Permitted Uses Map referenced within the schedule.

Table 3 Proposed amendments to Schedule 1 Additional Permitted Uses

APU number	Current	Proposed
1 NOTE: This item has been repealed in the Bayside LEP 2021	<p>1 Use of certain land at 10–12 Allen Street, and 11–13 Ann Street, Arncliffe</p> <p>(1) This clause applies to land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe being Lots A and B, DP 970613 and Lots 9, 10 and 16, Section I, DP 1071 and identified as “21” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a residential flat building is permitted with development consent.</p>	<p>1 Use of certain land at 10–12 Allen Street, Wolli Creek and 11–13 Ann Street, Arncliffe</p> <p>(1) This clause applies to land at 10–12 Allen Street Wolli Creek and 11–13 Ann Street, Arncliffe being Lots A and B, DP 970613 and Lots 9, 10 and 16, Section I, DP 1071 SP87209 and identified as “21” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a residential flat building is permitted with development consent.</p>
2 NOTE: This item has been repealed in the Bayside LEP 2021	<p>2 Use of certain land at 213 Princes Highway and 4 Wardell Street, Arncliffe</p> <p>(1) This clause applies to land at 213 Princes Highway and 4 Wardell Street, Arncliffe being Lots 1–14, DP 124275, Lots 25–33, DP 1646 and Lot 1, DP 652922 and identified as “22” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a mixed use development incorporating shops and shop top housing is permitted with development consent.</p> <p>(3) Development consent must not be granted for a mixed use development</p>	<p>2 Use of certain land at 213 Princes Highway, 213A Princes Highway, 9 Townsend Lane and 3 4 Wardell Street, Arncliffe</p> <p>(1) This clause applies to land at 213 Princes Highway, 213A Princes Highway, 9 Townsend Lane and 3 4 Wardell Street, Arncliffe being Lots 1–14, DP 124275, Lots 25–33, DP 1646 and Lot 1, DP 652922 SP 101933, SP 101934, Lot 2 DP 1214364, Lot 3 DP 1214364 and identified as “22” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a mixed use development incorporating</p>

	<p>unless the application applies to the entire site.</p>	<p>shops and shop top housing is permitted with development consent.</p> <p>(3) Development consent must not be granted for a mixed use development unless the application applies to the entire site.</p>
5	<p>5 Use of certain land at 23A Clevedon Street and 68 Pemberton Street, Botany</p> <p>(1) This clause applies to land at 23A Clevedon Street and 68 Pemberton Street, Botany, being Lot 1, DP 191664, Lot 1, DP 669008 and Lot A, DP 359739 and identified as “2” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a depot is permitted with development consent.</p>	<p>5 Use of certain land at 23A Clevedon Street and 68 Pemberton Street, Botany</p> <p>(1) This clause applies to land at 23A Clevedon Street and 68 Pemberton Street, Botany, being Lot 1, DP 191664, Lot 1, DP 669008 and Lot A, DP 359739 and identified as “2” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a depot is permitted with development consent.</p>
9	<p>9 Use of certain land at 75 Gardeners Road, Eastlakes</p> <p>(1) This clause applies to land at 75 Gardeners Road, Eastlakes, being Lot 1, DP 1116853 and identified as “6” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of entertainment facilities, food and drink premises, function centres, garden centres, hardware and building supplies, landscaping material supplies, recreation areas and recreation facilities (indoor) is permitted with development consent.</p>	<p>9 Use of certain land at 75 Gardeners Road, Eastlakes</p> <p>(1) This clause applies to land at 75 Gardeners Road, Eastlakes, being Lot 1, DP 1116853 Lot 51, DP 1216168 and identified as “6” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of entertainment facilities, food and drink premises, function centres, garden centres, hardware and building supplies, landscaping material supplies, recreation areas and recreation facilities (indoor) is permitted with development consent.</p>
14	<p>14 Use of certain land at Coward Street, King Street and Kent Road, Mascot</p> <p>(1) This clause applies to land at Coward Street, King Street and Kent Road, Mascot, being Lots 2 and 4, DP 234489, Lot B, DP 164829, Lot 1, DP 81210, Lot 1, DP 202093, Lot 1, DP 721562, Lot 1, DP 202747, Lot 133, DP 659434, Lots 4 and 5, DP 38594, Lots 1 and 2, DP 738342, Lot 23, DP 883548, Lot 3, DP 230355, Lot 4, DP 537339, Lot 1, DP 445957 and Lot 2, DP 510447 and identified as “10” on the Additional Permitted Uses Map</p>	<p>14 Use of certain land at Coward Street, King Street and Kent Road, Mascot</p> <p>(1) This clause applies to land at Coward Street, King Street and Kent Road, Mascot, being Lots 2 and 4, DP 234489, Lot B, DP 164829, Lot 1, DP 81210, Lot 1, DP 202093, Lot 1, DP 721562, Lot 1, DP 202747, Lot 133, DP 659434, Lots 4 and 5, DP 38594, Lots 1 and 2, DP 738342, Lot 23, DP 883548, Lot 3, DP 230355, Lot 4, DP 537339, Lot 1, DP 445957 and Lot 2, DP 510447 Part Lot 3, DP 230355; Lot 5, DP 1276735; Lots 100-101, DP 1277278; Lots 103-104, DP 1282564; Lots 2 and 4, DP 234489; Lot 2, DP 510447 and</p>

		identified as “10” on the Additional Permitted Uses Map
18	<p>18 Use of certain land along Qantas Drive, Mascot</p> <p>(1) This clause applies to land adjacent to Qantas Drive, Mascot, being Lot 20, DP 747023 and identified as “14” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of signage is permitted with development consent.</p>	<p>18 Use of certain land along Qantas Drive, Mascot</p> <p>(1) This clause applies to land adjacent to Qantas Drive, Mascot, being Lot 20, DP 747023 Part Lot 95, DP 1157632; Part Lot 11, DP 213317; Lot 17 DP 217443; Lot 6, DP 209847; Part Lot 9, DP 747022 and identified as “14” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of signage is permitted with development consent.</p>
20	<p>20 Use of certain land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens</p> <p>(1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288 and identified as “33” on the Additional Permitted Uses Map.</p> <p>(2) Development for the following purposes is permitted with development consent—</p> <p>(a) serviced apartments,</p> <p>(b) commercial premises,</p> <p>(c) recreation facilities (indoor).</p>	<p>20 Use of certain land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens</p> <p>(1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 Lot 100, DP 1250842 and Lot 24, DP 1242288 and identified as “33” on the Additional Permitted Uses Map.</p> <p>(2) Development for the following purposes is permitted with development consent—</p> <p>(a) serviced apartments,</p> <p>(b) commercial premises,</p> <p>(c) recreation facilities (indoor).</p>
22	<p>22 Use of certain land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale</p> <p>(1) This clause applies to land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale, identified as “26” on the Additional Permitted Uses Map, being—</p> <p>(a) Lot 11, DP 1074481 and Lot 2, DP 529876, and</p> <p>(b) Lot 101, DP 771165, Lot 3, DP 82942, Lot 1, DP 455421 and Lot 1, DP 912313.</p> <p>(2) Development for the purpose of residential flat buildings at ground floor is permitted with development consent if the ground floor of the building facing Princes Highway, Railway Street or Parker Street is used for commercial premises.</p>	<p>22 Use of certain land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale</p> <p>(1) This clause applies to land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale, identified as “26” on the Additional Permitted Uses Map, being—</p> <p>(a) Lot 11, DP 1074481 and SP96651; Lot 2, DP 529876, and</p> <p>(b) Lot 101, DP 771165, Lot 3, DP 82942, Lot 1, DP 455421 and Lot 1, DP 912313.</p> <p>(2) Development for the purpose of residential flat buildings at ground floor is permitted with development consent if the ground floor of the building facing Princes Highway, Railway Street or Parker Street is used for commercial premises.</p>

23	<p>23 Use of certain land at 432 West Botany Street, Rockdale</p> <p>(1) This clause applies to land at 432 West Botany Street, Rockdale, being Lots 3 and 4, SP 34276 and identified as “27” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a shop associated with a charitable organisation is permitted with development consent.</p>	<p>23 Use of certain land at 432 West Botany Street, Rockdale</p> <p>(1) This clause applies to land at 432 West Botany Street, Rockdale, being Lots 3 and 4, SP 34276 and identified as “27” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a shop associated with a charitable organisation is permitted with development consent.</p>
31	<p>31 Use of certain land at Cahill Park, 2 and 2A Princes Highway, Wolli Creek</p> <p>(1) This clause applies to land known as Cahill Park, 2 and 2A Princes Highway, Wolli Creek being Lot 3, DP 1148894 and identified as “29” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a restaurant or cafe is permitted with development consent.</p>	<p>31 Use of certain land at Cahill Park, 2 and 2A Princes Highway, Wolli Creek</p> <p>(1) This clause applies to land known as Cahill Park, 2 and 2A Princes Highway, Wolli Creek being Lot 3, DP 1148894 Part Lot 50, DP 1223957 and identified as “29” on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of a restaurant or cafe is permitted with development consent.</p>

Clauses 1 and 2 have been repealed from Schedule 1 Additional Permitted Uses in Bayside LEP 2021 since 26 April 2023. Therefore, the proposed amendments are no longer needed. A condition has been included in the Gateway determination to delete these proposed amendments.

1.3.2 Amendments to Schedule 5 - Part 1 Heritage Items

The property details of various items in Schedule 5 Environmental Heritage require amendments to accurately reflect the Heritage Map referenced within the schedule.

Table 4 Proposed amendments to Schedule 5 Part 1

Item no.	Name/address/Lot and DP	Proposed amendment
I10	Arncliffe, “Glenwood”, 27–29 Eden Street, Lots 1 and 2, SP 61118	Remove “Lots 1 and 2”
I20	Arncliffe, Rosslyn Hospital, 30 Forest Road, Lots 1–10, SP 47963	Remove “Lots 1-10”
I21	Arncliffe, “Gladstone” and “Wentworth”, 134 and 136 Forest Road, Part Lot 49, Section B, DP 933; Lot B, DP 372194; Lot C, DP 395258	Remove “Section B, ”
I31	Arncliffe, Wolli Creek Aqueduct”, 27 and 27A Lusty Street, Part 74, 1 Bonar Street, Part Lot 1, DP 8682; Lot 2, DP 444657; Lot 3, DP 86820 (part roadway between Turrella Street and Lusty Street and part bed of Wolli Creek)	Remove: “Arncliffe”, and insert “Turrella, Wolli Creek” Remove: “Part 74, 1”, insert “74” Update DP 86820

Item no.	Name/address/Lot and DP	Proposed amendment
I32	Arncliffe, Wolli Creek, Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS)—Western Main Carrier, 11 and 13A Marsh Street, Part Lot 5, Lots 9 and 10, DP 1050923; Lot 17, DP 1069479	<p>Insert: Mascot</p> <p>Remove: “11 and 13A Marsh Street”,</p> <p>Insert instead: “18-20 Arncliffe Street; 125 Princes Highway; 20A West Botany Street; 11A Marsh Street; and 16 Eve Street</p> <p>Remove: Part Lot 5, Lots 9 and 10, DP 1050923; Lot 17, DP 1069479</p> <p>Insert instead: ‘Lot 1 DP 667322; Lot 2 DP 346521; Lot 2 DP 508308; Lot 1 DP 530513; Lot 5 DP 86820 and Part of: Parts 1 and 9 DP 787029; Part 401 DP 816961; Lots 21-23 DP 819566; Lot 31 DP 819587; Lot 14 DP 1069479; Lots A and B DP 379449; Lots 3-4 and 44-46 Section 3 DP 1633; Lots 2-4 DP 233254; Lot 102 DP 630786; Lot 7004 DP 93569; Part 9 DP 1227769; Lot 1 DP 1240633; Lots 100-101 DP 706647; Lot 1 DP 61004; Lot 102 DP 701509; Lot 12 Section 1 DP 974988; Lots 113-114 DP 618350; Lot 114 DP 618350; Lot 18 DP 1110158; Lots 16-17 Section 1 DP 974988; Lot 20 DP 1224233; and Lot 18 DP 1069479’</p>
I33	Arncliffe, Palm trees Mawson Street	Remove “Arncliffe”, insert “Bardwell Valley”
I74	Banksmeadow, Sir Joseph Banks Hotel (circa 1920), 1354 Botany Road (corner of Botany Road and Waratah Street), PT Lot 1, DP 73950	Remove “Banksmeadow”, insert “Botany”
I75	Banksmeadow, Commercial building, 1619 Botany Road, Lot 1, DP 913863	Remove “Banksmeadow”, insert “Botany”
I76	Banksmeadow, Banksmeadow Public School, Brighton Street through to Wiggins Street, Lot 12, DP 859010	Remove “Banksmeadow”, insert “Botany”
I77	Banksmeadow, Streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Remove “Banksmeadow”, insert “Botany”
I78	Banksmeadow, Former headmaster’s residence to Banksmeadow Public School, 60 Brighton Street, Lot 11, DP 859010	<p>Remove “Banksmeadow”, insert “Botany”</p> <p>Insert “Part of” before “60”</p>
I97	Bexley, Bardwell Creek Flora Reserve (south of Bexley Road), 369D and 369F Bexley Road,	<p>Insert “, Bexley North”</p> <p>Insert “; and 98D Preddy’s Road”</p>

Item no.	Name/address/Lot and DP	Proposed amendment
I127	Bexley, Bexley Primary School, 330 Forest Road, Part Lot 131, DP 1053602	Insert “, Rockdale”
I133	Bexley, Original church building and convent only, 20–26 Croydon Road, Lot 21, DP 1162915	Insert “Part of”
I144	Bexley, Bardwell Creek Flora Reserve (north of Bexley Road), 2A Hillcrest Avenue (part of Bardwell Valley Golf Course)	Insert: “, Bexley North, Bardwell Park, Bardwell Valley Insert “; 390 Bexley Road Insert: “Lots 1-5 DP 1107669; Lots 121-129 DP 16044; PT 1 DP 211715; Lots A-B DP 343197; Lot 18 SecE DP 376; Lot D DP 400349; Lot C DP 401508; Lot 1 DP 402007; Lot C DP 406785; Lot 2 DP 501353; Lot 3 DP 501355; Lot 3 DP 501815; Lot 1 DP 517952; PT 1 DP 625930; Lot 17 DP 6510810; PT 1 DP 651827”
I147	Bexley, Street plantings Current wording: Queen Victoria Street (both sides), R 71 Queen Victoria Street	Insert “, Kogarah” Insert: “; R 820 Paine Street
I153	Bexley, Bexley Park, 95 Stoney Creek Road, Lot 98, DP 8760; Lot 1, DP 964567	Insert “93- “
I159	Bexley North, Stotts Reserve 167 Slade Road Lots 26–29, 54 and 56–59, DP 16044; Lot 12, DP 19286; Lots 30, 33 and 37, DP 1222255; Lot 200, DP 1222256; Lots 9–13 and 23, DP 1227231	Insert “, Bardwell Park
I160	Botany/Daceyville/ Eastlakes/Mascot/ Pagewood, Botany water reserves About 200ha between Mascot and Botany extending from the northern shore of Botany Bay to Gardeners Road including the Lakes and Eastlakes Golf Courses and Mill and Engine Ponds Current wording: Lots 4 and 13 DP 87663; Lot 1, DP 233011; Lot 1, DP 241650; Lots 2473 and 2825, DP 752015; Lots 5, 6 and 7, DP 780391; Lot 3, DP 780392; Lot 2, DP 854374; Lots 1 and 2, DP 1039418	Remove: “Daceyville/” and “Mascot/” Remove Lot and DPs and insert instead: “Lot 2, DP 854374; Lots 1 and 3– 5, DP 1144655; Part Lot 1, DP 241650; Lot 100, DP 1232571; Lot 2825, DP 752015; Lot 2, DP 1039418”
I161	Botany, Booralee Park Bounded by Sydenham Railway Line and Daniel, Bay, Lord, Myrtle and Jasmine Streets, Lot 7078, DP 1027047	Insert “Lot 1, DP 909015;”

Item no.	Name/address/Lot and DP	Proposed amendment
I162	Botany, Sir Joseph Banks Hotel (former, circa 1840) 23 Anniversary Street, Lots 1–19, SP 62214	Remove “Lots 1-19,”
I188	Botany, Botany Uniting Church 1355 Botany Road, Part Lot 4, Section B, DP 1787; Part Lot 1, DP 566495	Remove “Part”, and “Part”
I191	Botany, Botany Town Hall (circa 1898) 1423 Botany Road (corner of Botany Road and Edward Street), Lot 14, DP 3592; Part Lot 5, DP 5177	Remove “Part”
I214	Botany, Residential building, 16 The Esplanade, Lot B, DP 323638	Remove “16” and insert instead “15-18” Remove “Lot B, DP 323638” and insert instead “Part of SP 90899”
I217	Brighton-Le-Sands Brighton-Le, Sands Houses (Brighton Parade precinct), 3, 9, 11, 23 and 33 Brighton Parade, Lots 5, 10 and 16, DP 15057; Lots 1 and 4, DP 78024	Insert “5” and in address and “Lot 3”
I218	Brighton-Le-Sands, School building— Brighton-Le Sands Public School (1916) 35 Crawford Road, Lots 1–2, DP 194470	Insert instead: “Part 1 and Lot”
I219	Brighton-Le-Sands, Dolls Point, Kyeemagh, Monterey, Ramsgate Beach, Sans Souci, Sandringham, Cook Park, General Holmes Drive The Grand Parade	Remove “Dolls Point,” Before “General Holmes Drive” insert: “East of”
I220	Brighton- Le-Sands, Kings Wetland Kings Road, Part Lot 1, DP 214047; Lot 1, DP 229723	Insert “, Rockdale” Remove Lot and DPs and insert “Lot 194, DP 752056; Lot 2, DP 194470; Part Lot 1, DP 194470; Lot 1, DP 229723; Lot 1, DP 214047; Lot 3, DP 525538”
I222	Brighton-Le-Sands, Group of houses 26–26A, 28, 35, 37, 40 and 53 Teralba Road, Lots 25, 45, 53 and 54, DP 11976; Lot 1, DP 564103; Lot 700, DP 1059734	Remove “Lot 1” and insert “Lots 1-2”
I223	Brighton- Le-Sands, Row of Araucaria trees, The Grand Parade (in Cook Park)	Insert “, Monterey, Ramsgate Beach” After “The Grand Parade” insert: “, between General Holmes Drive and Ramsgate Road”
I242	Daceyville Marist Brothers School and Haig Avenue, Part Lot 1, DP 186759	Remove “Part”

Item no.	Name/address/Lot and DP	Proposed amendment
I246	Dolls Point, Primrose House Current wording: 190 Russell Avenue, Lot 2, DP 530790; Lot 449, DP 752056	Insert "195" Remove Lot and DP and insert instead: "Lot 1, DP 1236104; Lot 1, DP 840050"
I257	Kogarah, Frys Reserve (including railway land) 1 and 1A Warialda Street, Lots 20, 21, 22 and 23, Section 23, DP 1680; Lot 31, DP 14224; Lot Z, DP 189440; Lots 1 and 2, DP 191678; Lots 12–19, DP 456694; Lot 1, DP 653416; Part Lot 1, DP 859131.	Remove full stop.
I264	Mascot, Commercial building group 891–917 Botany Road Lot 1, DP 80274; Lots A and B, DP 87517; Lots A– D, DP 103750; Lots 1 and 2, DP 504610; Lots 2–4, DP 598272; Lot 1, DP 784041	Remove "Mascot" and insert "Rosebery"
I266	Mascot, House group, 999 Botany Road, Part Lot 1, DP 918245	Remove "Mascot" and insert "Rosebery" Insert "995-" Insert "Lot 1, DP 917174;"
I267	Mascot Electricity Substation No 147 1001 Botany Road Lot 1, DP 232836	Remove "Mascot" and insert "Rosebery"
I268	Mascot, Former National Bank of Australasia 1005 Botany Road, corner of Botany Road and Coward Street Lot A, DP 319304	Remove "Mascot" and insert "Rosebery"
I270	Mascot, Commercial building group 1009–1021 Botany Road, Lot 1, DP 213130; Lots A and B, DP 349471; Lots A– C and Corner Lot D, DP 440204	Remove "C and Corner Lot"
I285	Mascot, House 110 Coward Street Lot 1, DP 999395	Remove "Mascot" and insert "Rosebery"
I288	Mascot, Uniting Church and rectory 118–122 Coward Street, Lot B, DP 155557; Lot 1, DP 197503; Lot 2, DP 917174; Lot 1, DP 917524	Remove "Mascot" and insert "Rosebery" Before "Lot 1, DP 197503" insert "Part"
I294	Mascot, Botany Family Day Care 149 Coward Street, Lot 1, DP 1136361	Insert "; Part Lot 2, DP 611027"
I319	Mascot, Christian Fellowship Centre 40 King Street Lot 14, Section 8, DP 937	Remove "Mascot" insert "Eastlakes"
I320	Mascot, House group 62–64 King Street Lots A and B, DP 304230	Remove "Mascot" insert "Eastlakes"

Item no.	Name/address/Lot and DP	Proposed amendment
I334	Monterey Patmore Swamp 99 President Avenue (part of North Scarborough Park), Lot 14, DP 20365; Lot 7072, DP 93145; Lots 199, 473 and 536, DP 752056; Lots 1 and 3, DP 1113262	Insert “, Kogarah” Remove: “Lot 7072, DP 93145; Lots 199, 473 and 536, DP 752056;” and insert instead: “Part Lot 1, DP 1177511”
I338	Pagewood. Jellicoe Park Park Parade, Lot 7067, DP 1059870; Lots 7325–7327, DP 1153726	Remove “Lot 7067, DP 1059870” and insert instead “Lot 8207, DP 1177420”
I339	Ramsgate, Hawthorne Street Reserve/Leo Smith Reserve, 99 President Avenue (Scarborough Park, off Hawthorne Street), Lot 14, DP 20365; Lot 7072, DP 93145; Lots 199, 473 and 536, DP 752056; Lots 1 and 3, DP 1113262	Remove “99 President Avenue” and insert instead “65A Barton Street” Remove LOT and DPs and insert instead “Part 1, DP 1177511”
I340	Ramsgate, Fig trees, 99 President Avenue (South Scarborough Park, immediately north of Ramsgate Road), Lot 14, DP 20365; Lot 7072, DP 93145; Lots 199, 473 and 536, DP 752056; Lots 1 and 3, DP 1113262	Insert “, Ramsgate Beach” Remove “99 President Avenue” and insert instead “65A Barton Street” Remove Lot and DPs and insert instead “Part 1, DP 1177511”
I359	Rockdale, Wilson’s Farmhouse, 310 West Botany Street, Lot 1, DP 34647; Lot 1, DP 517350	Remove “; Lot 1, DP 517350”
I360	Rosebery Former bank building 686 Botany Road (corner of Botany and Gardeners Roads) Lot A, DP 411716	Remove “Rosebery” and insert instead “Mascot”
I377	Sans Souci Tram route relics, tram shelter, island and plantings Clareville Avenue (corner Russell Avenue)	Insert “, Sandringham”
I379	Sans Souci, Cook Park Riverside Drive	Insert “Lot 7098, DP 94128; Lot 7083, DP 94129; Lot 7099, DP 94082”
I380	Sans Souci Norfolk Island pine trees Riverside Drive (between Napoleon	Insert “, Sandringham
I381	Sans Souci, Timber cottage 586 Rocky Point Road, Lot 700, DP 1196271	Insert “-701”
I382	Sydney Airport, Ruins of the former Botany Pumping Station Within the boundary of Sydney (Kingsford Smith) Airport, Part Lot 8, DP 1050923	Remove “Sydney Airport” and insert instead “Mascot”

Item no.	Name/address/Lot and DP	Proposed amendment
I383	Sydney Airport, Sydney (Kingsford Smith) Airport group Airport Drive, Part Lot 8, DP 1050923	Remove “Sydney Airport” and insert instead “Mascot”
I385	Turrella, Wollie Creek, Wollie Creek Wetlands Part 75 Henderson Street, part Railway lands Lot 5, DP 431083; Part Lot 1, DP 775302 (MS 16565 3000 SY); Lots 12 and 13, DP 1149053; part bed of Wollie Creek	Remove “Turrella”
I388	Wollie Creek, Tempe House and St Magdalene’s Chapel 1 Princes Highway, Lot 1, DP 270821	Insert “; Part Lot 1, SP 93440”
I389	Wollie Creek, Wollie Creek Valley Wollie Creek	Insert “, Bardwell Park, Bardwell Valley, Bexley North, Turrella”
I368	27A Gordon Street, Rosebery, Lots 11 and 12, DP 832654 Lot 11 DP 1265708	Remove Lots 11 and 12, DP 832654
I195	1447 Botany Road, Botany, Lot 1, DP 965554 Part Lot 200, DP 1262366	Update street number to 1445 and remove Lot 1, DP 965554

1.3.3 Amendments to Schedule 5 - Part 2 Heritage Conservation Areas

The Heritage Conservation Areas in Schedule 5, Part 2 incorrectly reference the Heritage Map and need to be updated.

Table 5 Proposed amendments to Schedule 5 Part 2

Name of heritage conservation area	Identification on heritage map	Proposed amendment
Botany Township Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C2”	Replace “C2” with “C1”
Daceyville Garden Suburb Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C1”	Replace “C1” with “C2”

1.4 Site description and surrounding area

The planning proposal applies to land in the Bayside local government area (LGA) as shown on **Figure 1**. Certain administrative amendments apply to specific sites as identified in the explanation of provisions in Sections 1.3 and 1.5.

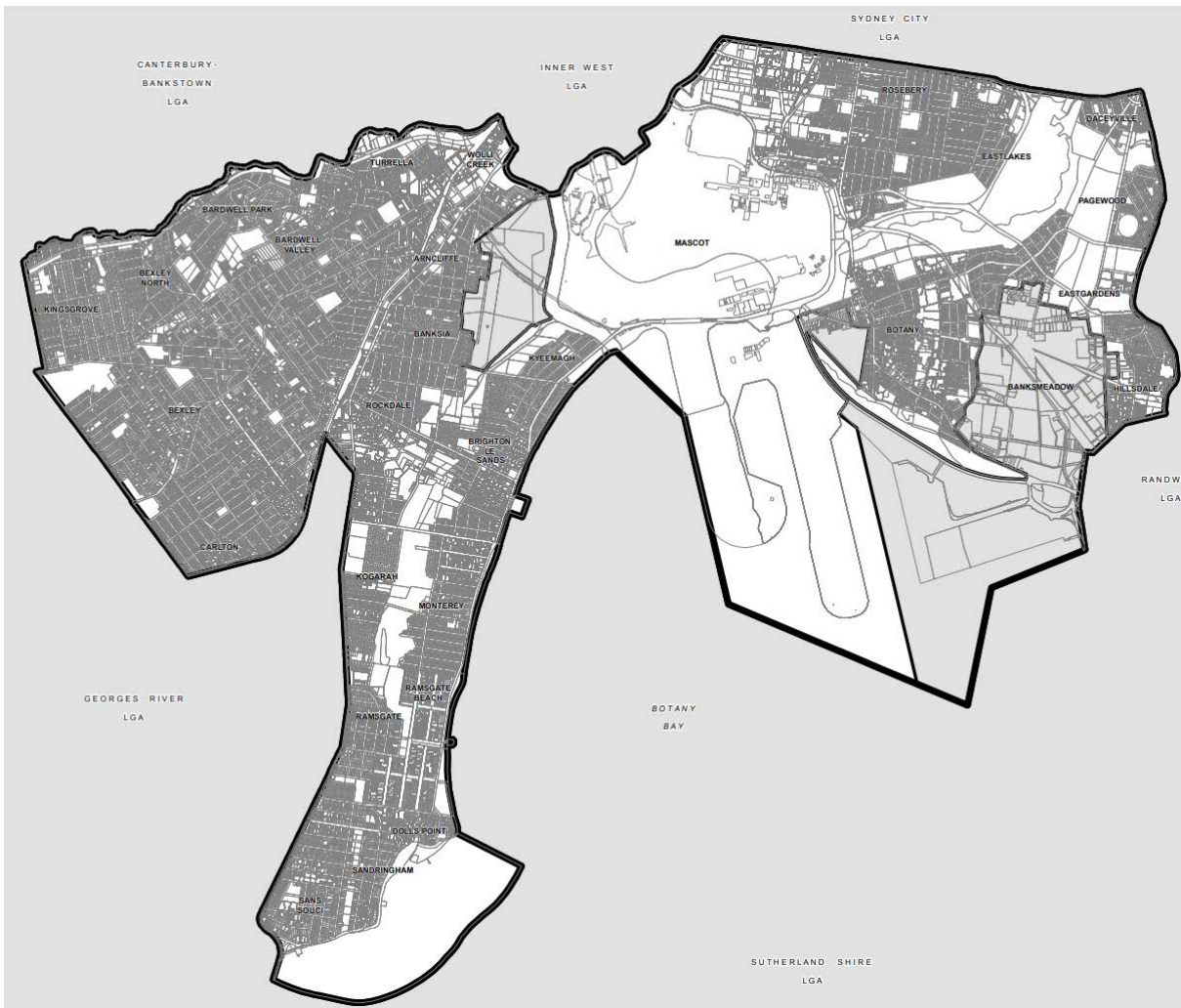


Figure 1 – Bayside Local Government Area




1.5 Mapping







The planning proposal includes mapping showing the proposed changes to the maps, which are suitable for community consultation.

1.5.1 Map amendments for Belmore Street Reserve

Belmore Street Reserve is public open space owned and maintained by Bayside Council and is classified as community land. Council notes the R2 Zoning and associated controls are incompatible with the current use of the land. As a result, it is proposed that the land be rezoned RE1 Public Recreation, with the removal of Floor Space Ratio (FSR), Height of Buildings (HOB) and Lot Size (LSZ) controls, to reflect its current use as local open space.




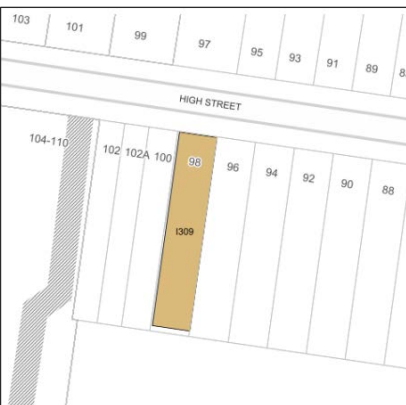
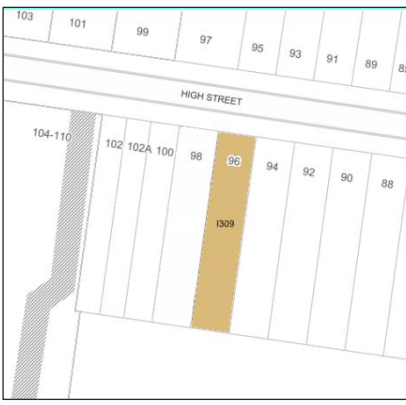

Table 6 Proposed amendments for Belmore Street Reserve - 11 Station St, Arncliffe

Map	Existing	Proposed	Ariel image
Land Use Zone			

Map	Existing	Proposed	Ariel image
Floor Space Ratio			As above
Height of Buildings			As above
Lot Size			As above

1.5.2 Proposed mapping amendments to Schedule 5 Environmental Heritage

Table 7 Proposed amendments for Schedule 5

Item no.	Existing	Proposed	Ariel image
I368 (27A Gordon St, Rosebery)			
I309 (96 King Street, Mascot)			

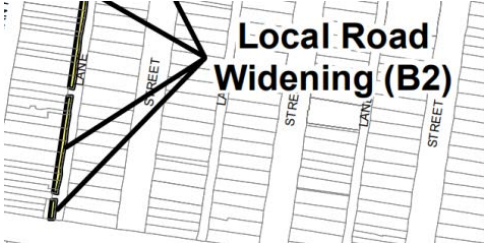


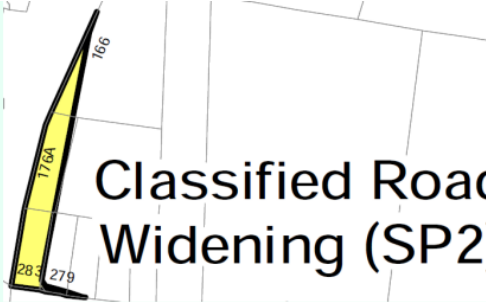


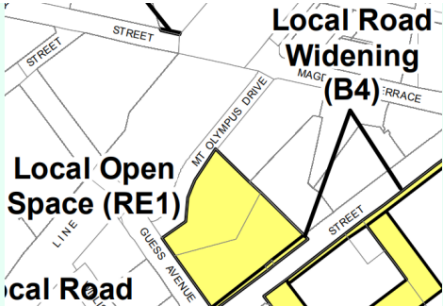


Item no.	Existing	Proposed	Ariel image
I195 (1445 Botany Road, Mascot)			

1.5.3 Proposed updates to Land Reservation Acquisition Maps

The following parcels of land are to be removed from the Land Reservation Acquisition mapping, as Council advises they have been acquired by the relevant acquisition authority.

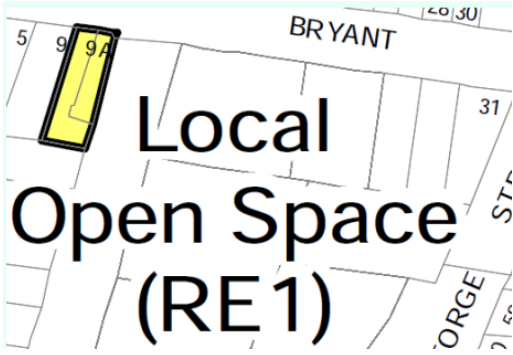
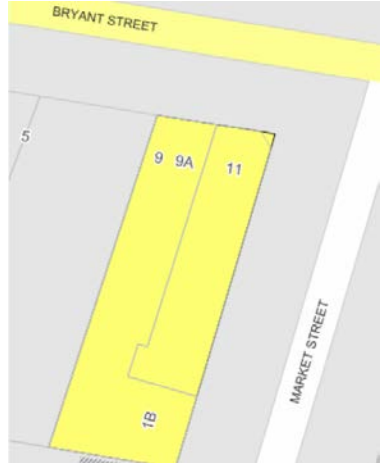

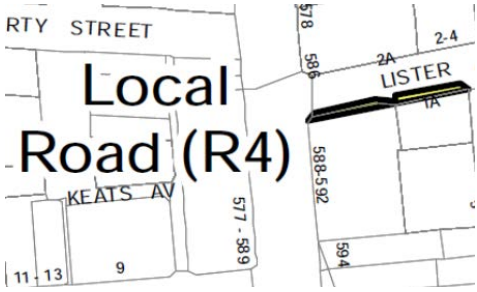


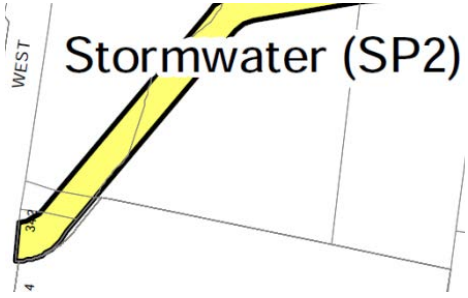


Table 8 Proposed amendments for Land Reservation Acquisition Maps

Address	Existing	Existing	Proposed
1153-1155A Botany Road, Mascot			




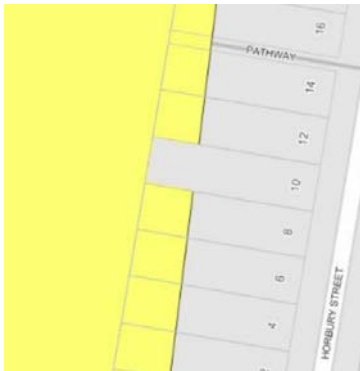
Address	Existing	Existing	Proposed
<p>2 Hollingshed Street, Mascot</p>	 <p>Local Road Widening (B2)</p>		
<p>166 and 176A O'Riordan St and 279A and 283 King Street, Mascot</p>	 <p>Classified Road Widening (SP2)</p>		
<p>4 Guess Avenue and 27S Arncliffe Street, Wolli Creek</p>	 <p>Local Open Space (RE1) Local Road Widening (B4)</p>		

Address	Existing	Existing	Proposed
<p>457 Bonar Street, Arncliffe</p>			
<p>888 Martin Avenue, Arncliffe</p>			

Address	Existing	Existing	Proposed
<p>40A and 52A Arncliffe Street, Wolli Creek</p>			
<p>9972 and 2 Innesdale Lane, Wolli Creek</p>			

Address	Existing	Existing	Proposed
<p>1B Market Street and 9 and 9A Bryant Street, Rockdale</p>	 <p>Local Open Space (RE1)</p>		
<p>686 Lister Avenue, Rockdale</p>	 <p>Local Road (R4)</p>		
<p>342 West Botany Street, Rockdale</p>	 <p>Stormwater (SP2)</p>		

Address	Existing	Existing	Proposed
<p>1 Muddy Creek, Waterways</p>			
<p>R 862 Meurants Lane, Ramsgate</p>			
<p>52 Margate Street, Ramsgate</p>			

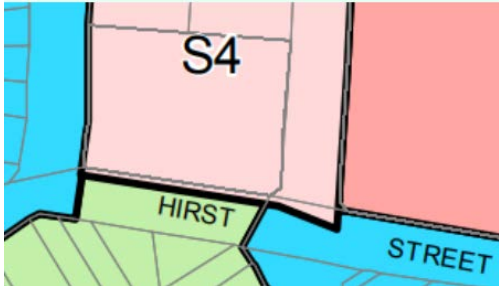
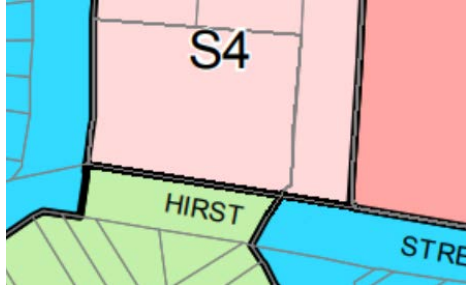
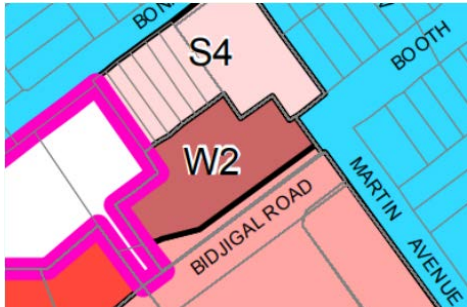

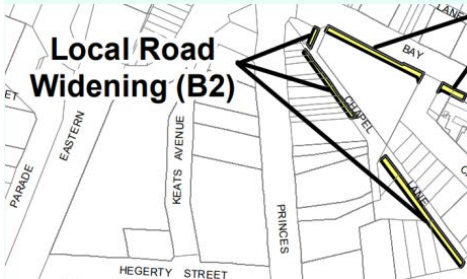
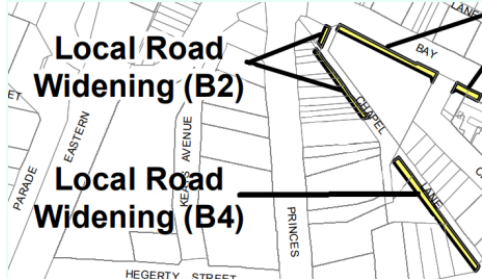
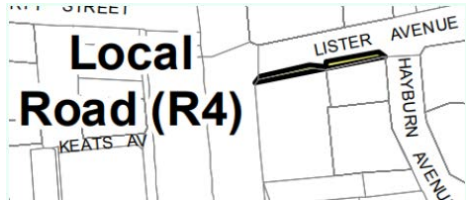
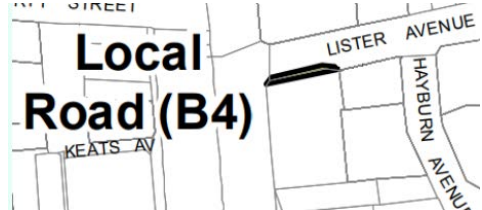


Address	Existing	Existing	Proposed
<p>36 MacDonald Street, Sans Souci</p>	 <p>Classified Road (SP2)</p>		
<p>151 Ramsgate Road, Ramsgate</p>	 <p>Classified Road (SP2)</p>		
<p>10 Horbury Street, Sans Souci</p>	 <p>Classified Road (SP2)</p>		







Address	Existing	Existing	Proposed
<p>29 Napoleon Street, Sans Souci</p>			
<p>37 and 43 Meriel Street, Sans Souci</p>			

1.5.4 Miscellaneous Mapping Amendments

The planning proposal includes various map amendments to fix minor administrative errors.

Table 9 Proposed amendments for Maps

Map	Existing	Proposed
FSR Map (736 Hirst Street, Arncliffe)		
FSR Map (5 Bidjigal Road, Arncliffe)		
LRA Map (1 Chapel Lane, Rockdale)		
LRA Map (588-592 Princes Highway, Rockdale)		
LZN (1 Railway Lands, Turrella)		

Map	Existing	Proposed
FSR (1 Railway Lands, Turrella)		
HOB (1 Railway Lands, Turrella)		
LSZ (1 Railway Lands, Turrella)		

1.5.5 Design Excellence maps

All the Design Excellence maps reference Clause 6.12 of the Bayside LEP for more information. However, the provisions for Design Excellence are within Clause 6.10 of the LEP. Therefore, the map references should be amended accordingly.

1.6 Background

On 9 September 2016, the Bayside Local Government Area (LGA) was declared, amalgamating the former Rockdale and Botany Bay LGAs. This amalgamation resulted in an inconsistent planning framework, as three different Local Environmental Plans (LEPs) governed different areas across the LGA.

In March 2018, amendments were made to the EP&A Act to require all metropolitan Councils to review and amend their LEPs and give effect to the relevant District Plan. Bayside Council was identified as a priority Council by the Greater Sydney Commission (now the Greater Cities Commission) based on assessment of:

- housing supply and demand;
- planned infrastructure;
- opportunities for renewal; and
- the need for more diversity in the area.

A timeline of two years was provided for Bayside to complete the LEP review.

On 27 August 2021, the Bayside Local Environmental Plan 2021 was made. The BLEP 2021 was not a comprehensive review of all planning controls. Rather, it is a consolidation, harmonisation, and alignment of the Rockdale Local Environmental Plan 2011 (RLEP 2011), Botany Bay Local Environmental Plan 2013 (BBLEP 2013) and Botany Local Environmental Plan 1995 (BLEP 1995).

As a result, this housekeeping planning proposal aims to rectify administrative errors resulting from the consolidation process, to update the currency of information provided, and to alter the controls and zoning of a Council owned site to better reflect the objectives of the BLEP 2021.

2 Need for the planning proposal

Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

No. The proposal is administrative in nature and does not intend to give effect to any specific strategy, study, or report. Since the Bayside comprehensive LEP was notified in 2021, Council has conducted a review of Schedule 1, Schedule 5 and the LEP maps where various administrative errors and inaccuracies were identified.

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

Yes. Many of the mapping issues identified could be addressed through an expedited amendment under Section 3.22 of the EP&A Act. However, this would necessitate two separate reports, as some errors and inaccuracies require further justification and would not qualify for the Section 3.22 process. Therefore, Council has opted to pursue a consolidated report that addresses all relevant issues together, streamlining and simplifying the process.

3 Strategic assessment

3.1 District Plan

The site is 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 priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 11 District Plan assessment

District Plan Priorities	Justification
E1 Planning for a city supported by infrastructure	Updating the Land Reservation Acquisition (LRA) mapping will improve the accuracy of information relating to infrastructure planning and delivery.
E4 Fostering healthy, creative, culturally rich, and socially connected communities	Proposed updates will clarify the zoning for Belmore Reserve, which will further protect and enhance both the recreational amenity within the Bayside LGA,
E6 Creating and renewing great places and local centres, and	Proposed updates will ensure the local character and heritage value within the LGA is protected.

respecting the District's heritage	
E16 Protecting and enhancing scenic and cultural landscapes	The administrative changes to the heritage schedule will ensure the heritage items remain properly identified and protected.
E18 Delivering high quality open space	The rezoning of Belmore Reserve to RE1 Public Recreation will enable the functions of the current land use as a park to be properly realised.

3.2 Local

The 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 12 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>The Planning Proposal gives effect to a number of Ku-ring-gai Local Planning Priorities identified within the LSPS, including:</p> <ul style="list-style-type: none"> • B2 Align land use planning with the delivery and management of assets by Bayside Council to support our community; • B3 Working through collaboration; • B5 Foster healthy, creative, culturally rich, and socially connected communities; • B9 Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm; • B11 Develop clear and appropriate controls for development of heritage items, adjoining sites and within conservation areas; • B19 Protect and improve the health of Bayside's waterways and the biodiversity; • B21 Deliver high quality open space; and • B22 Protect and enhance scenic and cultural landscapes.

Local Strategies	Justification
Bayside Community Strategic Plan 2018-2032	<p>The Planning Proposal gives effect to the identified priorities:</p> <ul style="list-style-type: none"> • Provide safe, accessible open space with a range of active and passive recreation opportunities to match Bayside's growing community; • Create and maintain vibrant, visually appealing, and welcoming places with their own village atmosphere and sense of identity; • Support an effective and efficient local road network through investment in maintenance and reduced traffic issues in Bayside; • Value, respect and celebrate Bayside's shared heritage and history; • Develop and support community connections and networks which enhance resilience; • Foster a sense of community pride in and satisfaction with Bayside; • Respect, manage and protect the natural environment and biodiversity; • Ensure Council decision making is transparent, and data driven; • Manage Council assets to meet community expectations within available resources; and • Manage Council finances for the long-term benefit of the community and to prioritise infrastructure funding commitments

3.3 Local planning panel (LPP) recommendation

The Bayside Local Planning Panel (BLPP) recommends to Council:

1. That the Planning Proposal for the Housekeeping LEP be endorsed and forwarded to the Minister for Planning requesting a Gateway Determination pursuant to s3.34 of the Environmental Planning & Assessment Act 1979.

3.4 Section 9.1 Ministerial Directions

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

Table 13 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.4 Site Specific Provisions	Consistent	<p>The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>The proposal seeks to rectify various identified administrative errors and inaccuracies and does not introduce unnecessarily restrictive site-specific planning controls. The proposal is consistent with this Direction.</p>
1.11 Implementation of Bayside West Precincts 2036 Plan	Consistent	To objective of this Direction is to ensure development within the Bayside West Precincts

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>(Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan.</p> <p>The planning proposal is administrative in nature to rectify errors and inaccuracies and will not be inconsistent with Bayside West Precincts 2036 Plan. The proposal is consistent with this Direction.</p>
3.2 Heritage Conservation	Consistent	<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 proposal seeks to rectify anomalies and update the information relating to heritage items and conservation areas listed in Schedule 5 Environmental Heritage of the Bayside LEP 2021.</p> <p>The removal of one lot from the local heritage item I368 resulted from Council updating the street numbering of the adjoining lots 11 and 12 in DP 1265708 (27 and 27A Gordon Street, Rosebery). The intended heritage-listed building sits entirely on lot 11 and the amendment reflects the intended conservation outcomes.</p> <p>The change of heritage mapping application from 98 to 96 High Street, Mascot rectifies the mapping error and reflects the correct location of the heritage item I309.</p> <p>The local heritage item I195 at 1445 Botany Road, Botany has been demolished and had its heritage status removed under the development consent DA-2018/329. The proposal seeks to remove the item entry from Schedule 5 and the associated heritage mapping.</p> <p>The proposed amendments to the references of Heritage Conservation Areas in Schedule 5, Part 2 rectify are an error.</p> <p>The proposed amendments do not affect the conservation of heritage items and is consistent with this Direction.</p>
3.7 Public Bushland	Consistent	<p>To objective of this Direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland.</p> <p>The proposed amendments are administrative in nature and will not affect bushland in urban areas and the ecological viability of bushland. The proposal is consistent with this Direction.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.1 Flooding	Consistent	<p>The objective of this Direction is to ensure development is consistent with the principles of the Floodplain Development Manual 2005 and provisions of an LEP are commensurate with flood behaviour both on and off the site.</p> <p>The proposed amendments are administrative in nature and will not intensify development within flood prone land. The proposal is consistent with this Direction.</p>
4.4 Remediation of Contaminated Land	Consistent	<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> <p>The planning proposal proposes amendments that are administrative in nature to reflect the existing use of the land. No change of zone or land use is proposed. The proposal is considered consistent with this Direction.</p>
4.5 Acid Sulfate Soils	Consistent	<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.</p> <p>The planning proposal proposes amendments that are administrative in nature to reflect the existing use of the land and will not intensify the development within land having a probability of containing acid sulfate soils.</p> <p>No change of zone or land use is proposed. The proposal is considered consistent with this Direction.</p>
5.1 Integrating Land Use and Transport	Consistent	<p>The objective of this Direction is to ensure that new land use locations improve access to housing, jobs and services by walking, cycling and public transport and reduce dependence on cars.</p> <p>This proposal does not propose any uplift in development potential for any purpose.</p> <p>The proposal does seek to remove LRA mapping from sites that have may have been acquired by the relevant acquisition authority.</p> <p>Consultation with Transport for NSW is required to confirm sites have been acquired by the relevant acquisition authority.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
5.2 Reserving Land for Public Purposes	Unresolved	<p>The objectives of this Direction are:</p> <p>(a) To facilitate the provisions of public services and facilities by reserving land for public purposes.</p> <p>(b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The proposal states the relevant acquisition authority has acquired land parcels on the Land Reservation Acquisition (LRA) maps and seeks to remove them from the LRA maps. The following sites are classified roads and stormwater assets:</p> <ul style="list-style-type: none"> • 166 and 176A O’Riordan St and 279A and 283 King Street, Mascot; • 342 West Botany Street, Rockdale; • 1 Muddy Creek, Waterways; • 52 Margate Street, Ramsgate; • 36 MacDonald Street, Sans Souci; • 151 Ramsgate Road, Ramsgate; • 10 Horbury Street, Sans Souci; • 29 Napoleon Street, Sans Souci; and • 37 and 43 Meriel Street, Sans Souci. <p>The planning proposal does not address this direction. Therefore, Direction 5.2 remains unresolved until the proposal provides further information to confirm the acquisition status of the applicable land listed above.</p> <p>Council will need to address and justify the removal of reservations and seek the Secretary’s approval as required by the Direction.</p> <p>Conditions have been included in the Gateway determination to address Direction 5.2 and also provide evidence of acquisitions or confirmation from the relevant authorities that acquisition is no longer needed prior to public exhibition.</p>
6.1 Residential Zones	Consistent	<p>The objectives of this Direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>use of existing infrastructure and minimise impacts on the environment.</p> <p>This proposal does not propose any uplift in development potential for residential purposes.</p> <p>The targeted site-specific changes to zoning and planning controls at 11 Station Street, Arncliffe are not consequential to housing delivery. The site is public open space owned and maintained by Bayside Council and is classified as community land. The proposal is consistent with this Direction.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal contains an explanation of consistency between relevant SEPPs and the proposal.

The proposed instrument and map amendments are administrative in nature to rectify errors and anomalies the Bayside LEP 2021. The Department is satisfied that the planning proposal does not interfere the operation of and is not inconsistent with any relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

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

Table 14 Environmental impact assessment

Environmental Impact	Assessment
Flooding	<p>The planning proposal relates to rectifying mapping errors and anomalies within flood affected land.</p> <p>The proposed amendments are administrative in nature and will not intensify the development potentials for any purpose on flood prone land. It is unlikely to increase flood risk impact in the area.</p>
Contaminated Land	<p>The planning proposal potentially alters planning controls within land containing development or near development that may have contaminated the land.</p> <p>However, the proposed amendments are administrative in nature to reflect the intended use of the land and will not intensify the development potentials for any purpose on land subject to potential contamination. The proposal is unlikely to pose additional risk of exposure to contaminated land.</p>

Heritage	<p>The proposed amendments to Schedule 5 of Bayside LEP 2021 update the indicative information, including rectifying errors in addresses, lot numbers and deposit plan details of various heritage items and areas. The proposal does not alter any existing heritage sites or impact the heritage significance of the area.</p> <p>Mapping changes showing the removal of heritage zones are resulted from the council updating the address of heritage site, or for items have already been either demolished, or had their heritage status removed.</p> <p>There are no identified environmental heritage impacts associated with the proposal.</p>
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4.2 Social and economic

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

Table 15 Social and economic impact assessment

Social and Economic Impact	Assessment
Social	<p>The proposed amendments are relatively minor and administrative in nature. The proposed rezoning and removal of the relative controls of 11 Station Street, Arncliffe are to rectify the anomaly of a zone incompatible with its current and intended use.</p> <p>The proposed amendments therefore do not impact the potential residential density of the land.</p> <p>There are no identified social impacts associated with the proposal.</p>
Economic	<p>The proposed amendments are relatively minor and administrative in nature. There are no identified adverse economic impacts associated with the proposal.</p>

4.3 Infrastructure

The proposal will not facilitate any redevelopment or intensify the development potential of the existing urban areas and therefore will not require additional local or state infrastructure provision.

However, the proposal states the relevant acquisition authority has acquired land parcels on the Land Reservation Acquisition (LRA) maps and seeks to remove them from the LRA maps. The following sites are classified roads and stormwater assets,

- 166 and 176A O’Riordan St and 279A and 283 King Street, Mascot;
- 342 West Botany Street, Rockdale;
- 1 Muddy Creek, Waterways;
- 52 Margate Street, Ramsgate;
- 36 MacDonald Street, Sans Souci;
- 151 Ramsgate Road, Ramsgate;
- 10 Horbury Street, Sans Souci;
- 29 Napoleon Street, Sans Souci; and
- 37 and 43 Meriel Street, Sans Souci.

Gateway conditions have been included to provide further information on the acquisitions of the above sites prior to the proposal's public exhibition, and to consult with Transport for NSW and Sydney Water Corporation.

5 Consultation

5.1 Community

Council does not propose a specific community consultation period of days.

Given the considerable number of proposed amendments, the planning proposal has been categorised as standard as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working days.

5.2 Agencies

The proposal does not specifically advise which agencies will be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW; and
- Sydney Water Corporation.

6 Timeframe

Council proposes a 6 month time frame to complete the LEP.

The Department recommends a time frame of 9 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 proposal by specified milestone dates.

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

7 Local plan-making authority

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

Most of the planning proposal relates to local planning matters that are not considered to be contentious in nature. However, some amendments relate to reservations of land for public purposes that are linked to state interests. The Department recommends that Council not be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposed amendments will assist to provide further clarity in the application of controls relating the Bayside LEP 2021;
- The proposed amendments are minor in nature and will not result in any adverse, social, economic or environmental impacts;
- The proposal to amend the LEP is the best means of achieving the objectives of the planning proposal; and

- The proposed amendments are not inconsistent to the established strategic planning framework for the Bayside Local Government Area.

Based on the assessment outlined in this report, the proposal must be updated before consultation to:

- delete the proposed amendments to clauses 1 and 2 in Schedule 1 Additional Permitted Uses of the Bayside LEP 2021;
- address Section 9.1 Ministerial Direction 5.2 Reserving Land for Public Purposes;
- provide evidence of acquisitions or confirmation from the relevant authorities that acquisition is no longer needed for the land at the following addresses:
 - 166 and 176A O’Riordan St and 279A and 283 King Street, Mascot;
 - 342 West Botany Street, Rockdale;
 - 1 Muddy Creek, Waterways;
 - 52 Margate Street, Ramsgate;
 - 36 MacDonald Street, Sans Souci;
 - 151 Ramsgate Road, Ramsgate;
 - 10 Horbury Street, Sans Souci;
 - 29 Napoleon Street, Sans Souci; and
 - 37 and 43 Meriel Street, Sans Souci.
- update the Project Timeline to reflect the timelines included in this determination.

9 Recommendation


It is recommended the delegate of the Secretary:

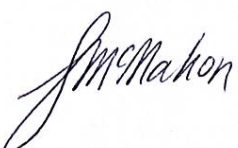
- Note that the consistency with section 9.1 Direction 5.2 Reserving Land for Public Purposes remain unresolved and will require justification. Council will need to address and justify the reduction in reservations in land for public purposes and seek the Secretary’s approval as required by clause (1) of the direction. Evidence of acquisitions and consultation with Transport for NSW and Sydney Water Corporation is required.

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:
 - delete the proposed amendments to clauses 1 and 2 in Schedule 1 Additional Permitted Uses of the Bayside LEP 2021;
 - address Section 9.1 Ministerial Direction 5.2 Reserving Land for Public Purposes;
 - provide evidence of acquisitions or confirmation from the relevant authorities that acquisition is no longer needed for the land at the following addresses:
 - 166 and 176A O’Riordan St and 279A and 283 King Street, Mascot;
 - 342 West Botany Street, Rockdale;
 - 1 Muddy Creek, Waterways;
 - 52 Margate Street, Ramsgate;
 - 36 MacDonald Street, Sans Souci;
 - 151 Ramsgate Road, Ramsgate;
 - 10 Horbury Street, Sans Souci;
 - 29 Napoleon Street, Sans Souci; and
 - 37 and 43 Meriel Street, Sans Souci.

- update the Project Timeline to reflect the timelines included in this determination.
2. Prior to community consultation, the planning proposal is to be revised to address Condition 1 above and forwarded to the Department for review and approval.
 3. Consultation is required with the following public authorities:
 - Transport for NSW (TfNSW); and
 - Sydney Water Corporation.
 4. The planning proposal should be made available for community consultation for a minimum of 20 working days.
 5. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
 6. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.

 _____ (Signature) _____ 6/07/2023 _____ (Date)
Wayne Williamson
Specialist Planning Officer, Agile Planning

 _____ (Signature) _ 13/7/23 _____ (Date)
Louise McMahon
Director, Agile Planning

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