

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

Proposal Title : **Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe**

Proposal Summary : **A planning proposal to amend Part 2 of Schedule 4 Classification and Reclassification of Public Land of the Auburn LEP 2010 to reclassify Council land at Lot 22 DP 219238 Eric Crescent, Lidcombe from Community to Operational.**

PP Number : **PP_2015_AUBUR_002_00** Dop File No : **15/12758**

Proposal Details

Date Planning Proposal Received : **03-Aug-2015** LGA covered : **Auburn**

Region : **Metro(Parra)** RPA : **Auburn Council**

State Electorate : **AUBURN** Section of the Act : **55 - Planning Proposal**

LEP Type : **Reclassification**

Location Details

Street : **Eric Crescent**

Suburb : **Lidcombe** City : Postcode : **2141**

Land Parcel : **Lot 22 DP 219238**

DoP Planning Officer Contact Details

Contact Name : **Tai Ta**

Contact Number : **0298601567**

Contact Email : **tai.ta@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Harinee De Silva**

Contact Number : **0297351232**

Contact Email : **harinee.desilva@auburn.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601149**

Contact Email : **terry.doran@planning.nsw.gov.au**

Land Release Data

Growth Centre : **N/A** Release Area Name :

Regional / Sub Regional Strategy : **Metro Inner West subregion** Consistent with Strategy : **Yes**

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **To the best of the knowledge of the Metropolitan (Parramatta) team there have been no meetings or communications with lobbyists regarding this planning proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Lobbyist Contact register was checked on 25 August 2015. No registered meetings with lobbyists were identified.**

Supporting notes

Internal Supporting Notes : **The regional team supports the planning proposal in principle as it facilitates the reclassification of land from community to operational and enable Council to rationalise its land holding portfolio, and to make unutilised vacant land available for residential development.**

External Supporting Notes : **This is a Council initiated planning proposal. The site to which the proposal applies is a public reserve that has been identified as surplus or redundant to Council's open space needs. Council sought to reclassify this land from community to operational land in June 2002, but due to an administrative error and ownership title issues it was not reclassified.**

The proposal does not change the site's existing R3 Medium Density Residential zoning or principal development standards. The planning proposal would enable Council to dispose of the land following consolidation with an adjoining lot.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives of this planning proposal are:**

- 1. To implement the resolutions of Council made on 17 December 2014 to reclassify the land from community to operational, and discharge any public interests attached to the title;**
- 2. To consolidate the site following reclassification with the privately owned adjoining land and to dispose of the land as one parcel; and**
- 3. To enable the land classification to be consistent with the current Auburn LEP 2010 zoning controls.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal conforms with the Standard Instrument (Local Environmental Plans) Order 2006.**

The proposal identifies land at Lot 22 DP 219238 Eric Crescent, Lidcombe for

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

reclassification from community land to operational land.

The planning proposal does not seek to alter the current zoning of the land which is R3 Medium Density Residential under Auburn Local Environmental Plan 2010.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

3.3 Home Occupations

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 21—Caravan Parks

SEPP No 30—Intensive Agriculture

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 33—Hazardous and Offensive Development

SEPP No 50—Canal Estate Development

SEPP No 55—Remediation of Land

SEPP No 62—Sustainable Aquaculture

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SREP (Sydney Harbour Catchment) 2005

SREP No. 24 - Homebush Bay Area

SEPP (Affordable Rental Housing) 2009

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

SECTION 117 DIRECTIONS:

As the site is currently zoned R3 Medium Density Residential under Auburn LEP 2010, it is not considered that section 117 directions are relevant for this reclassification planning proposal.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Draft maps showing the land proposed for reclassification, and current zoning have been provided and are considered to be adequate for exhibition and consultation purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council is proposing a community consultation period of 28 days. During exhibition of

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

the planning proposal the community will be invited to make written submissions.

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Auburn Local Environmental Plan 2010 was notified on 29 October 2010.

This planning proposal seeks to amend Part 2 of Schedule 4 Classification and Reclassification of Public Land of the Auburn LEP 2010 to reclassify land at Lot 22 Eric Crescent, Lidcombe from community to operational.

The Governor's approval will be required to remove the reserve status of the land.

Assessment Criteria

Need for planning
proposal :

The planning proposal is the appropriate means of reclassifying community land to operational under the Environmental Planning and Assessment Act.

Consistency with
strategic planning
framework :

The planning proposal has addressed the Plan for Growing Sydney (December 2014) and the Draft West Central Subregional Strategy.

The planning proposal is consistent with Action 2.1.1 of the Plan for Growing Sydney which aims at accelerating housing supply and local housing choices.

The planning proposal is not the result of a strategic study or report. The planning proposal results from a Council resolution made on 17 December 2014 reclassify the site from community land to operational land.

Environmental social
economic impacts :

ENVIRONMENT

As the subject land is located within a highly urbanised area there are no critical habitat or threatened species, populations or ecological communities that will be adversely affected by the planning proposal. The site is not located within a critical habitat or threatened species, populations and ecological communities and would not result in adverse impact on such communities.

There are no likely environmental effects as a result of the planning proposal. All potential impacts may be addressed through the relevant planning controls.

SOCIAL AND ECONOMIC

As far as social and economic impacts are concerned, the planning proposal seeks to reclassify Council owned community land to operational land without a rezoning proposal and the land will retain its residential zone.

The provision of additional medium density residential housing would confer social benefits for the community in the longer term.

The planning proposal may create positive economic impacts in terms of initially creating

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

employment/construction opportunities.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **DDG**

Public Authority Consultation - 56(2) (d) : **Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Planning Proposal Appendix A - C.pdf	Proposal	Yes
Planning Proposal Appendix D - F.pdf	Proposal	Yes
Gateway and Letter to Council.pdf	Determination Document	Yes
Planning Team Report signed 09Oct2015.pdf	Determination Document	Yes

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
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceeds subject to the following conditions:**

Auburn Local Environmental Plan 2010 - Amendment No. 21 - Reclassification of land from community to operational - Lot 22 Eric Crescent, Lidcombe

1. Prior to community consultation, Council is to amend 3.1 objectives or intended outcomes of the planning proposal, to indicate the reserve status of the site is to be removed.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979, 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.
3. Council is to conduct a public hearing in accordance with section 29(1) of the Local Government Act 1993, following the community consultation process.
4. No consultation is required under section 56(2)(d) of the Environmental Planning and Assessment Act 1979.
5. The timeframe for completing the LEP is 9 months from the week following the date of the gateway determination.

Supporting Reasons :

The regional team supports the planning proposal in principle as it will facilitate the reclassification of land from community to operational and enable Council to rationalise its land holding portfolio, and to make unutilised vacant land available for residential development.

Signature:



Printed Name:

9/10/15

Date:

T DORAN

date

Name