

### Heritage Map Series Re-projection

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To correct an error in the Heritage Map series in Wollondilly Local Environmental Plan 2011 by which the maps appear offset from the other maps in the LEP.

**July 2018**

## SECTION 59 PLANNING REPORT

**Planning proposal details:** PP\_2014\_WOLLY\_001\_00

This Planning Proposal has been prepared by Wollondilly Shire Council and seeks a housekeeping amendment to the Heritage Maps that form part of the *Wollondilly Local Environmental Plan 2011 (WLEP)*.

### **Planning proposal summary:**

To correct errors in the existing published maps so that the map grids used for the Heritage Map align with and correspond with the map grids used for all the other published maps with form part of the WLEP 2011.

### **Date of Gateway determination:**

The Gateway determination was issued 24 February 2014.

## **1.0 SUMMARY**

- This Planning Proposal seeks to amend the Heritage Map series. This includes 36 of the 37 maps which define the location of conservation areas and heritage items across the shire.
- Heritage Map 011C was updated on 13 April 2018 as part of the *State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (South East Wilton Precinct) 2018* and no longer forms part of this proposal.
- Each map within the Heritage Map series should align and show the exact same geographical areas as the map within the Land Zoning series which shares the tile reference. So for example, the Heritage Map tile for 010 should show the same land areas as the Land Zoning Map for tile 010. While these two maps show nearly the same areas, the heritage map has been projected slightly differently and so the map is offset and does not align.
- The amendment sought by this proposal will re-project the Heritage Map series so that they have the same alignment, and show exactly the same area, as maps within other series that share the same map key. The need for amendments does not affect the application of the WLEP 2011 to heritage items and conservation areas and these locations are still protected by the existing provisions.

- However, it is considered that the changes will increase the accuracy of Council mapping in regard to heritage item identification. The amendments to the heritage mapping will provide Council and the community with more accuracy and clarification to determining and understanding heritage items as well as better legibility navigating the maps.
- The Gateway Determination waived the public exhibition requirement under Section 56(3) (now Section 3.34) of the Environmental Planning and Assessment Act 1979 (EP&A) Act.
- The Gateway Determination deemed consultation with public agencies to not be required under section 56(2)(d) (now Section 3.34) of the EP&A Act.

## **2.0 GATEWAY DETERMINATION**

- The Gateway determination was issued on 24 February 2014.
- The timeframe for completion of the planning proposal was 3 September 2014.
- There have been multiple alterations issued to the Gateway determination over the course of the proposal.
  - The first alteration to the Gateway Determination was issued on 26 August 2014 and granted the extension of the completion date until 24 February 2015.
  - Another alteration granted an extension to 24 October 2015.
  - Another alteration granted an extension to 24 April 2016.
  - Another alteration granted an extension to 31 July 2017.
  - The most recent Gateway Alteration is granted to 31 April 2018.
  - A request was made for a further extension on 27 April 2018.
- The Gateway determination has not been subject to a review request.
- The conditions of the Gateway determination have been complied with.

## **3.0 COMMUNITY CONSULTATION**

Dates of exhibition: Not applicable.

Community consultation was not required under direction of the Gateway Determination for this Planning Proposal.

## **4.0 VIEWS OF PUBLIC AUTHORITIES**

Not applicable.

Consultation with public authorities/agencies was not required under direction of the Gateway Determination for this Planning Proposal.

## **5.0 CONSISTENCY WITH S.9.1 (formally S.117) DIRECTIONS AND OTHER STRATEGIC PLANNING DOCUMENTS**

- The Planning Proposal is consistent with all relevant s.9.1 (s.117) Directions, SEPPs and other strategic planning documents.
- Further information relating to the consistency of this proposal to the Ministerial Directions, SEPPs and other strategic planning documents can be found in appendices A & B of the Planning proposal.
- No consultation with any agencies was required by the Gateway Determination under a Section 117 Direction.

## **6.0 PARLIAMENTARY COUNSEL OPINION**

Plan making powers have been delegated to Wollondilly Shire Council for this Planning Proposal.

A Parliamentary Counsel opinion was issued on 28 May 2018 (PCO reference e2018-119.d02 FG).

Parliamentary Counsel confirmed by email on 9 July 2018 that a fresh opinion was not required now that the amendment only applies to 36 of the 37 Heritage Maps.

## **7.0 OTHER RELEVANT MATTERS**

- No representations have been received on the planning proposal from State or Federal members of Parliament.
- Council has not met with the Minister in relation to the planning proposal.

## **8.0 MAPPING**

- There is a significant amount of mapping necessary for this amendment, 36 maps.
- The maps are provided in a compliant format to the Standard Instrument LEP Mapping Guidelines.
- The relevant maps were originally uploaded to the Planning Portal on 27 April 2018. The latest maps were uploaded to the Planning Portal on 17 July 2018.

## 9.0 RECOMMENDATION

It is recommended that the plan shall be made as detailed in this report and supporting documentation.

### NOTES:

The following relevant documents referred to in the summary report are included:

<b>Document Required</b>	<b>Title</b>	<b>Location</b>
Planning Proposal Document	Heritage Map Series Re-projection	Separately Attached
Gateway Determination	Gateway Determination	Separately attached
Council's Final Report and Resolution	PE4 – Planning Proposal – Housekeeping Amendment to Wollondilly Local Environmental Plan 2011, Heritage Map Series Re-projection	Separately attached
NSW Parliamentary Counsel Opinion	NSW Parliamentary Counsel Opinion	Separately attached
Completed template detailing dates for key steps of the process	Attachment 5	Separately attached