

Amendment to Woollahra LEP 1995: Definition of Height and Existing Ground Level

Proposal Title :	Amendment to Woollahra LEP 1995: Definition of Height and Existing Ground Level		
Proposal Summary :	The planning proposal aims to redefine the definitions of "Height" and "Existing Ground Level" within the Woollahra Local Environmental Plan 1995 (WLEP 1995). The planning proposal adopts the Standard Instrument Local Environmental Plan definitions.		
PP Number :	PP_2013_WOOLL_001_00	Dop File No :	13/01452

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : Recommended with Conditions	
S.117 directions :	<p>1.1 Business and Industrial Zones</p> <p>3.1 Residential Zones</p> <p>3.4 Integrating Land Use and Transport</p> <p>4.1 Acid Sulfate Soils</p> <p>4.3 Flood Prone Land</p> <p>6.1 Approval and Referral Requirements</p> <p>7.1 Implementation of the Metropolitan Plan for Sydney 2036</p>
Additional Information :	<p>It is recommended that the planning proposal proceed, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The planning proposal be publicly exhibited for a period of not less than 14 days. 2. The planning proposal is to be finalised within 6 months from the date of the gateway determination. 3. Council amends the Introduction of the planning proposal to remove any reference to confidential legal advice prior to its public exhibition.
Supporting Reasons :	<p>The planning proposal will allow the adoption of clearer definitions for height of buildings and is consistent with the Standard Instrument LEP.</p> <p>Council proposes to progress the planning proposal under delegation. The matter is considered to be of local significance and the use of Council's delegation is supported.</p>

Panel Recommendation

Recommendation Date :	24-Jan-2013	Gateway Recommendation :	Passed with Conditions
Panel Recommendation :	<p>The Planning Proposal should proceed subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Given that Council's legal advice is confidential and Council does not wish to make the advice public, the planning proposal is to be amended to remove any reference to confidential legal advice, prior to undertaking public exhibition. 2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows: <ol style="list-style-type: none"> (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012) and must be made publicly available for 14 days; and (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012). 		

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3. Consultation is not required with public authorities under section 56(2)(d) of the EP&A Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

4.2.13