

Department of Planning LEP Review Form - Section 73(A) Notification Advice

Regional Team To Complete	
LGA: The Hills	
New Principal LEP Due: Please tick ☒	
March 2008 ☐ March 2009 ☐ March 2011 ☐ Other agreed date Mid 2011.....	
LGA: The Hills.....	
Name of Plan: Amendment (XX) to Baulkham Hills LEP 2005	
Subject Land Description: LGA wide.....	
Purpose of Plan: To rectify a drafting error made in Amendment 22 to Baulkham Hills LEP 2005 (sex services premises) which was published on 13 August 2010.	
Parliamentary Counsel has advised it erroneously left out the word 'premises' after the phrase 'sex services' in subclause 3 of Amendment 22. Therefore the word 'premises' needs to be inserted after the phrase 'sex services' in the relevant land use tables.	
The Legal Services Branch (Manager, Plan Making) has advised that the Department is able to initiate the s.73A amending plan. Once the Gateway has approved the form, Legal Services has requested the form be sent to the Legal branch who will request PC amend the Baulkham Hills LEP 2005 accordingly.	
Council has verbally advised this is the only drafting error in Amendment 22, and is supporting of the Department correcting this error via the s.73A process.	
Been to Panel Before: ☐ Date:	
Has the relevant information been provided:	
a) Section 73A Submission	No
The Legal Services branch has advised that the Department is able to initiate the s.73A process. Council has verbally advised it is supportive of the error being corrected via s.73A and has also advised there are no other errors in Amendment 22 which would require correction via s.73A.	
b) Draft LEP	No
Legal Services has advised that PC will make the corrections to the parent LEP and that there is no need to provide a draft LEP.	
c) Statement why considered minor	
The draft LEP looks to correct a minor drafting error which was identified as a 'typographical error' by PC post publication of LEP Amendment 22. Council is supportive of the error being rectified by the Department as soon as possible via the s.73A process.	
Does the amendment meet the criteria for being 'minor' and able to be addressed through section 73A:	
	Yes
Should preparation of draft LEP under section 73A continue at this stage:	
	Yes

RECOMMENDATION:

LEP should proceed

Yes

Comments: This s.73A proposal is a minor matter which looks to rectify a typographical error, and as such, the proposal should proceed and be referred to Legal Services for actioning once approved by the Gateway Panel.
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LEP Tracking System updated ☐

Signed:

(Action Officer)

Print Name:

Phone Number:

Endorsed:

Date: