

Planning Proposal to amend the Strathfield Local Environmental Plan 2012 for 101-109 and 112-134 Parramatta Road, Homebush – Housekeeping Amendment (0 dwellings, 0 jobs).

Proposal Title :	Planning Proposal to amend the Strathfield Local Environmental Plan 2012 for 101-109 and 112-134 Parramatta Road, Homebush – Housekeeping Amendment (0 dwellings, 0 jobs).		
Proposal Summary :	The planning proposal seeks to make various amendments to Strathfield LEP 2012 (SLEP 2012) to resolve anomalies in the written instrument and associated maps for 101-109 and 112-134 Parramatta Road, Homebush. These amendments include: • amend Schedule 1 (Additional Permitted Uses) to correctly identify Item 2 as 101-109 Parramatta Road and 112-134 Parramatta Road, Homebush. This address is currently incorrectly identified as 105-109 Parramatta Road and 112-134 Parramatta Road, Homebush; • amend Schedule 1 (Additional Permitted Uses) to include the title details of 101-109 Parramatta Road and 112-134 Parramatta Road, Homebush under Item 2; • amend the Additional Permitted Use Map to identify 101-109 Parramatta Road, Homebush.		
PP Number :	PP_2017_STRAT_002_00	Dop File No :	17/09120

Proposal Details

Date Planning Proposal Received :	26-Jun-2017	LGA covered :	Strathfield
Region :	Metro(CBD)	RPA :	Strathfield Municipal Council
State Electorate :	STRATHFIELD	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :	101-109 and 112-134 Parramatta Road		
Suburb :	Strathfield	City :	Sydney
		Postcode :	2140
Land Parcel :	Lot 200, DP 1117827, Lots 7-8, 10-11, DP9154, Lots A-B, DP 374452, Lots 1-2, DP934526, Lot 12, DP 654033 and Lot 329, DP 752023.		

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment : To the best of the knowledge of the regional team, the Department's Code of Practice in relation to the communications and meetings with Lobbyists has been complied with. Sydney East has not met with any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning the proposal.

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

THE SITE AND CONTEXT

The planning proposal is in relation to two properties at 101-109 Parramatta Road and 112-134 Parramatta Road, Homebush. These properties are located opposite each other along Parramatta Road and are part of the same vehicle sales business known as 'Suttons Motors'.

101-109 Parramatta Road is contained in a single lot being Lot 200, DP 1117827. 112-134 Parramatta Road is contained under separate lots being Lot 7-8, 10-11, DP9154, Lot A-B, DP 374452, Lot 1-2, DP934526, Lot 12, DP 654033 and Lot 329, DP 752023.

101-109 Parramatta Road is rectangular in shape and is located on the northern side of Parramatta Road. It is bounded by Parramatta Road, Underwood Road and Powell Street. 112-134 Parramatta Road is located on the southern side of Parramatta Road and is bounded by Parramatta Road, Subway Lane and Loftus Lane.

The sites are surrounded by a mixture of commercial and residential uses. A number of residential apartment buildings have frontages to Parramatta Road in the vicinity of the site with other lower scale commercial/residential uses also in the area.

BACKGROUND

The Strathfield Local Environmental Plan 2012 (SLEP 2012), was gazetted on 15 March 2013. During the draft LEP public exhibition between January and March 2012, a submission was lodged on behalf of 'Sutton Motors' objecting to the then proposed B4 Mixed Use zone for the land on the grounds that the current and future motor vehicle related uses may be prohibited.

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After Council's consideration of all the submissions, it was resolved on 24 July 2012 to adopt a number of minor amendments to the draft LEP. This included the provision of an Additional Permitted Use for the land to permit 'vehicle repair station' as a land use.

The submission lodged by Sutton Motors incorrectly referred to the site as 105-109 Parramatta Road instead of 101-109 Parramatta Road (Lot 200, DP 1117827). Strathfield Council advises that this error was inadvertently carried forward when preparing the final version of the SLEP 2012 written instrument.

Additionally, there was also a mapping oversight for 101-109 Parramatta Road, Homebush in the supporting Additional Permitted Uses map of the SLEP 2012. 101-109 Parramatta Road is not currently denoted as 'Item 2' on the Additional Permitted Uses Map.

SECTION 73A SUBMISSION

On 10 February 2017, Strathfield Council lodged the subject amendments with the Department under a Section 73A EP&A Act Submission. At the time, the Department considered that it could not be assumed that both 101-103 Parramatta Road and 105-109 Parramatta Road under Lot 200 DP 1117827 was to be included under the Additional Permitted Uses of the SLEP 2012.

Subsequently, it was considered that the error is not 'minor' and doesn't fall within any of the provisions under Section 73A of the EP&A Act 1979. Strathfield Council was therefore recommended to lodge the proposed amendments under a housekeeping planning proposal for assessment.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The statement of objectives accurately describes the intention of the planning proposal.

The planning proposal aims to improve the operation and accuracy of the plan by correcting anomalies within Schedule 1 Additional Permitted Uses of the Strathfield Local Environmental Plan 2012 and the Additional Uses Map.

The intended outcome is to ensure that Strathfield Council's strategic intentions in relation to its planning controls are achieved by rectifying anomalies.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The explanation of provisions adequately addresses the intended method of achieving the objectives of the planning proposal. The planning proposal intends to amend the SLEP 2012 by:

- Updating Schedule 1 (Additional Permitted Uses) to correctly identify Item 2 and the associated site as 101-109 Parramatta Road, Homebush. This address is currently incorrectly identified as 105-109 Parramatta Road;
- Updating Schedule 1 (Additional Permitted Uses) to provide the title details of 101-109 Parramatta Road and 112-134 Parramatta Road, Homebush under Item 2;
- Updating the Additional Permitted Uses map to identify 101-109 Parramatta Road, Homebush.

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Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

SEPPs and Section 117 Directions

The proposal is considered to be consistent with all applicable SEPPs and Section 117 Directions.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal contains maps which adequately show the subject land and explain the proposed changes to the respective LEP maps for the proposed amendment. These maps are adequate for exhibition purposes. Maps which comply with the Standard Technical Requirements for SI LEP maps will need to be prepared before the LEP is made.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The Planning Proposal indicates that community consultation will be undertaken and nominates a 14 day consultation timeframe. This is considered an appropriate timeframe given that the proposal is low impact. In accordance with "A Guide to Preparing Local Environmental Plans" (the 'Guide'), affected and adjoining landowners should be notified in writing.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Timeline

The planning proposal includes a project timeline which estimates the completion of the planning proposal in December 2017. A six (6) month timeline is considered appropriate to complete the exhibition, reporting, legal drafting and making of the plan.

Delegation

Council is seeking an authorisation to exercise its plan making delegations. As the proposal deals with only matters of local significance it is considered appropriate that an authorisation to exercise plan making delegations be issued to Council in regard to this matter.

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Overall Adequacy

The planning proposal satisfies the adequacy criteria by:

- Providing appropriate objectives and intended outcomes;
- Providing a suitable explanation of the provisions proposed for the LEP to achieve the outcomes;
- Providing an adequate justification for the proposal;
- Outlining a proposed community consultation program;
- Providing a project time line.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Strathfield LEP 2012 is in force and commenced on 15 March 2013.

Assessment Criteria

Need for planning proposal : The proposal to amend the SLEP 2012 and maps is the only means of achieving the intent of the proposal.

Consistency with strategic planning framework : **A PLAN FOR GROWING SYDNEY**
The proposal is considered not to be inconsistent with A Plan for Growing Sydney and involves only a minor administrative amendment to the LEP to correct an error for the existing business located on the land.

DRAFT CENTRAL DISTRICT PLAN
The proposal is considered not to be inconsistent with the Draft Central District Plan. The proposed changes are essentially administrative in nature and will not impact upon the delivery of the Plan.

PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY
The proposal is considered not to be inconsistent with the Parramatta Road Urban Transformation Strategy (the Strategy) and involves only a minor administrative amendment to the LEP to correct an error for the existing business located on the land. It is noted that the Strategy identifies this area of the Homebush Precinct as a 'mixed use'.

STRATHFIELD COMMUNITY STRATEGIC PLAN 2017
The proposal is consistent with the goals and strategies of the Strathfield Community Strategic Plan 2017. The amendments will assist in maintaining public confidence in Council's decision making process by keeping the SLEP 2012 up to date, clear and accurate.

Environmental social economic impacts : **ENVIRONMENTAL, SOCIAL AND ECONOMIC**
The proposed changes will not have any adverse environmental, social or economic impacts.

The inclusion of 101-109 Parramatta Road under Item 2 of the Additional Permitted Uses is considered to be in keeping with the original intent of this provision. The existing use of this site (101-109 Parramatta Road under Lot 200, DP 1117827) is entirely for a vehicle sales/workshop. Sufficient information has been provided with the planning proposal to show that the original intent of including the site under Schedule 1 (Additional Permitted Uses) was to avoid the possibility of the current use being prohibited in the future.

The proposed amendment to correctly identify the site as 101-109 Parramatta Road will avoid any confusion in the future regarding the permissibility of the site for a vehicle repair station.

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Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal 101-109 Parramatta Rd, Homebush.pdf	Proposal	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **It is recommended the planning proposal proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 14 days;
 - (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 the planning proposals as identified in section 5.5.2 of A

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Guide to Preparing LEP's (Department of Planning and Environment 2016);

2. A public hearing is not required to be held into the matter by any person or body under section 56(2) of the 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).

3. The timeframe for completing the LEP is 6 months from the week following date of the Gateway determination.

Supporting Reasons :

The proposal is supported as it will rectify anomalies and errors in the Strathfield LEP 2012. This will improve the function, content and consistency of the LEP, providing an accurate and consistent planning instrument for the use of the community.

Signature:



Printed Name:

Craig Diss

Date:

7 / 7 / 17