

Parramatta Local Environmental Plan 2011 - Housekeeping amendment

Proposal Title : **Parramatta Local Environmental Plan 2011 - Housekeeping amendment**

Proposal Summary : **The undertaking of housekeeping amendments to Parramatta Local Environmental Plan 2011 involving primarily an administrative and mapping exercise. Includes clarification of dual occupancy provisions, updates to reflect changes to the standard instrument template, changes to the heritage schedule and maps, several site specific changes to height and FSR provisions as well as minor rezonings.**

PP Number : **PP_2013_PARRA_005_00** Dop File No : **13/09508**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
2.3 Heritage Conservation
3.1 Residential Zones
4.1 Acid Sulfate Soils
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to amend the Planning Proposal with regard to implementing clarification of dual occupancy provisions. Council may amend clause 4.1A as needed although an amendment to Schedule 1 is to be utilised together with a map showing where dual occupancy development is permitted (rather than not permitted).

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act (EP&A Act) 1979 as follows:

**(a) the planning proposal must be publicly available for a minimum of 28 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 identified in section 5.5.2 of 'A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Roads and Maritime Services**
- NSW Office of Environment and Heritage**
- NSW Land and Housing Corporation**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 instance in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination.

Supporting Reasons :

The RPA should be advised that the Planning Proposal is considered to be justifiably inconsistent with section 117 Directions 1.1, 3.1 and 6.3 and Council does not need to address these Directions further.

1. The proposal is primarily a housekeeping amendment to update and correct anomalies identified within the Principal LEP.

2. The proposal is consistent with all State Environmental Planning Policies and is justifiably inconsistent with section 117 Directions 1.1, 3.1 and 6.3.

3. It is not accepted mapping practice to show where development types are not allowed. For consistency and to avoid confusion, mapping regarding dual occupancies must show where this development type is permissible subject to other provisions within the planning instrument.

Panel Recommendation

Recommendation Date : **20-Jun-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The planning proposal should proceed subject to the following conditions:

1. Council's proposal to use a map to identify areas where dual occupancy development is prohibited is not supported and should be removed from the planning proposal. Council is to consider using Schedule 1 - Additional permitted uses and associated Additional Permitted Uses Map to identify areas where dual occupancy development is permitted. Council is to amend this planning proposal to reflect the above approach prior to proceeding to 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:

(a) the planning proposal must be made publicly available for a minimum of 28 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 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:

- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Services
- NSW Land and Housing Corporation (S117 Direction 6.2 Reserving Land for Public Purposes)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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.

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Signature:



Printed Name:

Neil McGaffin

Date:

26.6.13