

In reply please quote 12/03792

29 April 2014

Ms Rachel Cumming
Regional Director
NSW Planning and Infrastructure – Sydney West Region
Locked Bag 5020
PARRAMATTA NSW 2150

Dear Ms Cumming

**DRAFT PLANNING PROPOSAL IN RESPECT OF HOUSEKEEPING LEP
AMENDMENT AFFECTING NUMEROUS SITES THROUGHOUT THE CITY**

Council at its meeting of 9 July 2014 resolved to forward the above planning proposal to the Minister for Planning, under Section 59 of the Environmental Planning & Assessment Act 1979 for finalisation and gazettal.

Council has conformed to the conditions outlined in the Gateway Determination issued on 15 December 2014 with the applicable conditions being:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to:
 - a. Provide current and proposed zoning maps, which clearly identify the land subject to be included on the Land Reservation Acquisition Map and Key Sites Map;
 - b. Provide a draft Land Reservation Acquisition Map, which clearly identifies the site proposed to be subject to acquisition; and
 - c. Provide a map illustrating the relationship of 400 Cabramatta Road West, Cabramatta to the greater key sites area and provide greater context in the planning proposal to the need for this land to be identified as a key site.
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 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 and Infrastructure 2012)
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- Transport for NSW
- Roads and Maritime Services

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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2) 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 12 months from the week following the date of Gateway determination.

The draft Planning Proposal was exhibited for a period of twenty eight days from 22 May 2013 to 19 June 2013. Council received no submissions in response to the public exhibition.

Consultation with the following Public Authorities was undertaken:

- Office of Environment and Heritage
- Transport for NSW
- Roads and Maritime Services.

The following provides a summary of the issue raised by the Roads and Maritime Services (RMS):

Roads and Maritime Services (RMS)

The RMS raises no objection to the Planning Proposal. However the RMS raises the following issues for Council to note:

- RMS will not support any proposed driveways onto a classified road in any future development.
- Council should take consideration Clause 101(2a) of the State Environmental Planning Policy (Infrastructure) 2007, when granting development consent on land that has frontage to a classified road.

Council has resolved to make the following changes to the planning proposal as a result of the public exhibition and consultation process:

- The property located at 620 Elizabeth Drive, Bonnyrigg (site no.3) be deferred from the Planning Proposal and owners of the site be advised that they need to provide additional advice to Council regarding the intended development for the site and arrangements for access (having regard to the advice received from the Roads and Maritime Services) and services.

To enable NSW P & I to finalise this matter, the following information is submitted:

- Copy of the final Draft Planning Proposal (Attachments to Planning Proposal are provided on CD);
- Compact Disc containing the following items
 - o Planning Proposal Attachments (Maps and Table of Changes – Development Standards)
 - o Council officer's report and Council resolution;

Due to minimal staff resources available the draft LEP Map Sheets for the planning proposal will not be completed until 16 May 2014. These maps will be forwarded to NSW P & I on 16 May 2014.

Council requests NSW P & I make arrangements for the legal drafting of the local environmental plan (written instrument and map) with Parliamentary Counsel and consult with Council accordingly. Following this, Council requests the Minister make the plan in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

Should you require any additional information in respect of this matter, please do not hesitate to contact Andrew Mooney on 9725 0214. Council looks forward to hearing from NSW P & I in the near future.

Yours faithfully



ANDREW MOONEY

CO-ORDINATOR

STRATEGIC LAND USE PLANNING