

MEETING NOTICE

A meeting of the
Bayside Planning Panel
will be held in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
on **Tuesday 14 August 2018 at 6.00 pm**

SITE INSPECTION

A site inspection has been held.

AGENDA

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Bayside Council respects the traditional custodians of the land, and elders past and present, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 APOLOGIES

3 DISCLOSURES OF INTEREST

4 MINUTES OF PREVIOUS MEETINGS

4.1 Minutes of the Bayside Planning Panel Meeting - 24 July 20182

4.2 Minutes of the Bayside Planning Panel Meeting - 10 July 201812

5 REPORTS – PLANNING PROPOSALS

5.1 Assessment of Planning Proposal - Cook Cove
Report by City Plan Strategy and Development (CPSD)17

5.2 Cook Cove Planning Proposal - Reclassification - Additional
information57

6 REPORTS – DEVELOPMENT APPLICATIONS

Nil

Members of the public, who have requested to speak at the meeting, will be invited to address the Panel by the Chairperson.

The meeting will be video recorded and live streamed to the community via Council's Facebook page.

Meredith Wallace
General Manager

Bayside Planning Panel

14/08/2018

Item No	4.1
Subject	Minutes of the Bayside Planning Panel Meeting - 24 July 2018
Report by	Fausto Sut, Manager Governance and Risk
File	SC17/785

Recommendation

That the Minutes of the Bayside Planning Panel meeting held on 24 July 2018 be confirmed as a true record of proceedings.

Present

Jan Murrell, Chairperson
Marcia Doheny, Independent Specialist Member
Helen Deegan, Independent Specialist Member
Patrick Ryan, Community Representative

Also present

Michael McCabe, Director City Futures (from 6.47pm)
Luis Melim, Manager Development Services
Fausto Sut, Manager Governance & Risk
Alexandra Hafner, Senior Development Assessment Planner
Angela Lazaridis, Senior Development Assessment Planner
Patrick Nash, Senior Development Assessment Planner
Fiona Prodromou, Senior Development Assessment Planner
Eric Alessi, Development Assessment Planner
Matthew Torta, IT Support Officer
Bill Nikolovski, IT Support Officer
Gina Nobrega, Governance Officer

The Chairperson opened the meeting in the Botany Town Hall Committee Room at 6.03pm.

1 Acknowledgement of Traditional Owners

The Chairperson affirmed that Bayside Council respects the traditional custodians of the land, elders past and present and future leaders, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 Apologies

There were no apologies received.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the Bayside Planning Panel Meeting - 26 June 2018

Decision

That the Minutes of the Bayside Planning Panel meeting held on 26 June 2018 be confirmed as a true record of proceedings.

4.2 Minutes of the Bayside Planning Panel Meeting - 10 July 2018

Decision

That the Minutes of the Bayside Planning Panel meeting held on 10 July 2018 be submitted to the next meeting for confirmation.

5 Reports – Planning Proposals

Nil.

6 Reports – Development Applications

6.1 F18/404 - DA-2016/65 - 130-150 Bunnerong Road, Eastgardens

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Walter Gordon, Head of Planning and Development - Meriton, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That Development Application No.16/65 for the embellishment of the public domain across the site with works including the construction of two public parks, and embellishing the approved road network with landscaping, street furniture, lighting and paving at 130-150 Bunnerong Road Eastgardens be APPROVED, subject to the conditions of consent attached to this report.
- 2 That any objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The panel agrees the landscaping and associated works will provide much needed open space and facilities for the adjoining higher density residential development in the surrounding area and the application is worthy of approval.

6.2 SF18/1610 - DA-2015/98/07 - 577-579 Gardeners Road, Mascot

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Walter Gordon, Head of Planning and Development - Meriton, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

That the Section 4.55(1A) application for the deletion of Sydney Water conditions and replacement of louvre structure on rooftop plant with balustrades be APPROVED subject to the following:

- Amend Condition 1 to refer to amended plans.
- Delete Conditions 108 and 109.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The Panel considers the amendments will not change the envelope of the development and supports the modification.

6.3 SC17/784 - DA-2014/129/3 - 593 Gardeners Road, Mascot

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Fernando Banales and Michael Lescesin, Architects from Arkhaus responded to the Panel's questions.

Determination

The Bayside Planning Panel, pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, grants approval to modify Development Consent No. 14/129 for the mixed use development at 593-595 Gardeners Road, Mascot as indicated within the updated Schedule of Conditions and as follows:

- 1 Modify Condition 1 to refer to the amended plans.
- 2 Modify Condition 47 to outline the required parking.
- 3 Modify Condition 101 to make reference to this modification.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The panel is satisfied the modification is satisfactory and will not have adverse environmental impacts.

6.4 SF18/1333 - DA-2014/214 - 5 Myrtle Street, Botany

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Mr Brian Trinder, affected neighbour, spoke for the officer's recommendation of REFUSAL.
- Derek Raithby, the Architect, and Matthew Ng, the owner, spoke against the officer's recommendation of REFUSAL and requested the matter be deferred.

Determination

- 1 The Bayside Planning Panel defers determination of this matter to allow the applicant the opportunity to prepare well documented plans to show the changes of the modifications as compared to the approved plans. This is also to include: an assessment under SEPP 65 sight lines and RLs for adjoining properties ground floor and courtyards to the west relative to the proposed pathway and necessary landscaping on the subject site; details of the car stacker and manoeuvring in the carpark area; and overshadowing diagrams, both lavational and ground level. The applicant is also required to pay the re-notification costs.
- 2 The amended plans and documentation are to be submitted to the Council within 14 days to allow assessment, notification and referral back to the Panel for determination.
- 3 That any objectors be notified of the Determination made by the Planning Panel.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The Panel notes the applicant sought to table amended plans at the meeting to address certain issues, however, it became clear that the shadow diagrams were not accurate in the amended plans and other issues remained unresolved. In the circumstances the Panel decided that the applicant be given the opportunity to submit a new set of comprehensive amended plans and all the necessary documentation to allow an assessment by Council with re-notification and referral to the Panel for determination.

6.5 SF18/1432 - DA-2017/1060 - 213 King Street, Mascot

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Anthony Betros, Town Planner – ABC Planning, spoke for the officer’s recommendation and responded to the Panel’s questions.
- Fernando Banales and Michael Lescesin, Architects from Arkhaus, responded to the Panel’s questions.

Determination

- 1 The Bayside Planning Panel has decided that the matter be deferred to allow the applicant the opportunity to submit: amended plans which incorporate the

deletion of the upper storey units on King Street in accordance with the Officer's recommendation; and as a consequence a new Clause 4.6 request for variation for the height exceedance is required. The amended plans should also address: the interface of the wall facing the units to the east in terms of materials and treatment and an appropriate landscape buffer; and the upper deck screens are to be relocated from the edge of the building to minimize visual bulk.

- 2 That the objectors be notified of the Bayside Planning Panel's decision.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The Panel decided the proposal required the above changes to reduce impacts on the neighbours to the east and for the streetscape presentation. The applicant is agreeable to the matter being deferred, to allow the above changes and a revised Clause 4.6 to be submitted to allow the matter to be determined by the Panel in a timely way.

6.6 SF18/1603 - DA-2014/318/5 - 278 Bunnerong Road, Hillsdale

An on-site inspection took place at the property earlier in the day.

The following person / people spoke:

- Nick Krikis from Krikis Tayler Architects, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That DA-2014/318/5 for the proposed modifications to the approved building layout and the creation of three additional apartments and additional car parking at No. 278 Bunnerong Road, Hillsdale, be APPROVED pursuant to Section 4.56 of the *Environmental Planning and Assessment Act, 1979*, and subject to the conditions of consent (as modified), attached to this report.
- 2 That the objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The Panel is satisfied the modifications should be approved given there are unlikely adverse impacts and the applicant, by amendments to the plans, has addressed concerns raised by the adjoining school.

6.7 DA-2015/322/A - DA-2015/322/A - 433-439 Princes Highway, Rockdale

An on-site inspection took place at the property earlier in the day.

No persons elected to speak:

Determination

- A. That Application No DA-2015/322/A being a Section 4.55(1A) application to amend Development Consent Number DA-2015/322, for modifications to convert two (2) approved commercial tenancies fronting the Princes Highway into three (3) tenancies, minor modifications to building design to accommodate substation, reconfiguration to car parking and service areas and redesign north-east corner of building at 433-439 Princes Highway Rockdale is APPROVED with the consent amended in the following manner:

By amending conditions as follows:

2. *The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.*

<i>Plan / Dwg No.</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Received by Council</i>
<i>Basement 1 Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/05/2017</i>
<i>Basement 2 Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/05/2017</i>
<i>Basement 3 Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/08/201</i>
<i>Ground Floor Plan Issue B</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>05/06/2018</i>	<i>05/06/2018</i>

<i>South East Elevation (Princes Highway) Issue B</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>04/06/2018</i>	<i>03/07/2018</i>
<i>Section through Driveway Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>06/06/2017</i>	<i>18/05/2017</i>
<i>North East Elevation Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/05/2017</i>
<i>North West Elevation Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/05/2017</i>
<i>First Floor Plan Issue B</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>06/06/2017</i>	<i>18/05/2017</i>
<i>Site Plan Issue A</i>	<i>Architecture and Building Works Pty Ltd</i>	<i>10/05/2017</i>	<i>18/05/2017</i>
Materials and Finishes A-0000	Architecture and Building Works Pty Ltd	January 2016	18/01/2016
Second Floor Plan A- 1040 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Third Floor Plan A-1050 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Fourth Floor Plan A- 1060 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Fifth Floor Plan A-1070 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Sixth Floor Plan A-1080 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Seventh Floor Plan A- 1090 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Eighth Floor Plan A- 1100 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Ninth Floor Plan A-1110 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Tenth Floor Plan A-1120 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Eleventh Floor Plan A- 1130 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Roof Plan A-1140 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
South West Elevation A- 1230 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016

Section AA A1250 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Section BB A-1256 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Section BB A-1256 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016
Adaptability Details A-1400 Issue D	Architecture and Building Works Pty Ltd	18/01/2016	18/01/2016

[Amendment A - 4.55(1A) amended on 24/07/2018]

5. *The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number 597450M_06 other than superseded by any further amended consent and BASIX certificate.*

Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -

- (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.*

Note: Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."

Note: For further information please see <http://www.basix.nsw.gov.au>.

[Amendment A - 4.55(1A) amended on 24/07/2018]

62. *Prior to the issue of the Construction Certificate, amended Landscape Plans prepared by a suitably qualified Landscape Architect, shall be submitted to, and approved by the Director of City Futures of Bayside Council. The amended plans shall:*
- i) Be consistent with approved architectural plans and conditions of this consent.*
 - ii) Incorporate a natural / artificial turf or rubber softfall area, adjoining the proposed sundeck, children's play area and western wall of the lobby.*
 - iii) Provide detail and specifications of children's play equipment.*
 - iv) Provide details of the colours, finishes and materials of planters and edging (including those within the through site link), seating, kitchen, bbq facilities and shade structures.*
 - v) Provide details of the kerb within the through site link*

- vi) *Provide different finishes and materials to the loading / unloading area on site, to differentiate it from the through site link*
- vii) *High quality, durable and low maintenance planting and finishes are to be provided on site.*

[Amendment A - 4.55(1A) amended on 24/07/2018]

B. That the objector be notified of the Panel's Determination.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Deegan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for Determination

The panel is satisfied the modifications will not materially change the built outcome and should be approved.

The Chairperson closed the meeting at 7.30pm.

Jan Murrell
Chairperson

Bayside Planning Panel

14/08/2018

Item No	4.2
Subject	Minutes of the Bayside Planning Panel Meeting - 10 July 2018
Report by	Fausto Sut, Manager Governance and Risk
File	SC17/785

Recommendation

That the Minutes of the Bayside Planning Panel meeting held on 10 July 2018 be confirmed as a true record of proceedings.

Present

Robert Montgomery, Chairperson and Independent Specialist Member
Ross Bonthorne, Independent Specialist Member
Robert Furolo, Independent Specialist Member
Amber O'Connell, Community Representative

Also present

Luis Melim, Manager Development Services
Fausto Sut, Manager Governance & Risk
Marta Gonzalez-Valdes, Coordinator Development Assessment
Brendon Clendenning, Consultant, CPS Planning
Michael Maloof, Senior Development Assessment Planner
Rita Baker, Senior Development Assessment Planner
Matthew Torta, IT Support Officer
Lauren Thomas, Governance Officer

The Chairperson opened the meeting at 6:07 pm.

1 Acknowledgement of Traditional Owners

The Chairperson affirmed that Bayside Council respects the traditional custodians of the land, elders past and present and future leaders, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 Apologies

There were no apologies received.

3 Disclosures of Interest

Robert Furolo declared a Less than Significant Non-Pecuniary Interest in Item 6.1 on the basis that in 2015 he met someone connected to a previous development application for an affordable housing development for the subject site.

Robert Furolo declared a Less than Significant Non-Pecuniary Interest in Item 6.3 on the basis that he knows the architect associated with the Development Application.

4 Minutes of Previous Meetings

4.1 Minutes of the Bayside Planning Panel Meeting - 26 June 2018

As there were no Panel Members present who had attended the Bayside Planning Panel meeting held on 26 June 2018, it was decided that the confirmation of the minutes of that meeting should be deferred to the next meeting of the Bayside Panel to be held on 24 July 2018.

Decision

That the Minutes of the Bayside Planning Panel meeting held on 26 June 2018 be DEFERRED for adoption at the next meeting of the Bayside Planning Panel to be held on 24 July 2018.

5 Reports – Planning Proposals

There were no Planning Proposals.

6 Reports – Development Applications

6.1 DA-2017/139 - 142 Queen Victoria Street, Bexley

An on-site inspection took place at the property earlier in the day.

The following people spoke:

- Mr Benjamin Black - Town Planner, Mr Nicholas Lycenko - Registered Architect and Mr William Karavelas - the Applicant, who each spoke against the officer's recommendation for refusal and responded to the Panel's questions. Mr Benjamin Black also presented the Panel with a written submission.

Determination

- 1 That Development Application DA2017/139 for construction of a four (4) storey residential flat building development, comprising 7 residential units, basement parking, and demolition of existing structures at 205-207 142 Queen Victoria Street, Bexley, be DEFERRED and the applicant is requested to provide amended plans and supplementary documentation to address the relationship

of the proposed building to surrounding development. In particular, the following matters are to be clarified:

- site coverage;
- setbacks;
- deep soil zones; and
- details of front fence construction.

The amended plans should address:

- privacy screens where required;
- the treatment of the balustrades;
- the resolution of the corner; and
- resolution of the roof element to level 4.

These matters were discussed with the applicant. In addition, the applicant should address the minimum width requirement of the DCP.

Name	For	Against
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Decision:

The Panel is of the view that, subject to some design modifications and clarification, the proposal may be acceptable. Deferral is to allow the applicant time to respond to the matters raised in the report and by the Panel.

6.2 DA-2017/207 - 116 Clareville Avenue, Sandringham

An on-site inspection took place at the property earlier in the day.

The following people spoke:

- Mr Gregory Heathcote, affected neighbour, spoke against the officer's recommendation.
- Mr Richard Achram, the applicant's business partner, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That development application DA-2017/207 for construction of a new rooftop terrace to both dwellings 1 and 2 inclusive of internal stair access and flat sliding access hatch at 116 Clareville Avenue, Sandringham be APPROVED pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report. The reduction of the rooftop area as required by Condition No. 6B is to occur by increasing the setback to the eastern edge of the building, that is that the side setbacks at 1.675 metres are to remain.
- 2 An additional condition is to be included as follows:
Permanent landscape planter boxes are to be placed along the outside of the glass balustrades on the north, east and south.
- 2 That the objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for the Panel's Decision

The applicant has reduced the area of the proposed terraces considerably to 29 square metres each.

The introduction of skylight-style access is a substantial improvement which is supported by the panel.

The Panel is of the view that the 24 square metre maximum size should be applied as per Condition No. 6B to ensure consistency for approvals across the city.

The Panel notes that Council is currently undertaking a review of relevant Local Environmental Plans and Development Control Plans. It would be appropriate for consistent standards for rooftop terraces to be developed and incorporated into this process.

6.3 DA-2017/340 - 413 - 425 Princes Highway, Rockdale

An on-site inspection took place at the property earlier in the day.

The following people spoke:

- Mr Rudy Jason and Mr Ziad Chanine of CD Architects, who both spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That Development Application No. 2017/340 for the demolition of the ancillary structures for the construction of a seven (7) storey hotel to accommodate eighty-eight (88) rooms and two (2) commercial tenancies at ground floor and basement car parking be approved as a deferred commencement pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, subject to the recommended conditions of consent with an additional deferred commencement condition as follows:

The amended plans should incorporate articulation to the glass wall facades concurrent with the evaluation of energy performance of the building.

- 2 That the objectors be notified of the Bayside Planning Panel decision.

Name	For	Against
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel Decision

The proposed development is satisfactory in terms of the relevant statutory requirements.

The proposed development presents a satisfactory design response to the the site and its surroundings, however may benefit from some additional articulation to the glass wall facades.

The Chairperson closed the meeting at 8:12 pm.

Robert Montgomery
Chairperson

Bayside Planning Panel

14/08/2018

Item No	5.1
Subject	Assessment of Planning Proposal - Cook Cove
Report by	City Plan Strategy and Development (CPSD)
File	F14/308

Summary

Cook Cove Inlet Pty Ltd has submitted a draft Planning Proposal for the site known as Cook Cove, located in the suburb of Arncliffe.

The site comprises approximately 100 hectares and is currently zoned “Trade and Technology”, “Special Use” and “Open Space”, in accordance with the “Sydney Regional Environmental Plan No 33” (SREP).

The Planning Proposal proposes to repeal the SREP and insert new planning controls in the *Rockdale Local Environmental Plan 2011*, to allow for a high-density mixed-use development.

The proposed controls would allow the northern part of the precinct to be redeveloped to include:

- 515,500 sqm of residential GFA;
- 53,000 sqm of commercial, retail and short stay accommodation GFA; and
- 2,500 sqm of community and education GFA

Approximately 5,364 residential dwellings are proposed in a variety of building typologies ranging from 3 storey townhouses to 25 storey residential towers.

Given the proposal includes the reconfiguration of public open space within the site, between the Northern and Southern Precincts, the Planning Proposal also includes the reclassification of land from “community” land to “operational” land under the Local Government Act 1993. Should the Planning Proposal proceed, Council will need to undertake a public hearing, to provide interested parties from the community an opportunity to present their views to Council.

Cardno (NSW/ACT) was appointed to undertake an independent technical assessment of the Planning Proposal and accompanying supporting documentation.

Cardno’s “Technical Assessment for Adequacy” has been appended to this report, which concludes that the Planning Proposal is either consistent or is capable of being consistent with the Section 117 Ministerial Directions and is therefore suitable for submission for a Gateway Determination with the Department of Planning and Environment (DPE).

A Gateway Determination would involve review by DPE and confirmation that the PP has sufficient strategic and site-specific merit to proceed to formal public exhibition and more detailed assessment.

Officer Recommendation

- 1 That the Bayside Planning Panel notes that the draft Planning Proposal has sufficient strategic merit to be referred for a Gateway Determination, subject to the following.
 - 2 That the draft Planning Proposal is to be amended as follows in relation to the proposed land reclassification:
 - a The precise identification of each of the interests affecting each parcel of public land and the intended effect of the Planning Proposal regarding those interests (including any proposal to cease public reserves);
 - b The written consent of the Minister administering the Crown Lands Management Act 2016 to the proposed reclassification of Crown land to operational land;
 - c Details of the current view of the RMS regarding the proposed extinguishment of the trusts created when Lot 14 in DP 213314 and Lot 1 in DP 108492 were dedicated to Council.
 - d Confirmation from Council (in its capacity as landowner and Trustee) that its obligations under any trusts proposed to be extinguished do not prevent Council from adopting the Planning ProposalThese amendments should be made before the draft Planning Proposal is reported to Council under s.3.33 of the Environmental Planning and Assessment Act 1979
 - 3 That Council (as landowner) obtain its own legal advice regarding the potential for claims for compensation under the Land Acquisition (Just Terms Compensation) Act 1991.
 - 4 That the draft Planning Proposal be amended to address the items identified in the Technical Assessment by Cardno and as summarised in **Attachment 3**.
 - 5 That the draft Planning Proposal be amended to specify the quantum of gross floor area and maximum building height for the 'registered club' within the southern precinct, prior to public exhibition.
 - 6 That the draft Planning Proposal be amended to propose that consultation is undertaken with the following agencies before the broader community consultation:
 - i Roads and Maritime Services;
 - ii Transport for NSW;
 - iii Sydney Airport Corporation Limited (SACL), Civil Aviation Safety Authority (CASA) and Airservices Australia (AsA).
 - iv Department of Education; and
 - v Office of Environment and Heritage.
 - vi Office of Sport
-

The purpose of this consultation is to identify any modifications that may be required given the potential impacts on regional infrastructure, so these can be incorporated in the Planning Proposal before community consultation.

- 7 That a peer review of the Landscape Character and Visual Impact Assessment and independent commentary on the urban form be commissioned by Council and exhibited with the draft Planning Proposal to inform community consultation.
- 8 That a Voluntary Planning Agreement, which confirms the infrastructure to be provided in support of the proposed redevelopment of Cook Cove be exhibited with the Planning Proposal.

Background

1. Introduction

Cook Cove Inlet Pty Ltd has submitted a Planning Proposal (PP) to Bayside Council to rezone approximately 100 hectares of land in Arncliffe, known as Cook Cove, to facilitate the relocation of the existing Kogarah Golf Course and redevelopment for mixed-use purposes.

Bayside Council owns land within the area of the draft Planning Proposal and therefore commissioned Cardno (NSW/ACT) to undertake an independent technical assessment of the Planning Proposal and the accompanying consultant reports. Council also commissioned City Plan Strategy and Development (CPSD) to Project Manage the assessment of the Planning Proposal.

1.1 Purpose of Report

This report provides information and recommendations to the Bayside Planning Panel in relation to the draft Planning Proposal which, in summary, seeks to:

- replace the current zoning of ‘*Trade and Technology Zone*’, ‘*Special Uses Zone*’ and ‘*Open Space Zone*’ under *Sydney Regional Environmental Plan No.33 – Cook Cove* (SREP 33) with ‘R4 High Density Residential’, ‘B4 Mixed Use’, ‘SP2 Infrastructure’, ‘RE1 Public Recreation’ and ‘RU4 Primary Production Small Lot’ under the *Rockdale Local Environmental Plan 2011*’;
- amend the *Rockdale Local Environmental Plan 2011* (RLEP 2011) to insert land use controls, development standards in relation to Floor Space Ratio, Height of Buildings, Flood Planning, Terrestrial Biodiversity, Wetlands, Heritage, Acid Sulphate Soils, Design Excellence and various other site-specific provisions for Cook Cove (Northern and Southern Precincts)
- reclassify “community” land to “operational” land to facilitate the redevelopment of the northern precinct for mixed used purposes and the long-term lease of the southern precinct for recreation purposes.

In particular the purpose of this report is to consider whether the Planning Proposal has sufficient strategic and site-specific merit for the purpose of requesting a Gateway Determination. A Gateway Determination specifies whether a Planning Proposal should proceed. It is a checkpoint before further resources are committed to carrying out investigative research, preparatory work and consultation with agencies and the community.

The figure below provides a summary of the Planning Proposal steps and where we are in the rezoning process. Because of the scale of the proposal and the potential regional

impacts, it is recommended that agency consultation and community consultation occur sequentially, in case amendments are required.

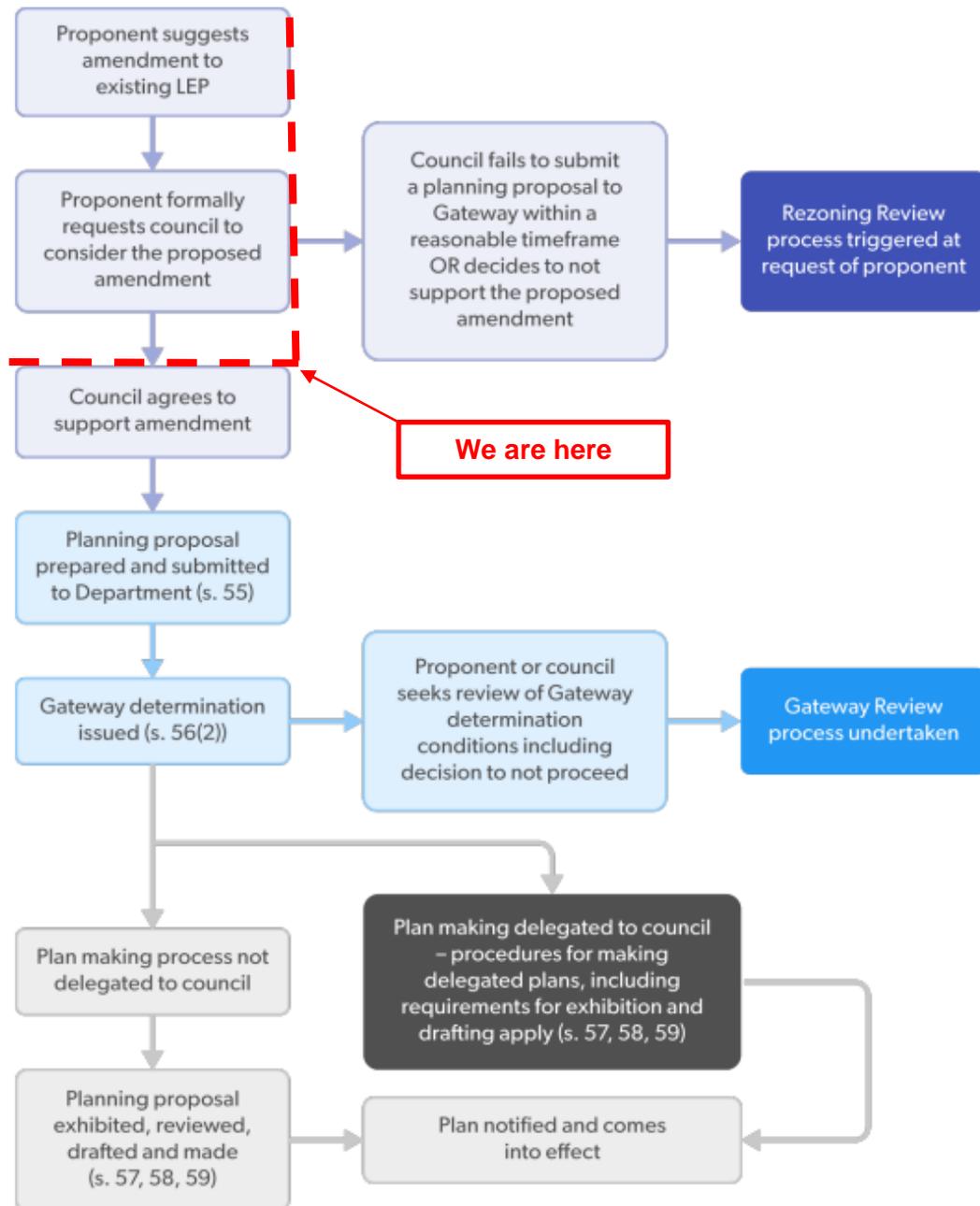


Figure 1: Planning Proposal Process (Source: Department of Planning and Environment)

1.2 Description of site

The land that this Planning Proposal applies to is known as Cook Cove, as illustrated in Figure 3.

Cook Cove is located adjacent to the western foreshore of the Cook River in the suburbs of Arncliffe and Banksia (refer to Figure 2). The entire Cook Cove site comprises approximately 100 hectares of land and is currently occupied by Kogarah Golf Course located to the north of the M5 Motorway, and Barton and Riverine Parks, located to the south of the M5

Motorway. These two areas are described as the Cook Cove Northern and Southern Precincts (refer to Figure 3).



Figure 2: The Site and its Context (Source: Ethos Urban)



Figure 3: The Site (Source: Ethos Urban)

1.3 Intended Outcomes of the Draft Planning Proposal

The draft Planning Proposal seeks to amend *Rockdale Local Environmental Plan 2011* (RLEP) to allow the redevelopment of the northern precinct, to specifically include:

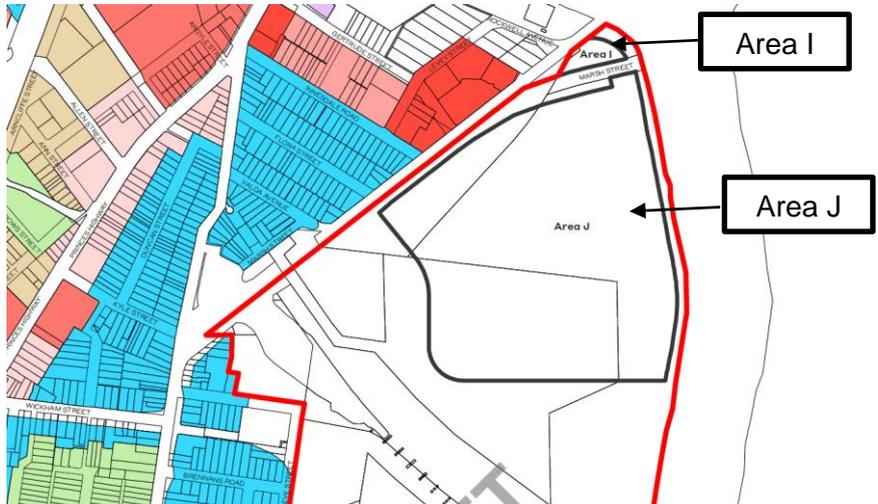
- 515,500 sqm of residential GFA;
- 53,000 sqm of commercial, retail and short stay accommodation GFA; and
- 2,500 sqm of community and education GFA, 5,346 residential dwellings in a variety of building typologies ranging from 3 storey townhouses to 25 storey residential towers.

The draft Planning Proposal also seeks to enable Council to grant a long-term lease for the use of the southern precinct for recreation purposes. Reclassification of all land owned by Bayside Council within the area of the Draft Planning Proposal from 'Community' to 'Operational' is required to enable it to be leased or transferred. The Draft Planning Proposal also seeks the extinguishment of all interests in the land including Trusts, caveats and covenants.

To facilitate the proposed redevelopment, the following amendments to the RLEP are required:

Table 1: Proposed RLEP Amendments

Land Application Map	To include the Cook Cove site within the boundary of the RLEP.
Land Zoning Map	The following land use zones are proposed: <ul style="list-style-type: none"> • B4 Mixed Use • R4 High Density Residential • RE1 Public Recreation • SP2 Infrastructure • RU4 Primary Production Small Lot
Height of Buildings Map	It is proposed to use Reduced Levels (RLs) instead of defining maximum building heights in metres. A maximum of RL 100 is proposed, which equates to approximately 25 storeys.
Floor Space Ratio Map	It is proposed to restrict floor space within Cook Cove by maintaining the existing SREP 33 approach of restricting gross floor area (GFA) rather than FSR. The following controls are proposed via an amendment to Clause 4.4 Floor Space Ratio of the RLEP. <ol style="list-style-type: none"> a. The maximum gross floor area on land in Area I (refer to figure below) on the Floor Space Ratio Map is 13,700 sqm. b. The maximum gross floor area on land in Area J (refer to figure below) on the Floor Space Ratio Map is 557,300 sqm. c. The minimum non-residential gross floor area on land in Area J (refer to figure below) on the Floor Space Ratio Map is 55,300 sqm. d. Notwithstanding clause 3(c), the maximum non-residential gross floor area on land zoned R4 in Area J (refer to figure

	<p>below) on the Floor Space Ratio Map to be used for food and drink premises, business premises and shops is 2,500 square metres.</p>  <p>Figure 4: Proposed Floor Space Ratio Map (Source: Ethos Urban)</p>
<p>Flood Planning Map</p>	<p>It is proposed to amend the RLEP Flood Planning Map to include the Cook Cove site (where necessary).</p>
<p>Terrestrial Biodiversity Map</p>	<p>It is proposed to amend the RLEP Terrestrial Biodiversity Map to include the Cook Cove site (where necessary).</p>
<p>Wetlands Map</p>	<p>It is proposed to amend the RLEP Wetlands Map to include the Cook Cove site (where necessary).</p>
<p>Heritage Map</p>	<p>The Planning Proposal seeks to amend the Heritage Map to:</p> <ul style="list-style-type: none"> • Insert the existing extent of the Arncliffe Market Gardens (Item I93); and • Insert the extent of the state heritage listed Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) (Item I238) as it passes through the site.
<p>Design Excellence Map</p>	<p>It is proposed to amend the RLEP Design Excellence Map and Clause 6.14 to include the Cook Cove Northern Precinct.</p> <p>The proponent however, proposes to implement a Cook Cove-specific design excellence guideline (to be approved by Council) rather than rely on the existing Council guidelines.</p>
<p>Acid Sulfate Soils Map</p>	<p>It is proposed to amend the RLEP Acid Sulfate Soils Map to include the Cook Cove site (where necessary).</p>
<p>Schedule 1 – Additional Permitted Uses</p>	<p>It is proposed to include additional permitted uses on the site, via an amendment to Schedule 1 of the RLEP. The proponent specifically proposes to introduce the following land uses:</p> <ul style="list-style-type: none"> • RE1 Public Recreation: “educational establishments”, “food and drink premises”, “water recreation structures”. • R4 High Density Residential: “food and drink premises”, “business premises” and “shops”. • SP2 Infrastructure and RE1 Public Recreation: “advertising” and “advertising structures”.

	<ul style="list-style-type: none"> • SP2 Infrastructure: works within the “F6 Corridor” and “recreation areas”. • RE1 Public Recreation: “registered club”. <p>It is proposed to introduce an Additional Permitted Uses Map to RLEP to identify the land to which Schedule 1 applies.</p>
Part 6 – Additional Local Provisions	<p>Clause 17 of the SREP 33 relates to the following environmental management plans:</p> <ul style="list-style-type: none"> • A wetlands environmental plan of management; • A soil and water management plan; and • A Green and Golden Bell Frog management plan. <p>It is proposed to transfer Clause 17 of the SREP 33 into Part 6 of the RLEP to ensure that the statutory significance of these plans is maintained.</p>
Schedule 4 Classification and reclassification of public land	<p>The Planning Proposal proposes to reclassify all Council owned lots within Cook Cove from “community” land to “operational” land and extinguish all interest in this land, with the exception of Lot 100 in DP 1133869.</p> <p>The proposed outcome will be achieved by amending Schedule 4 of the RLEP.</p>

1.4 Supporting Documents

The report needs to be read together with the Planning Proposal (**Attachment 1**) prepared by Ethos Urban, the “Technical Assessment for Adequacy” (**Attachment 2**) and “Memorandum” (**Attachment 3**) prepared by Cardno (NSW/ACT), in addition to the following reports submitted by the proponent as (i) appendices to the Planning Proposal; or (ii) additional information (as outlined below):

Appendices included under Planning Proposal

- **Attachment 4** – Planning Proposal Council Template prepared by Ethos Urban (Appendix A);
- **Attachment 5** - Cook Cove Northern Precinct Masterplan prepared by Skidmore Owings & Merrill LLP (Identified as Volume 2 in Appendices to Planning Proposal);
- **Attachment 6** – Safety Management Study prepared by Arup (Appendix AA);
- **Attachment 7** – LEP Mapping prepared by Ethos Urban (Appendix B);
- **Attachment 8** – Air Quality Assessment prepared by Todoroski Air Sciences (Appendix BB);
- **Attachment 9** – Site Specific Development Control Plan prepared by Ethos Urban (Appendix C);
- **Attachment 10** – Landscape Character and Visual Impact Assessment prepared by Clouston Associates (Appendix CC);
- **Attachment 11** – Consultation and Stakeholder Engagement Strategy (Northern Precinct) prepared by KJA (Appendix D);
- **Attachment 12** – Indicative Staging Plans (Appendix DD)

- **Attachment 13** – Strategic Transport Plan (Northern Precinct) prepared by Arup (Appendix E);
- **Attachment 14** – Classification and Reclassification of Public Land Practice Note (Appendix EE)
- **Attachment 15** – Social Infrastructure Assessment prepared by Elton Consulting (Appendix F);
- **Attachment 16** – Land Use Demand and Supply Analysis (Northern Precinct) prepared by Location IQ (Appendix G);
- **Attachment 17** – Site Survey prepared by RPS (Appendix H);
- **Attachment 18** – Flood Impact Assessment (Northern Precinct) prepared by Arup (Appendix I);
- **Attachment 19** – Stormwater Management Concept Plan (Northern Precinct) prepared by Arup (Appendix J);
- **Attachment 20** - Assessment of Airspace Approvability (Northern Precinct) prepared by Strategic Airspace (Appendix K);
- **Attachment 21** –Wind Shear Assessment Report (Northern Precinct) prepared by CPP (Appendix L);
- **Attachment 22** – Sustainability Strategy (Northern Precinct) prepared by Arup (Appendix M);
- **Attachment 23** – Environmental Site Assessment (Northern Precinct) prepared by Consulting Earth Scientists (Appendix N1);
- **Attachment 24** – Environmental Site Assessment Report (Phase 1) (Northern Precinct) prepared by Consulting Earth Scientists (Appendix N2);
- **Attachment 25** – Remediation Action Plan (Northern Precinct) prepared by Consulting Earth Scientists (Appendix O);
- **Attachment 26** – Erosion and Salinity Assessment (Northern Precinct) prepared by Consulting Earth Scientists (Appendix P);
- **Attachment 27** – Acid Sulfate Soils Management Plan (Northern Precinct) prepared by Consulting Earth Scientists (Appendix Q);
- **Attachment 28** – Servicing and Utilities Infrastructure Strategy Report (Northern Precinct) prepared by Arup (Appendix R);
- **Attachment 29** – Flora and Fauna Assessment (Northern Precinct) prepared by Cumberland Ecology (Appendix S);
- **Attachment 30** – Acoustic Report (Northern Precinct) prepared by Arup (Appendix T);
- **Attachment 31** – Archaeological Report (Northern Precinct) prepared by Biosis (Appendix U);
- **Attachment 32** – Property Information Sheets (Appendix V);
- **Attachment 33** – SREP 33 Transition of Provisions Table (Appendix W);
- **Attachment 34** – Detailed Design Remediation Action Plan (Southern Precinct) prepared by Consulting Earth Scientists (Appendix X);
- **Attachment 35** – Site Auditor Endorsement (Southern Precinct) prepared by Zoic (Appendix X2);

- **Attachment 36** – Acid Sulfate Soils Management Plan (Southern Precinct) prepared by Consulting Earth Scientists (Appendix Y);
- **Attachment 37** - Species Impact Statement (Southern Precinct) prepared by Cumberland Ecology (Appendix Z).

Additional Information not listed as Appendices in Planning Proposal

- **Attachment 38** - National Airports Safeguarding Framework
- **Attachment 39** – Additional Information Section 9.1 Ministerial Directions
- **Attachment 40** – List of Revisions to Planning Proposal
- **Attachment 41** – Southern Precinct Illustrative Concept Plan
- **Attachment 42** – Reclassification Comments
- **Attachment 43** – Technical Gap Analysis
- **Attachment 44** – Response to Preliminary Comments & Issues

2. Strategic Merit

2.1 Regional Plan - A Metropolis of Three Cities

The Plan outlines the future vision for metropolitan Sydney and provides a strategy to manage the city's change and growth over the next 15 years. The Plan responds to Sydney's needs as a growing global city, establishing broad spatial principles for land use change, and sets out a framework to facilitate growth through coordination of planning and infrastructure delivery.

The Planning Proposal is generally consistent with the Plan as it provides additional housing in close proximity to several existing centres where employment and services can be accessed. Further discussion of the relationship of the Planning Proposal with the Regional Plan is provided in the following section.

2.2 District Plan – Eastern City District Plan

The Eastern City District Plan has been prepared by the Greater Sydney Commission (GSC) as a guide for implementing the Greater Sydney Region Plan – A Metropolis of Three Cities, at a district level. The Plan acts as a bridge between regional and local planning by informing Local Environmental Plans and Planning Proposals.

The proponent has provided an assessment against the Eastern City District Plan, and identifies that the draft Planning Proposal is consistent with some aspects of the Plan. It is noted however, that the assessment has not considered all of the Planning Priorities.

The table below outlines a summary of the priorities which are either key to note, or require further input, from the proponent, prior to being forwarded to the Department of Planning and Environment for a Gateway Determination.

Table 2: Eastern City District Plan Consistency

Planning Priority	Comment
E1: Planning for a city supported by infrastructure'	The proponent proposes to deliver required local infrastructure, such as roads and open space, via a Voluntary Planning Agreement (VPA).

Planning Priority	Comment
	It is noted that the VPA is to be negotiated and binding commitments provided. The VPA is to be exhibited concurrently with the Planning Proposal. Regional infrastructure requirements will be confirmed by various state agencies post Gateway and addressed via a State Infrastructure Contribution (SIC) levy or similar.
E5: Providing housing supply, choice and affordability, with access to jobs and services	<p>The Planning Proposal proposes 5% of the “uplift floorspace” (approximately 140 dwellings) as affordable housing.</p> <p>Further discussions need to be undertaken with the GSC, DPE and Council to confirm an appropriate affordable housing target for the precinct, which it is recommended be included into the proposed LEP amendment.</p>
E9: Growing international trade gateways’	<p>It is noted that the site is located adjacent to Sydney Airport. However, the Greater Sydney Regional Plan – A Metropolis of Three Cities, does not identify Cook Cove as Employment or Urban Services Land. The Eastern City District Plan also does not propose that the land be retained for employment or urban service purposes.</p> <p>Consultation with Sydney Airport and other aviation agencies is required to confirm the suitability of the site for the proposed land use controls.</p>
E10: Delivering integrated land use and transport planning and a 30-minute city	<p>The proposal includes the delivery of new housing, in close proximity to jobs and services located in surrounding centres such as the Sydney CBD and the Hurstville and Kogarah centres.</p> <p>A shuttle bus to Sydenham Station and a new connection to the International Airport Station is also proposed, which would improve connectivity to the precinct. These commitments need to be confirmed following agency consultation and before public exhibition.</p>
E11: Growing investment, business opportunities and jobs in strategic centres	The Planning Proposal supports economic development by including approximately 53,000 sqm of non-residential floorspace (for commercial and retail development) and generating approximately \$11.3 billion of direct and indirect economic output.
<p>E12: Retaining and managing industrial and urban services land</p> <p>E13: Supporting growth of targeted industry sectors</p>	<p>The District Plan requires that industrial and urban services land is planned, retained and managed.</p> <p>This, however, does not apply to the subject site as it is not mapped as industrial or employment land under the Department of Planning and Environment’s Employment Lands Strategy.</p> <p>The site has also been identified as an “investigation” area for urban renewal (i.e. to accommodate mixed use purposes) under the Bayside West Land Use and Infrastructure Strategy.</p>
E18: Delivering high quality open space	The Planning Proposal includes the delivery of new public open space and community facilities. Further information and analysis is required regarding active recreation, specifically a comparison of existing and proposed open space and whether there is sufficient open space in the vicinity to cater for the existing and proposed new community.

2.3 Local Strategy – Draft Bayside West Land Use and Infrastructure Strategy

The Draft Bayside West Land Use and Infrastructure Strategy has identified the site as an “investigation area” (refer to figure below). The Northern precinct of Cook Cove is currently occupied by the Kogarah Golf Course but is zoned for “Trade and Technology” pursuant to SREP 33. Since the commencement of the SREP in 2004, no redevelopment under this zoning has commenced. It is noted that the Strategy is a ‘Draft’ document and therefore is not established as a ‘Strategy’ for the purpose of consistency with s.117 Direction 1.1 as it has not been approved by the Secretary of the Department of Planning and environment.

The Draft Strategy outlines that the “investigation area”, could act as a catalyst for a mixed-use development, incorporating both residential and employment land uses.

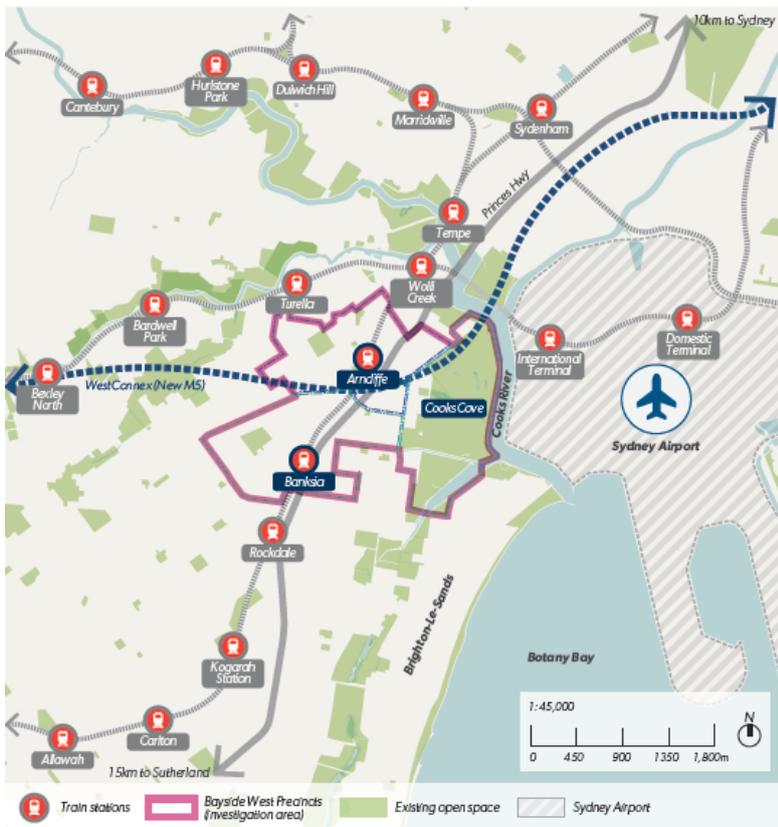


Figure 5: Draft Land Use and Infrastructure Strategy (Source: Department of Planning and Environment)

Section 9 of the Draft Strategy outlines the key considerations and further investigations require to be undertaken for the redevelopment of the Cook Cove precinct.

Consistency with Section 9 has been summarised in the table below.

Table 3: Section 9 of the Draft Land Use and Infrastructure Strategy

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
	Undertake a market assessment to determine a viable mix of land uses in the short,	A Land Use Demand and Supply Analysis

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
1. Detailed economic and social analysis	medium and long term and identify key market drivers.	has been provided by the proponent.
	Analyse integration with nearby land uses including the high density residential suburbs of Wolli Creek and Arncliffe and the industrial land in Mascot and Botany	An Urban Design Analysis has been provided by the proponent.
	Investigate the potential to strengthen the precinct's relationship with Sydney Airport to complement its activities and maximise opportunities for success.	The proposed masterplan includes new key links to Sydney Airport, which will strengthen physical connectivity. A report prepared by Location IQ has considered the precinct's economic relationship with Sydney airport in determining future land use demand.
	Include provision for new school infrastructure to meet the needs of the new population, in consultation with the Department of Education.	The Planning Proposal includes the dedication of land for a new school, to cater up to approximately 600 students. Initial consultation with the Department of Education, prior to public exhibition is recommended, to determine the suitability of the proposed location.
2. Urban design analysis	Prepare a detailed site and context analysis, including opportunities and constraints mapping.	An Urban Design Analysis has been provided by the proponent.
	Prepare a structure plan for the precinct and demonstrate how this addresses the key principles of the Bayside West, Land Use and Infrastructure Strategy	
	Provide a view corridor and visual assessment, with particular focus on significant view lines, as well as analysis of any visual impacts on surrounding areas and mitigation measures.	A Landscape Character and Visual Impact Assessment has been provided by the proponent. Refer to Section 5.2.3 of this report for

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
		further detail. A peer review of the assessment provided is recommended to give the public a frame of reference, when the application is placed on public exhibition.
	Provide a shadow analysis for the overall precinct and on adjoining land, including Winter Solstice and Equinox.	Additional information should be provided to illustrate the impacts of the tall buildings on solar access to other buildings and the public domain. Shadow diagrams should be included to illustrate consistency with SEPP65 and the Apartment Design Guide.
	Provide an analysis of proposed distribution of gross floor area, development yields, building typologies, building envelopes and heights.	An Urban Design Analysis has been provided by the proponent, outlining the proposed layout of buildings and open space.
	Provide a Public Domain Plan identifying proposed open space, public domain and pedestrian/cycle links, including an accurate CAD set-out of streets, parks and open spaces.	
	Outline the proposed design excellence/integrity process to be adopted for the precinct.	The proponent proposes to implement a Cook Cove-specific design excellence guideline (to be approved by Council) rather than rely on the existing Council guidelines.
3. Traffic and transport assessment	Prepare a Strategic Transport Plan, in consultation with Transport for NSW.	A Strategic Transport Plan has been provided by the proponent. Initial consultation with the relevant
	Infrastructure requirements, including timing and commitments, outlined in the Bayside West Land Use and Infrastructure Strategy and how these influence the feasibility of development in the precinct.	

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
	<p>Review of existing bus infrastructure and services and identify any need for additional bus infrastructure and service and identify any need for additional bus infrastructure and services within and adjoining the site.</p> <p>Review of rail network capacity and committed Government investments in rail infrastructure and the ability of the network to accommodate the proposed growth.</p> <p>Provide consideration of how both construction traffic and long term tenant traffic is going to be managed and the impacts on existing local roads and the wider road network.</p>	<p>transport agencies is recommended, prior to public exhibition, to determine whether the surrounding road network and public transport system can accommodate the proposed redevelopment.</p> <p>Refer to Section 5.3.2 of this report for further detail.</p>
<p>4. Detailed assessment of flood mitigation and stormwater management</p>	<p>Provide a flood risk assessment developed in consultation with Council, identifying and mapping the extent of potential flood events and outlining the suitability of the land for proposed uses, including consideration of the rate of rise of flood waters across the precinct.</p> <p>Address the impact of flooding on future development proposed and any flood risk to people and properties for the full range of floods up to the probable maximum flood (PMF) event including potential long term cumulative impacts from staged development.</p> <p>Provide concept level information on the impacts of future earthworks and filling of land within the proposal. This assessment should be based on an understanding of staging and cumulative flood impacts.</p> <p>Provide concept level details of the drainage associated with the proposal, including stormwater drainage infrastructure and address the impact of stormwater flows on the site from other catchments, overland flow paths and mainstream flooding.</p> <p>Provide a concept emergency response plan for floods up to the PMF level. This should include an assessment of isolation possibility and the impacts from future development on the capacity or operation of existing local evacuation routes.</p> <p>An assessment of possible impacts of the proposal on the flood behaviour (i.e levels, velocities and duration of flooding) and the impact of the proposal on adjacent, downstream and upstream areas.</p>	<p>A Flood Impact Assessment and Stormwater Management Plan has been provided by the proponent.</p> <p>Cardno, as part of its technical assessment, has highlighted several deficiencies with the information provided.</p> <p>Additional information will need to be provided</p> <p>Refer to Section 5.1.4 of this report for further detail.</p>

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
	Provide a concept Stormwater Management Plan outlining the general stormwater management measures for the proposal, with particular emphasis on possible Water Sensitive Urban Design (WSUD) options.	
5. Infrastructure and staging	<p>Detailed investigation of infrastructure requirements ensure proposed structure plan can be accommodated. This should include an assessment of the impact of the proposal on State and regional infrastructure, and the estimated costs and timing of the works required.</p> <p>Undertake consultation with relevant agencies to understand works proposed and timeframes for completion.</p> <p>Outline the proposed staging of the precinct redevelopment and trigger points for infrastructure provision. Scope and costs for inclusion in a future infrastructure funding strategy.</p>	<p>The proponent proposes to deliver required local infrastructure, such as roads and open space, via a Voluntary Planning Agreement (VPA).</p> <p>The VPA would also be exhibited concurrently with the Planning Proposal.</p> <p>Regional infrastructure requirements will be confirmed by various state agencies post Gateway and addressed via a State Infrastructure Contribution (SIC) levy or similar.</p>
6. Biodiversity and sustainability	<p>Provide an ecological study including assessment of threatened species, populations and endangered ecological communities in accordance with the Office of Environment and Heritage (OEH) Threatened Species Survey and Assessment Guidelines and any relevant draft or final recovery plans.</p> <p>Outline the proposed development of, and impact on ecological corridors that link flora and fauna on and adjoining the site</p>	<p>Ecological Assessments for both the Northern and Southern Precincts have been provided by the proponent.</p> <p>Initial consultation is recommended, prior to public exhibition, with the Office of Environment and Heritage, to confirm the suitability of the site to accommodate the proposed development.</p> <p>Refer to Section 5.1.1 of this report for further detail.</p>

Study Requirement Key Issues to be Addressed	Key Issues to be Addressed	Comment
	Provide an assessment of ESD principles and demonstrate compliance with BASIX.	A Sustainability Strategy has been provided by the proponent. Refer to Section 5.1.2 of this report for further detail.
7. Heritage	Provide an archaeological and Aboriginal cultural heritage assessment including a landscape heritage assessment taking into consideration the cultural landscape of the precinct and the landscape master plan.	An Archaeological report has been provided by the proponent. Consultation with the Office of Environment and Heritage will be required post Gateway.
8. Geotechnical and contamination	Provide an assessment of the local soil, outlining its suitability for the proposed uses with respect to erosion, salinity and acid sulphate soils. Provide an assessment of the proposed land uses in accordance with State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55).	Contamination Assessments, Remediation Action Plans and Acid Sulfate Soils Management Plans have been provided by the proponent. Refer to Section 5.1.3 of this report for further detail.
9. Aeronautical	Provide an assessment of the impact of Sydney Airport operations including National Airports Safeguarding Framework affectations.	Refer to Section 5.2.2 of this report for further detail. Initial Consultation with the relevant aviation agencies, is recommended prior to public exhibition.
10. Consultation	Consult with key stakeholders and the community to discuss, evaluate and confirm the desired structure for the precinct.	Should the Planning Proposal proceed, consultation with the relevant state agencies and the community will be undertaken and any submission will be addressed and considered.

3. Site Specific Merit

3.1 Natural Environment

3.1.1 Flora and fauna

Northern Precinct

The Planning Proposal is accompanied by a Flora and Fauna Assessment (Northern Precinct) prepared by Cumberland Ecology.

The assessment outlines that the proposed avoidance, mitigation and compensatory measures will likely ameliorate the impacts of the proposal on flora and fauna, and that no EECs or threatened species are likely to become extinct as a result of the proposal. Furthermore, the long-term objective of these measures is to provide for a net benefit to flora and fauna within the Cook Cove site.

Southern Precinct

The Planning Proposal is accompanied by a Species Impact Statement (Southern Precinct) prepared by Cumberland Ecology).

The report outlines that there are a small number of threatened species that have been recorded within the Southern Precinct these include amphibians, wading birds and bats. The Landing Lights Wetland also provides a small area of known habitat for various threatened or migratory waders.

The Green and Golden Bell Frog (vulnerable under the EPBC Act) is a long-established population historically centred on the Marsh and Eve Street Wetlands.

The proposal will require the clearance of mangroves within Spring Street Wetland and some Saltmarsh, Mangrove and Reedland vegetation around the Landing Lights Wetland. The Landing Lights Wetlands will be largely retained within the new golf course proposed.

The proponent outlines that the redevelopment will not have a significant impact on threatened fauna as the habitats present on the subject site represent low value or marginal habitat. Notwithstanding, the proposed development will include the creation of new Green and Golden Bell Frog ponds to supply additional habitat that will meet the objectives of SREP 33, as well as complement the offset works being undertaken for the adjacent WestConnex New M5 project.

Cardno has reviewed the documentation provided by the proponent and considers the information to be adequate for Gateway referral.

3.1.2 Sustainability strategy

The Planning Proposal is accompanied by a Sustainability Strategy (Northern Precinct) prepared by Arup.

The strategy outlines that the precinct will meet the minimum regulatory sustainability requirements and the pursuit of certification through voluntary benchmarks such as Green Star will be evaluated prior to exhibition of the Planning Proposal. There may also be opportunities for further commitments to exceed the minimum regulatory sustainability requirements.

The recommendations will be incorporated within the site-specific Development Control Plan which will be prepared by the proponent prior to public exhibition (should the Planning Proposal proceed).

3.1.3 Land contamination

The proponent has provided the following technical studies:

- Remediation Action Plan (Northern Precinct) by Consulting Earth Scientists;
- Acid Sulphate Soils Management Plan (Northern Precinct) by Consulting Earth Scientists;
- Detailed Design Remediation Action Plan (Southern Precinct) by Consulting Earth Scientists;
- Site Auditor Endorsement (Southern Precinct) by Zoic Environmental Pty Ltd; and
- Acid Sulphate Soils Management Plan (Southern Precinct) by Consulting Earth Scientists.

Cardno has advised that the Southern Precinct is capable of being made suitable for the proposed land uses (public open space / golf course, with clubhouse and maintenance facility buildings), if the remediation action plan is implemented and the assessment of remediation is audited by an accredited site auditor.

A Site Audit Statement will be required to fully assess the Northern Precinct in order to ensure that the site is suitable for use. Cardno has advised that the Site Audit Statement can be prepared as part of future detailed Development Applications relating to the site.

3.1.4 Flood hazard

The proponent has provided the following technical studies:

- Flood Impact Assessment prepared by Arup; and
- Stormwater Management Concept Plan prepared by Arup.

Northern Precinct

The report prepared by Arup for the North Precinct concludes that the proposed redevelopment will:

- Not increase offsite effluxes in a 1% AEP event;
- Not increase the potential flood affectation on other development or properties, either individually or cumulatively;
- Not result in the diversion of flood waters to nearby catchments;
- Locate sensitive land uses including the education facility above the PMF;
- Provide flood refuge areas designated within all street blocks that will allow for safe vertical evacuation/ rest-in-place above the level of the PMF; and
- Provide accessible and safe flood evacuation routes.

Southern Precinct

The detailed design for the Cook Cove Southern Precinct includes works to raise the ground levels in order to remediate and contour the site for the proposed golf course.

The applicant outlines that the proposed redevelopment will provide a post-development terrain which will result in no significant impact on flooding for areas outside of the Cook Cove site or on the existing flooding from Spring Street Drain and Muddy Creek.

Cardno has identified the following deficiencies which need to be addressed prior to any future public exhibition of the Planning Proposal:

- Mainstream flooding in the Cook River has not been addressed including:
 - 1% AEP Cook River flood levels have not been reported or considered for impacts on the subject property or in consideration of flood planning levels; and
 - Impacts of land filling for the development on the Probable Maximum Flood levels upstream of Marsh Street have not been considered. Any significant changes to hazard or introduction of new high hazard flow paths would not be acceptable.
- Climate Change has not been considered. Sea level rise coupled with an increased rainfall scenario and/or ocean tide/storm surge would likely have impacts on the site that may make the development in its proposed form unviable. Flood Planning Levels may need to consider Climate Change to account for future flood risk and therefore fill levels may need to increase and designated flow paths increased.
- The central greenway dimensions presented in the flood model do not appear to coordinate with the Masterplan of the Central Greenway. Confirmation is required that the Masterplan can accommodate the required flood cross-sectional area including any changes to flood modelling to address the above matters.
- Flood hazard compatibility with pedestrian use of the central greenway to be confirmed to be acceptable. This will be reliant on outlet arrangements for the central and perimeter greenways.

3.2 Surrounding Land Uses

3.2.1 Westconnex (air quality)

The Planning Proposal is accompanied by an Air Quality Assessment prepared by Todoroski Air Sciences.

The assessment outlined that the Arncliffe Ventilation Facility associated with the WestConnex New M5 Tunnel is located within the boundary of the site. The facility is currently under construction and will provide both air inlets and outlets for the Tunnel and potentially for the northbound Southern extension tunnel.

The Arncliffe Ventilation Facility consists of eight ventilation outlets in total, four of the outlets are associated with the New M5 tunnel and the other four outlets are associated with the M4-M5 Link projects. Each of the eight outlets are 35m high with a diameter of 4.4m.

The previous built form concept included building heights which exceeded the limiting building heights identified through the air dispersion modelling.

As such, the built form massing concept has been revised (Cook Cove Northern Precinct Master Plan May 2018) with consideration to these limiting heights. Residential buildings are

now located below the recommended height limits in the vicinity of the ventilation facility. The revised concept does not include any naturally ventilated buildings within the air quality restricted height zone.

One commercial building, of 43m in height is proposed to protrude into the height zone, however this building would be sealed and not have any natural ventilation via ingress means (such as openable windows, doors or vents) within the height zone, and would use forced ventilation that draws clean air into the building from outside of the height zone.

3.2.2 Sydney Airport (noise, air quality, operations)

Air Quality

The Air Quality Assessment prepared by Todoroski Air Sciences outlines that the annual average NO² would not extend beyond the airport boundary and other pollutants are all expected to be below the relevant criterion.

Noise

The Acoustic Assessment prepared by Arup outlines that there are no specific noise criteria for the assessment of airport ground operations.

Arup has therefore undertaken an assessment against the criteria stipulated for noise sensitive development near busy roads and rail infrastructure, outlined in the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP).

The assessment revealed that with the mitigation measures required to comply with AS2021, internal noise levels within buildings would readily comply with the ISEPP criteria.

Operations

As a result of the site's proximity to Sydney Airport the development is subject to the Airports (Protection of Airspace) Regulations 1996, as amended (APAR), under the Commonwealth's Airport Act 1996.

Compliance with the Regulation is summarised below.

Table 4: Compliance with the Airports (Protection of Airspace) Regulation 1996

<p>1. Obstacle Limitation Surfaces (OLS) Analysis</p>	<p>The south-east corner of the precinct is subject by the OLS Transitional Surface RWY07. The proposal does not include any structures within this area.</p> <p>The development area to the north of the precinct is subject to the OLS Inner Horizontal Surface, at a height of 51m AHD. Many of the proposed buildings (and associated cranes) will penetrate this height. An airspace height application under APAR and approval from Commonwealth Department of Infrastructure and Regional Development (DIRD) will need to be obtained at Development Application stage.</p>
<p>2. PANS-OPS Analysis</p>	<p>The precinct is subject to a set of PANS-OPS surfaces. All buildings and structures (including cranes) must not penetrate the PANS-OPS surface. The masterplan and proposed height controls have been designed to comply with the relevant PANS-OPS surface heights.</p>

	<p>Approval under the Civil Aviation Buildings Control Regulations will also be required. Where any building or structure exceeds the relevant height, regardless of whether or not it exceeds the OLS, a specific approval would be required under these regulations. The majority of buildings and structures within the Northern Precinct will therefore likely require approval.</p>
3. Constraints on Lighting Intensity and Angles	<p>Consideration of lighting intensity and angles are important to ensure the safety of aircraft when operating close to runways on approach or take-off.</p> <p>This consideration constrains approximately the southern 60% of the precinct.</p> <p>Consultation will be undertaken with Sydney Airport and air traffic management at the airport prior to finalising lighting designs, to help assure that external lighting will not endanger the safety of aircraft operations.</p>
4. Wind Shear	<p>The Planning Proposal is accompanied by a Wind Shear Assessment prepared by CPP, which has been prepared in accordance with the National Airports Safeguarding Framework (NASF).</p> <p>The assessment concludes that the proposed redevelopment exceeds the NASF wind shear criterion for the approach to the Sydney Airport Runway 07 and passes for the approach to Runway 16R.</p> <p>Given that the NASF guidelines do not account for the shielding effects that are likely present in the development scheme, the assessment recommends that wind tunnel testing be conducted to confirm the wind impacts of the proposed development. It is recommended that the additional modelling be undertaken Post Gateway.</p>
5. The National Airport Safeguarding Framework	<p>The National Airports Safeguarding Framework (NASF) is a national land use planning framework that aims to enhance the current and future safety, viability and growth of aviation operations at Australian airports.</p> <p>As required by the draft Bayside West Precincts Land Use Infrastructure Strategy, the Planning Proposal has considered the NASF Guidelines and the associated seven guidelines, as summarised below.</p> <p>Guideline A – Measures for managing impacts of aircraft noise</p> <p>The Planning Proposal is accompanied by an Acoustic Assessment prepared by Arup, in accordance with the Australian Noise Exposure Forecast (ANEF) System and Australian/New Zealand Standard 2021:2015.</p> <p>The Assessment only gives consideration to the NASF Guidelines, despite the Bayside West Precinct Land Use Infrastructure Strategy referring to the need to assess in accordance with the NASF guidelines.</p> <p>The proponent outlines that the proposed uses (including residential and commercial) are considered appropriate in accordance with AS 2021:2015, being identified as either “acceptable” or “conditional”.</p> <p>Consideration was also given to noise exposure from airport ground operations. The assessment revealed that with the mitigation measures</p>

	<p>required to comply with AS2021, internal noise levels within proposed buildings would readily comply with the ISEPP criteria.</p> <p>Guideline B – Managing the risk of building generated windshear and turbulence at airports</p> <p>Refer to Item 4 in this table for further detail.</p> <p>Guideline C – Managing the risk of wildlife strikes in the vicinity of airports</p> <p>This is a consideration due to the location of the Kogarah Golf Course, Landing Light Wetland and other water bodies within the site, which provide habitat for migratory wading birds and other species.</p> <p>The Planning Proposal outlines that the redevelopment will not result in an increased risk of wildlife strike, however there is an existing risk which must be managed.</p> <p>Strategic Airspace has recommended a Bird Control Plan to be incorporated into the final Civil Works Plan (at Development Application stage) that documents measures for minimising bird activity in order to reduce risk to aircraft when flying overhead.</p> <p>Guideline D – Managing the risk of wind turbine farms as physical obstacles to air navigation</p> <p>Not applicable.</p> <p>Guideline E – Managing the risk of distractions to pilots from lighting in the vicinity of airports</p> <p>Refer to Item 3 in this table for further detail.</p> <p>Guideline F – Managing the risk of intrusions into the protected operational airspace of airports</p> <p>Refer to Items 1 and 2 in this table for further detail.</p> <p>Guideline G – Protecting aviation facilities – communications, navigation and surveillance (CNS)</p> <p>The Northern Precinct is located within Sydney Airport’s Area of Interest for some CNS facilities. The proposal does not affect any Defence airports.</p> <p>The radar at Cecil Park is used as the primary radar source for Sydney Airport, for surveillance of approaches and departures to/from Sydney Airport. Strategic Airspace therefore considers that the redevelopment will not be constraining on proposed built form which remains below the PANS-OPS height limits.</p> <p>However, due to the site’s location within the defined Areas of Interest for some facility types, the Planning Proposal and subsequent DAs will</p>
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	be referred to Airservices Australia for their technical analysis prior to final approval.
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Initial consultation with the relevant aviation authorities is recommended prior to public exhibition, should the Planning Proposal proceed.

3.2.3 Visual impacts

The Planning Proposal is accompanied by a Landscape Character and Visual Impact Assessment prepared by Clouston Associates.

The assessment considered 12 views from key locations, looking towards the site (refer to the following figures).



Figure 1: Cooks River Foreshore Path (Source: Clouston Associates)



Figure 2: Riverine Park along Firmstone Gardens (Source: Clouston Associates)



Figure 3: Public Space in Girrawheen Park (Source: Clouston Associates)



Figure 4: Cahill Park (Source: Clouston Associates)

As stated by Clouston Associates, several views are expected to have a moderate to high impact, with the highest visual impacts to be from closest to the site, with direct views towards the proposal.

The assessment also notes the following:

- The scale of the proposal will generally dominate the view by virtue of its scale and/or proximity to the viewer;
- The proposal will obscure long distance views currently available; and
- The proposal will obscure or substantially reduce views to the water such as the Cook River and Botany Bay.

Despite the proposal impacting on views currently available to the community, the proposal will not be the only high-rise development within the area and according to Clouston Associates, most views to the Cook River will generally not be affected.

Given the scale of the development, it is recommended that a review of the Landscape Character and Visual Impact Assessment be undertaken prior to public exhibition of the Planning Proposal.

The review should consider regional views, the environment of conditions at the ground plane, and a comparison of the development to other high-density precincts such as Victoria Park.

This will give the public a frame of reference, should the Planning Proposal proceed to public exhibition.

3.3 Services and Infrastructure

3.3.1 Water and sewer

The Planning Proposal is accompanied by a Servicing and Utilities Infrastructure Strategy Report prepared by Arup.

The table below provides a summary of the sewer and water infrastructure available to the site.

Table 5: Water and Sewer Capacity

Sewer	The SWC Southern and Western Suburbs Outfall Sewer (SWSOOS) serves as the final discharge point for the existing sewerage system surrounding the Cook Cove site. If detailed modelling indicates that there is no spare capacity remaining within the SWSOOS, there is no alternative discharge point, presenting a risk to future redevelopment.
Water	The site can be serviced by potable water infrastructure with the construction of some lead-in infrastructure.

Cardno has advised that the information provided is deemed to be adequate for a Gateway referral.

3.3.2 Local and regional roads

Proposed Street Network

The proposed local street network results in five primary streets (refer to Figure 10), being:

- Flora Street South (20 to 25 metre width);
- Gertrude Street South (20 to 25 metre width);
- Water Street (20m width to accommodate the Desalination Pipeline easement);
- High Street (20 metre width); and

- River Street (15 metre width).

Access

Vehicular access to the precinct is proposed at the following three locations (refer to Figure 10):

- A new intersection at Marsh Street and Flora Street;
- A new intersection at Marsh Street and Gertrude Street; and
- Augmentation of the existing entry road and driveway from Levey Street under the Giovanni Brunetti Bridge.

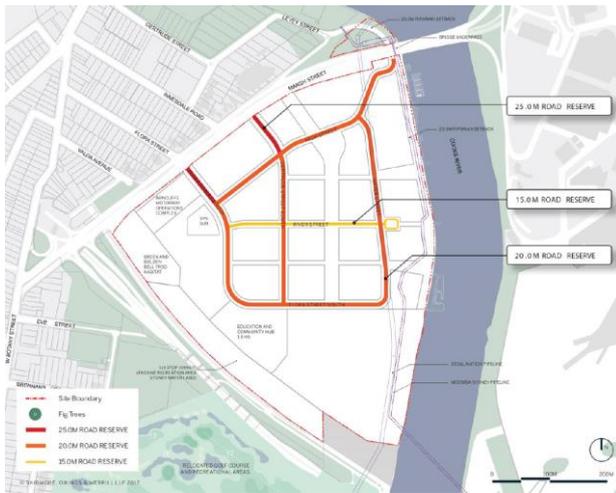


Figure 10: Proposed Street Network (Source: Ethos Urban)

Traffic Distribution

The redevelopment is expected to generate approximately 2,015 vehicle trips per hour during the AM peak and 2,118 trips per hour during the PM peak. Distribution of these vehicle movements is expected to occur primarily to the north and south-east via Marsh Street (14.4%), Princes Highway (19.3%) and M5 Motorway (29.9%).

Traffic Modelling

In accordance with the Bayside West Precinct Land Use and Infrastructure Strategy, the proponent commissioned Arup to develop a micro-simulation traffic model to assess the development's potential traffic impacts.

The modelling outlines that under the current scenario the existing road network can accommodate the expected traffic generation from the proposed development.

The transport plan includes modelling for forecast traffic generation for the AM and PM Peak Periods indicating that at worst case, the completed development would generate 2,336 vehicle movements per hour. Critical intersection performance against this modelling is included for the AM Peak Period only.

Cardno has concluded that the information provided is adequate for a Gateway Determination. Cardno has recommended additional information be provided, including intersection modelling for the PM Peak Period, prior to a Gateway Determination.

Parking

The proponent proposes to provide off-street car parking at a rate of approximately 1 space per dwelling, a total of 5,348 residential spaces.

Cardno has reviewed the documentation and have deemed the information provided to be adequate for Gateway referral. It is recommended however that following measures are examined and detailed post Gateway:

- Parking provisions for retail / commercial uses to be reviewed and constrained where necessary;
- Further analysis of the impact of increased field usage;
- Explanation of why the AM calibration spreadsheet indicates 83% of turning movements to meet the GEH criteria, which is not in line with the required 85%;
- Explanation of why sections were omitted from the comparison between model and observed travel times;
- Intersection modelling for the PM Peak Period;
- Future development of the site should ensure the bus service remains free to Cook Cove residents, and that bus services are reviewed and monitored; and
- Use of a longer reduced speed area with very low speed instead of a signal as an end constrain for M5 motorway onramp.

3.3.3 Walking and cycling

Internal Network

A network of footpaths and shared pedestrian / bicycle paths are proposed within the precinct that follows the internal street network. The figure below shows the designation of paths within the precinct. The shared paths follow the periphery of the residential area as well as forming a north-south spine through the precinct either side of the linear green space. The shared paths also connect to the sporting fields in the southern part of the precinct as well as along the Cook River.

External Network

The following works are proposed:

- Pedestrian/cyclist connection on the southern side of the Giovanni Brunetti Bridge;
- Potential pedestrian and cyclist bridge over Cook River to Sydney Airport;
- Direct foreshore path along the Cook River;
- Investigate improved crossing facilities for pedestrians between Cahill Park and Brodie Spark Drive;
- Two additional signalised pedestrian crossings on Marsh Street;
- New connection between Alexandra Canal cycleway and Sydney Airport; and
- Shared use bridge across Muddy Creek.

The proponent proposes to deliver required local infrastructure via a Voluntary Planning Agreement (VPA). It is noted that the VPA is to be negotiated and binding commitments provided. The VPA is to also be exhibited concurrently with the Planning Proposal.



Figure 11: Future Pedestrian and Cycling Network (Source: Arup)

3.3.4 Public transport

The Planning Proposal is accompanied by a Strategic Transport Plan by Arup. The Plan outlines a number of public transport initiatives to accommodate the proposed development, including:

- Improved pedestrian connectivity to Sydney International Airport Train Station;
- Removal of the International Airport station access fee for Cook Cove residents;
- A rail feeder shuttle bus to Sydenham Station (Sydney Metro services);
- Increased capacity of the T4 Illawarra Line; and
- Improved frequency, extension and rerouting of existing bus services; and
- Additional bus services.

The proposed rail feeder bus will be provided exclusively (and at no cost) for residents of Cook Cove. This initiative is proposed to distribute the public transport demand away from the T4 line at Wollri Creek (which is approaching capacity) towards the proposed high frequency Sydney Metro service at Sydenham.

Details of the new bus service, including further consideration of pricing (given availability of integrated ticketing) should be clarified and confirmed during agency consultation and before

exhibition.

3.3.5 Affordable housing

The Planning Proposal outlines that future development could include a mixture of one, two and three-bedroom apartments in a variety of building typologies such as low-rise residential townhouses to high-rise apartment buildings in a mixed-use setting. The proponent proposes 5% of the “uplift floorspace” (or approximately 140 dwellings), subject to feasibility, to be dedicated as affordable housing.

Further discussions need to be undertaken with the GSC, DPE and Council to confirm an appropriate affordable housing target for the precinct, which should then be included into the proposed LEP amendment.

3.3.6 Social infrastructure (schools, child care, community facilities)

The Planning Proposal is accompanied by a Social Infrastructure Assessment prepared by Elton Consulting.

The table below outlines a gap analysis for social infrastructure within the precinct.

Table 6: Social Infrastructure

	Gap	Proposed
Schools	Gaps exist in both primary and secondary education near the site, with existing schools near or at capacity.	The Planning Proposal includes the provision of 1.5 hectares of land for a future school, which will likely to accommodate approximately 600 students from kindergarten to year six and is planned for delivery within the next 10-15 years.
Childcare	The government’s MyChild website states that some childcare centres in the area still have some vacancies.	The proposed masterplan will allow for child care centre provision, including possible co-location of a centre with the proposed primary school.
Community Facilities	Due to the likely demographic of the future Cook Cove population and the focus on apartment dwellings, function spaces are likely to be needed for events such as birthday parties, strata meetings and family celebrations.	The Proposal includes the provision of community facilities including a new community centre and Health and Wellness Hub.

3.3.7 Open space

Riverine and Barton Parks are located within the boundary of the Cook Cove site and are used by the St George Football Association, Primary Schools Sports Association and the general community throughout the week for sports such as soccer and baseball.

Riverine Park comprises 2 football fields and 1 field used for baseball. Barton Park comprises 5 fields used for football. This equates to a total of 8 fields for the existing community.

The proposed development proposes 1 x 750 seat football stadium, 2 soccer fields and 1 multipurpose field, all of which will be constructed using synthetic grass. This equates to 4 fields for the existing and proposed community, which is a reduction of 4 fields (although it is acknowledged that synthetic fields allow greater utilisation).

From the information provided by the proponent, it is unclear as to whether the quantum of proposed open space (particularly active recreation) is sufficient to service the existing community, in addition to the additional 5,364 residential dwellings proposed by the proponent.

Prior to being considered by Council, it is recommended that the proponent provides additional information and justification for the quantum of open space being provided and whether it is sufficient to accommodate existing and future demands of the local community.

4. State Environmental Planning Policies and Ministerial Directions

4.1 State Environmental Planning Policies

Consistency with the State Environmental Planning Policies is outlined in Table 7.

Table 7: Consistency with State Environmental Planning Policies and

No.	Name	Consistency
1	Development Standards	Not applicable.
19	Bushland in Urban Areas	Not applicable.
21	Caravan Parks	Not applicable.
30	Intensive Agriculture	Not applicable.
33	Hazardous and Offensive Development	Not applicable.
36	Manufactured Home Estates	Not applicable.
44	Koala Habitat Protection	Not applicable.
50	Canal Estate Development	Not applicable.
52	Farms Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
55	Remediation of Land	The site can be appropriately remediated. Refer to Section 5.1.3 for further detail.
62	Sustainable Aquaculture	Not applicable.
64	Advertising and Signage	Not applicable.
65	Design Quality of Residential Apartment Development	Development is capable of complying with SEPP 65. Detailed compliance will be demonstrated at DA stage.
70	Affordable Housing (Revised Schemes)	Not applicable.
	Affordable Rental Housing 2009	Not applicable.

No.	Name	Consistency
	Building Sustainability Index: BASIX 2004	Detailed compliance will be demonstrated at DA stage.
	Coastal Management 2018	<p>The Cook Cove site is mapped as containing Coastal Environment and Coastal Use Areas extending along the foreshores of Cook River, Muddy Creek and along the Spring Street Drain. In addition, Coastal Wetlands are also mapped as occurring within the Southern Precinct.</p> <p>The Planning Proposal will transfer Clause 17 of SREP 33 into the RLEP to form a subclause of the proposed Part 6 Additional local provisions. This will ensure the preparation, adoption and consideration of three separate plans of management to specifically cover wetlands, soil and water and Green and Golden Bell Frogs.</p> <p>Future Development Applications will need demonstrate consistency with the provisions of the SEPP and LEP.</p>
	Educational Establishments and Child Care Facilities 2017	Not applicable.
	Exempt and Complying Development Codes 2008	Not applicable.
	Housing for Seniors or People with a Disability 2004	Not applicable.
	Infrastructure 2007	<p>The Planning Proposal has considered the following key pieces of infrastructure which run through the subject site:</p> <ul style="list-style-type: none"> • Moomba to Sydney Pipeline System; • Sydney Desalination Plant Pipeline; and • Southern and Western Suburbs Ocean Outfall Sewer. <p>In addition, the Planning Proposal has been prepared giving consideration to clause 100 of ISEPP 2007, "Development on proposed classified road" in respect to the existing F6 corridor reservation which passes through the site in a north-south direction. The Planning Proposal assumes that this corridor is no longer required (above ground).</p> <p>Initial consultation with the RMS, prior to public exhibition, is recommended, to confirm the status of the reservation.</p>

No.	Name	Consistency
	Integration and Repeals 2016	Not applicable.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable.
	Kurnell Peninsula 1989	Not applicable.
	Mining, Petroleum Production and Extractive Industries 2007	Not applicable.
	Miscellaneous Consent Provisions 2007	Not applicable.
	Penrith Lakes Scheme 1989	Not applicable.
	Rural Lands 2008	Not applicable.
	State and Regional Development 2011	Not applicable.
	State Significant Precincts 2005	Not applicable.
	Sydney Drinking Water Catchment 2011	Not applicable.
	Sydney Regional Growth Centres 2006	Not applicable.
	Three Ports 2013	Not applicable.
	Urban Renewal 2010	Not applicable.
	Vegetation in Non-Rural Areas 2017	Not applicable.
	Western Sydney Employment Area 2009	Not applicable.
	Western Sydney Parklands 2009	Not applicable.

Consistency with the Sydney Regional Environmental Plans is outlined in Table 8.

Table 8: Consistency with Sydney Regional Environmental Plans

8	Central Coast Plateau Areas	Not applicable.
9	Extractive Industry (No 2 – 1995)	Not applicable.
16	Walsh Bay	Not applicable.
20	Hawkesbury-Nepean River (No 2 – 1997)	Not applicable.
24	Homebush Bay Area	Not applicable.
26	City West	Not applicable.
30	St Marys	Not applicable.

33	Cook Cove	<p>SREP 33 is the principal environmental planning instrument applicable to Cook Cove.</p> <p>The Planning Proposal seeks to amend the boundary of the RLEP 2011 to include appropriate development controls for the subject site.</p> <p>Should the Planning Proposal be gazetted, SREP 33 will be repealed.</p>
	Sydney Harbour Catchment 2005	Not applicable.

4.2 Section 117 Ministerial Directions

Table 9: Consistency with Ministerial Directions

No.	Name	Consistency
1. Employment and Resources		
1.1	Business and Industrial Zones	<p>Under SREP 33 a portion of Cook Cove is zoned for Trade and Technology uses with a maximum permissible GFA of 270,000 sqm.</p> <p>However, it is noted that the Greater Sydney Regional Plan – A Metropolis of Three Cities, does not identify Cook Cove as Employment or Urban Services Land. The Eastern City District Plan does not propose that the land be retained for employment or urban service purposes.</p> <p>The Planning Proposal proposes to reduce the quantum of non-residential uses (e.g. commercial, retail and short-term accommodation) to 53,000 sqm, which is a reduction compared to the site's existing zoning.</p> <p>The proponent considers the reduction appropriate given the following reasons:</p> <ul style="list-style-type: none"> • development of an employment precinct is unviable due to the costs of the relocation of Kogarah golf course and the remediation works required within the Southern Precinct; • there is sufficient capacity within the surrounding employment lands (Mascot/ Botany) to accommodate projected demand for employment generating land uses; and • the draft LUIS recognises a change in zoning and land use controls applying to Cook Cove, to facilitate residential and mixed-use development.

		Cardno considers the justification provided by the proponent to be sufficient. Additional detail may however be required post Gateway.
1.2	Rural Zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.
2. Environment and Heritage		
2.1	Environment Protection Zones	Yes. The Planning Proposal includes provisions to protect the frog habitat that occurs on the land.
2.2	Coastal Management	<p>Under SEPP (Coastal Management) 2018, the Cook Cove site is mapped as containing Coastal Environment and Coastal Use Areas extending along the foreshores of Cook River, Muddy Creek and along the Spring Street Drain. In addition, Coastal Wetlands are also mapped as occurring within the Southern Precinct.</p> <p>The Planning Proposal will transfer Clause 17 of SREP 33 into Rockdale LEP to form a subclause of Part 6 Additional local provisions.</p> <p>Further, the extent of existing provisions within the Rockdale LEP such as Clause 6.10 Wetlands are sought to be amended to apply to the Cook Cove site.</p> <p>In addition, a Development Control Plan (DCP) will be prepared to cover the Northern and Southern Precincts. Specific objectives and principles will address all aspects of coastal enhancement and ongoing management for the whole site.</p> <p>Future Development Applications will therefore need to demonstrate consistency with the SEPP and LEP provisions to ensure no impacts are generated to the surrounding coastal environment.</p>
2.3	Heritage Conservation	<p>Yes. The site contains two State significant heritage items, the Southern and Western Sydney Ocean Outfall Sewer (SWSOOS) and the Arncliffe Market Gardens. Both of these items are listed as State Heritage items on the State Heritage Register under the NSW Heritage Act 1977 and are also listed within Schedule 5 of the Rockdale Local Environmental Plan 2011 (item I238 and item I93).</p> <p>The Planning Proposal does not seek any development of the SWSOOS or the Market Gardens and will retain them as heritage items within the amended LEP.</p>

		Future development on the site will need to consider the impact on the boundary and curtilage zone of these items.
2.4	Recreation Vehicle Areas	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3. Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes. The site is proposed to be rezoned to B4 Mixed Use and R4 High Density Residential, to facilitate residential development.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable.
3.3	Home Occupations	The RLEP permits Home Occupations without consent in the proposed zones.
3.4	Integrating Land Use and Transport	The proposal has addressed this direction as it will: <ul style="list-style-type: none"> • improve access and connectivity to the existing public transport, through the provision of a pedestrian and cycle network connecting the precinct to Sydney Airport and Wollie Creek; • provide a rail feeder shuttle bus to Sydenham Station (Sydney Metro services); • facilitate connections between the site and Sydney Airport through a proposed bridge crossing which could accommodate public transport vehicles; and • provide a reduced parking supply to promote a reduction in car usage and ownership and reduce travel demand.
3.5	Development Near Licensed Aerodromes	<p>The PP currently incorporates heights of buildings that in some instances exceed the OLS as defined by the Commonwealth Department of the Infrastructure and Regional Development (DIRD).</p> <p>The Proponent intends to make a future airspace height application under the Airports (Protection of Airspace) Regulations 1996 (APAR) to permit these height controls. This approval would be required prior to gazettal of a new height map but it is considered that this could occur post Gateway submission.</p> <p>The PP is capable of consistency with this Direction subject to detailed assessment of maximum aircraft noise levels and incorporation of appropriate noise controls and due consideration and approval by the Commonwealth Department of Infrastructure and Regional Development.</p>

		The final location of a school within the site would be subject to this approval.
4. Hazard and Rise		
4.1	Acid Sulfate Soils	Yes. The site is identified as having a high probability of occurrence of acid sulfate soil materials within the soil profile. However, it is concluded that the site can be made suitable for the proposed mixed (residential, public open space and commercial) uses.
4.2	Mine Subsidence and Unstable Land	Not applicable.
4.3	Flood Prone Land	<p>A Flood Impact Assessment has been prepared for both the Northern and Southern Precincts. The Planning Proposal:</p> <ul style="list-style-type: none"> • Will not result in increases in off-site effluxes in the critical 1% AEP event; • Will not increase the potential flood affectation on other development or properties, either individually or cumulatively; and • Will not result in the diversion of flood waters to nearby catchments. <p>Cardno has reviewed the information provided and have confirmed that it is adequate and satisfies this direction, subject to additional detail and information being provided post Gateway.</p>
4.4	Planning for Bushfire Protection	Not applicable.
5. Housing, Infrastructure and Urban Development		
5.1	Implementation of Regional Strategies	Not applicable.
5.2	Sydney Drinking Water Catchments	Not applicable.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5	Development and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.6	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.
5.7	Central Coast	Not applicable.

5.8	Sydney Second Airport: Badgerys Creek	Not applicable.
5.9	North West Rail Link Corridor Strategy	Not applicable.
5.10	Implementation of Regional Plans	Not applicable.
6. Local Plan Making		
6.1	Approval and Referral Requirements	The Planning Proposal is capable of being consistent with this direction.
6.2	Reserving Land for Public Purposes	It is proposed to rezone land within the Northern precinct to RE1 Public Recreation. The Southern Precinct is also proposed to be zoned RE1 Public Recreation and will remain under the ownership of Bayside Council and leased to Kogarah Golf Club on a 99-year lease.
6.3	Site Specific Provisions	Yes. The Planning Proposal will not contain or refer to drawings that show details of the development proposal.
7. Local Plan Making		
7.1	Implementation of A Plan for Growing Sydney	It is noted that the proposal is generally consistent with the Greater Sydney Region Plan. Refer to Section 4.1 for further detail.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.

5. Reclassification of Public Land

It is proposed to reclassify eight individual parcels of land, six of which are owned by Council and two of which are Crown Land. These are identified in Table 3 of the Planning Proposal. The process for classifying and reclassifying public land is set out in Chapter 6, Part 2, Division 1 of the *Local Government Act, 1993*. (LG Act)

Section 27 of the LG Act says that the reclassification of public land may be made by a local environmental plan. Hence the proposed reclassifications are included in this Planning Proposal.

Section 28 of the LG Act says that before a Planning Proposal which proposes to reclassify public land that is not owned by Council is forwarded to the Minister for Planning for a gateway determination, Council must obtain the consent of the owner of the land to the proposed reclassification.

There are two parcels of land proposed to be reclassified which are both owned by the Crown. Council is the Crown Land Manager of these parcels.

Section 3.21 of the *Crown Lands Management Act 2016* (CLM Act) authorises a council manager to classify and manage Crown Land as if it were public land within the meaning of the LG Act, however, Section 3.22(4) of the CLM Act prevents a council manager from classifying Crown Land as operational without the written consent of the Minister administering the CLM Act. We are not aware that written consent of the Minister has been obtained.

Section 29 of the LG Act requires that a public hearing is arranged in respect of a Planning Proposal to reclassify community land as operational land. A public hearing would be arranged during the statutory public exhibition of the planning proposal and following any gateway determination.

Section 30 of the LG Act enables a local environmental plan to make provision to discharge land proposed to be classified operational from any trusts, estates, interests, dedications, conditions, restrictions and covenants, as well as to cause land that is a public reserve to cease being a public reserve.

Table 3 in the planning proposal identifies that each of the parcels of land is affected by some type of interest which is required to be discharged to enable the intended outcomes of the planning proposal. The exact nature of the interests is not identified in Table 3. The Planning Proposal should be updated in this regard to ensure each interest is identified and it is clearly understood which interests are to be extinguished and which are to be retained. Two land parcels (Lot 14 in DP 213314 and Lot 1 in DP 108492), located in the northern precinct are known to be encumbered with Charitable Trusts. These Trusts were created when the two parcels were dedicated to Council as Trustee by a State agency for road and public recreation purposes.

LEP Practice Note PN 16-001 states that it is advisable for council to seek the views of the relevant agency (understood to be the RMS as beneficiary in this instance) prior to council commencing any planning proposal for that land. The RMS wrote to Council and the proponent in March 2018, stating they would not support the extinguishment of the 'Charitable Trusts' at this time. It is recommended that the current views of the RMS be sought.

It would also be advisable to seek confirmation from Council (in its capacity as landowner and Trustee) that its obligations under the Charitable Trusts do not prevent Council from adopting the Planning Proposal.

Finally, LEP Practice Note PN 16-001 observes that proposals to discharge interests may attract a claim for compensation under the Land Acquisition (Just Terms Compensation) Act 1991 and recommends that councils obtain their own advice in this regard.

6. Community Consultation

Should the Planning Proposal proceed through the Gateway determination stage, the Planning Proposal and proposed amendments to the Rockdale LEP 2011 will be subject to community consultation in accordance with Sections 56 (2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

The specific requirements for community consultation would be listed in the Gateway determination, including any Government agencies that are to be consulted in relation to the Planning Proposal.

7. Project Timeline

The table below provides an indicative timeline of 18 months for the completion of an LEP amendment, in the event that a Gateway Determination is issued.

Table 10: Estimated Project Timeline

Task	Timing
Date of Gateway determination	1 September 2018 (assumed)
Anticipated timeframe for the completion of required technical information	1 October 2018 (2-months)
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	1 February 2019 (4-months)
Commencement and completion dates for public exhibition period	Given the scale of the proposed development, additional time has been allocated, for government agencies to provide comment and to consider the Christmas holiday period.
Dates for public hearing (if required)	1 March 2019 (1-month)
Timeframe for consideration of submissions	1 July 2019 (4-months)
Timeframe for the consideration of a PP following exhibition	
Consideration of PP by Council (Council Meeting)	1 September 2019 (2-months)
Date of submission to the department to finalise the LEP	September 2019
Anticipated date RPA will make the plan (if delegated) or Anticipated date RPA will forward to the department for notification	1 November 2019 (2-months)
Anticipated publication date	1 January 2020 (2-months)

The attachments are under separate cover.

Attachments

- 1 Planning Proposal
 - 2 Technical Assessment for Adequacy
 - 3 Memorandum
 - 4 Planning Proposal Council Template
 - 5 Cooks Cove Northern Precinct Masterplan
 - 6 Safety Management Study
 - 7 Draft LEP Mapping
 - 8 Cooks Cove Northern Precinct Air Quality Assessment
 - 9 Draft Cooks Cove Development Control Plan
 - 10 Landscape Character and Visual Impact Assessment
 - 11 Consultant and Stakeholder Engagement Strategy
 - 12 Indicative Staging Plans
 - 13 Strategic Transport Plan (Northern Precinct)
 - 14 Classification & Reclassification of Public Land Practice Note
 - 15 Social Infrastructure Assessment
 - 16 Land Use Demand and Supply Analysis
 - 17 Site Surveys
 - 18 Flood Impact Assessment
 - 19 Stormwater Management Concept Plan
 - 20 Assessment of Airspace Approvability
 - 21 Wind Shear Assessment Report
 - 22 Sustainability Strategy
 - 23 Consolidated ESA
 - 24 Phase 1 ESA
 - 25 Remediation Action Plan
 - 26 Erosion and Salinity Assessment Northern Precinct
 - 27 Acid Sulfate Soils Management Plan Northern Precinct
 - 28 Servicing and Utilities Infrastructure Assessment
 - 29 Flora and Fauna Assessment
 - 30 Acoustic Report
 - 31 Archaeological Report
 - 32 Property Information Sheets - Land Reclassification
 - 33 SREP 33 Transition of Provisions Table
 - 34 Southern Precinct Detailed Design Remediation Action Plan
 - 35 Site Auditor Endorsement Southern Precinct DDRAP
 - 36 Southern Precinct Acid Sulfate Soils Management Plan
 - 37 Southern Precinct Species Impact Statement
 - 38 NASF Response
 - 39 Additional Information - Section 9.1 Directions
 - 40 Revised Submission and Additional Information
 - 41 Cook Cove Southern Precinct Illustrative Concept Plan
 - 42 Reclassification Comments
 - 43 Technical Gap Analysis
 - 44 Response to Preliminary Comments & Issues
- 

Bayside Planning Panel

14/08/2018

Item No	5.2
Subject	Cook Cove Planning Proposal - Reclassification - Additional information
Report by	Michael McCabe, Director City Futures
File	F14/308

Summary

This report provides additional information in relation to the issue of reclassification of 'Community' land as proposed by the Cook Cove Planning Proposal.

Officer Recommendation

That the Bayside Planning Panel receives and notes the content of this report.

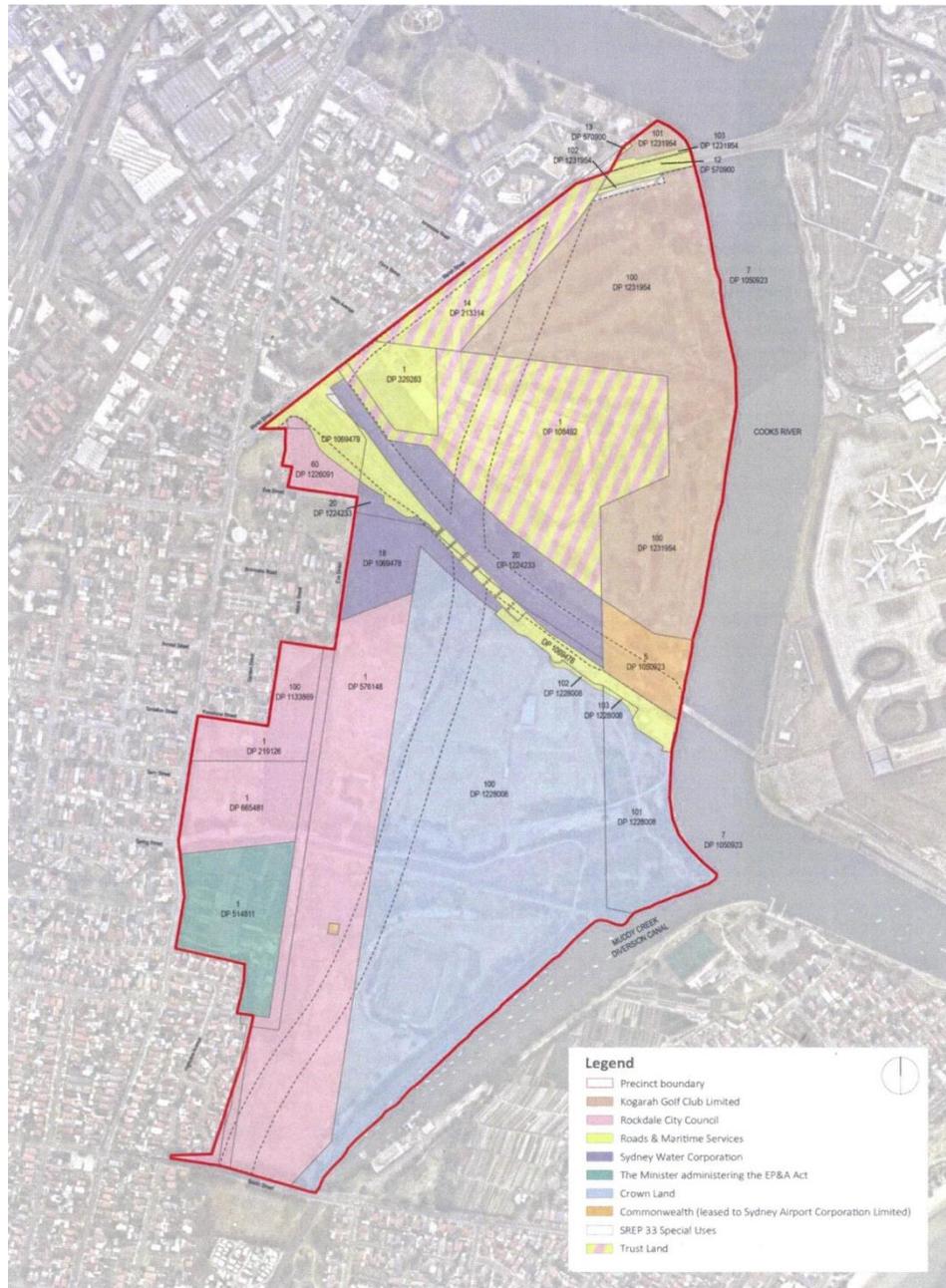
Background

This report provides additional information in relation to the issue of reclassification of 'Community' land as proposed by the Cook Cove Planning Proposal. This information should be read in conjunction with section 7 'Reclassification of Public Land' in the report prepared by Council's independent Project Manager, and also as addressed in the Technical Assessment contractor's report.

Land Reclassification

The Cook Cove Planning Proposal proposes to classify or reclassify nine individual parcels of land:

- four parcels are owned by Council as community land, located in the southern precinct, shaded pink on the map below;
- Two parcels are Council owned community land, encumbered with 'Charitable Trusts', located in the northern precinct, shown hatched on the map below;
- two parcels are Crown Land, located in the southern precinct (shaded blue). Council is the Crown Lands Manager; and
- a portion of land proposed to be excised from land owned by the Department of Planning & Environment, located in the southern precinct, as shown shaded green (and subject to final survey) on the map below.



Some additional information in relation to four of the lots is provided below.

The ‘Trust Lands’- Lot 14 in DP 213314 and Lot 1 in DP 108492

Two land parcels, located in the northern precinct, shown hatched on the map above are encumbered with Charitable Trusts for road and public recreation purposes.

Community Land- Lot 1 in DP 219126

This land parcel, located in the southern precinct, shaded pink on the map above is encumbered with a Caveat identifying a Trust, This Trust was created in 1963 upon dedication of the land for the purposes of parks and recreation and County Road.

Community Land- Lot 1 in DP 576148

This land parcel, located in the southern precinct, shaded pink on the map above. This land is encumbered with a covenant. This covenant was created upon dedication of the

land to ensure the use of the land was for no other purpose other than garden or recreation purposes and is vested with Council as a public reserve.

Attachments

Nil