

Rezoning of 33-43 Cumberland Road, Auburn from RE1 (Public Recreation) to R2 Low Density Residential

Proposal Title :	Rezoning of 33-43 Cumberland Road, Auburn from RE1 (Public Recreation) to R2 Low Density Residential		
Proposal Summary :	A proposal to rezone the abovementioned lands from RE1 (Public Recreation) to R2 Low Density Residential under Auburn LEP 2010, to correct a zoning anomaly.		
PP Number :	PP_2012_AUBUR_003_00	Dop File No :	12/15328

Planning Team Recommendation

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

S.117 directions :

- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 6.1 Approval and Referral Requirements
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : The planning proposal should proceed subject to the following conditions:

1. 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 available for 28 days; and
 (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with planning proposals as identified in section 4.5 of the Department of Planning "A guide to preparing local environmental plans" July 2009.

2. Consultation is not required with public authorities under section 56(2)(d) of the EP&A Act.

3. A public hearing under clause 56(2)(e) of the EP&A Act is not required. However this does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

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

Supporting Reasons : The community consultation process is necessary to inform the affected land owners and surrounding residents as well as the local community of the change in zoning to residential. This change will reflect the current use of the lands and correct the long standing anomaly created by the then transition from the old Auburn Planning Scheme 1970 to the now defunct Auburn LEP 2000.

The planning proposal will rectify the zoning anomaly which was considered but not implemented at the finalisation of the Auburn Local Environmental Plan 2010 due to the statutory process of rollover methodology and the need to comply with the timeframe for the ALEP 2010.

Panel Recommendation

Rezoning of 33-43 Cumberland Road, Auburn from RE1 (Public Recreation) to R2 Low Density Residential

Recommendation Date : 27-Sep-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 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).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. 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).

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

Signature:



Printed Name:

NEIL SELMAN

Date:

5/10/12