

Planning Proposal for Liverpool LEP 2008 (Amendment No 27) - Housekeeping amendments

Proposal Title :	Planning Proposal for Liverpool LEP 2008 (Amendment No 27) - Housekeeping amendments		
Proposal Summary :	REZONING OF LAND AT ELIZABETH HILLS, PROHIBITION OF CEMETERIES IN RURAL AREAS, PROHIBITION OF SEX SERVICE PREMISES IN THE LIVERPOOL CITY CENTRE AND OTHER MINOR ANOMALIES. Liverpool City Council on 27 February, 2012, resolved to amend Liverpool Local Environmental Plan 2008 (LLEP 2008) to rezone land at Aviation Drive, Elizabeth Hills from SP2 Infrastructure to B1 Local Centre, R2 Low Density Residential and R3 Medium Density Residential. The land is no longer required for the construction of a stormwater detention basin. Council, at its meeting of 28 September, 2011, also resolved to prohibit cemeteries and crematoria in the rural zones and to prohibit sex service premises within the Liverpool city centre (B3 Commercial Core Zone). In addition, Council seeks to make minor amendments to LLEP 2008 including; amending the minimum dwelling density controls for Middleton Grange; introducing additional land uses to the IN1 General Industrial and RU4 Primary production Small Lot zone; amendments/insertion of clauses relating to residential development and Schedule 5 of the LLEP 2008; minor mapping corrections; the reclassification of a number of properties from community land to operational land and updating the flood mapping in response to the adoption of the Cabramatta Creek Flood Study and Basin Strategy Review 2011. Council's covering letter (Tag A1), planning proposal (Tag A2), planning report (Tag A3) and JBA's proposal for Elizabeth Hills (Tag A4) are attached in the "documents" section.		
PP Number :	PP_2012_LPOOL_001_00	Dop File No :	12/04869-1

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 1.2 Rural Zones
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 4.3 Flood Prone Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 6.2 Reserving Land for Public Purposes
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

1. approval by the Director General's delegate in relation to S.117 Directions 3.1 Residential Zones, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purpose;
2. consultation with the Commissioner of the NSW Rural Fire Service, in accordance with S.117 Direction 4.4 Planning for Bushfire Protection, prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made;
3. community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

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- (a) the planning proposal must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009);

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

- Office of Environment and Heritage
- NSW Rural Fire Service
- Department of Primary Industries (Cemeteries, Catchment and Land Division)
- Sydney Metropolitan Catchment Management Authority (Georges River);

5. 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; and

6. the timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

In view of the previous use of the site as an aerodrome, it is also recommended that Council carry out an investigation as to whether the land is contaminated and the suitability of the site for the proposed residential development. This investigation is to be carried out prior to public exhibition of the planning proposal and is to be publicly exhibited as part of the planning proposal package.

Supporting Reasons : To allow the planning proposal to proceed: it is recommended that the Director General agree to the section 117 matters (above) for the reasons discussed in this report.

Panel Recommendation

Recommendation Date : 29-Mar-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to amend the planning proposal to exclude the proposed prohibition of cemeteries and crematoria in all Rural zones prior to proceeding to exhibition.
2. Council is to amend the planning proposal to exclude the proposed prohibition of sex services premises in the B3 Commercial Core zone prior to proceeding to exhibition.
3. As per the requirements of S117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service and take into consideration any comments made, prior to public exhibition of the planning proposal.
4. 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 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Metropolitan Catchment Management Authority
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Department of Primary Industries (Cemeteries, Catchment and Land Division)

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Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. 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).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:



Date:

