

Planning Proposal to amend Mapping Anomalies within Auburn Local Environmental Plan 2010

Proposal Title : **Planning Proposal to amend Mapping Anomalies within Auburn Local Environmental Plan 2010**

Proposal Summary : **Proposal to correct mapping anomalies in Auburn LEP 2010. The mapping anomalies occur in various locations across the Local Government Area.**

PP Number : **PP_2011_AUBUR_004_00** Dop File No : **11/11398**

Proposal Details

Date Planning Proposal Received : **05-Apr-2012** LGA covered : **Auburn**

Region : **Sydney Region West** RPA : **Auburn Council**

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

LEP Type : **Housekeeping**

Location Details

Street : **various**

Suburb : **various** City : **Auburn** Postcode : **2144**

Land Parcel :

Street :

Suburb : City : Postcode :

Land Parcel : **Various locations across the whole LGA.**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Rachel Cumming**

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes
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 :

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

If Yes, comment :

Supporting notes

Internal Supporting Notes : This proposal was originally submitted as a section 73A application under the Environmental Planning and Assessment Act 1979. The LEP Panel considered the matter and requested that the proposal be re-submitted as a planning proposal as not all matters could be dealt with under section 73A.

Council was advised of the decision. At its meeting on 21 March 2012 Council resolved to adopt and submit the planning proposal to the Department for a Gateway Determination. The planning proposal was received by the Department's regional office on 5 April 2012.

To the best of the Regional Team's knowledge, this planning proposal complies with the Department of Planning and Infrastructure's Code of Practice in relation to communications and meetings with lobbyists. Lobbyist Contact Register has been checked.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : The objective is to correct errors that occurred in the final stages of drafting the maps for the Principal Auburn LEP.

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

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

Comment : The proposal involves cartographic changes to the LEP maps rather than the written provisions of the instrument. A description of the mapping corrections are provided within

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the attached inventory of mapping anomalies and on the marked-up set of Auburn LEP 2010 maps.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

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

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

d) Which SEPPs have the RPA identified?

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 :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **A set of Auburn LEP 2010 maps (comprising 72 A3 size sheets) has been provided with annotations describing the errors. The Department is revising the maps on behalf of Council.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **No**

Comment : **Community consultation on these matters has already occurred during the draft Principal LEP process. In this regard, Council advises that community consultation is not necessary. The Department supports this approach.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

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 : **October 2010**

Comments in relation to Principal LEP : **The Auburn Principal LEP was made in October 2010.**

Assessment Criteria

Need for planning proposal :

The intent of this planning proposal is to amend the current LEP maps so that they reflect the LEP maps as exhibited during the Principal LEP process and to correct errors made to the maps during Amendment 1 to the LEP.

All of the changes are listed in Council's 'inventory of mapping anomalies' and are marked up on the copy of the Auburn LEP 2010 maps.

The 'minor cosmetic' changes to the LEP maps include the following: correct referencing labels on both the maps and the legend; correct referencing land affected by the SEPP (Major Development); correct application of local government boundary; correct cadastral layers; repositioning so all maps sit straight; repositioning so that the page border prints correctly; reinstating missing notations; correct spelling of a suburb name; remove unnecessary duplication; relocating zoning, height and FSR notations so that they are more legible; consistent application of park names and north points; and correct use of Council's logo.

Other more significant errors are described below:

1. There are several errors on Tile FSR __002, the 3.4:1 FSR has been inadvertently been replaced with a 3:1 FSR and a 'V1' notation has been added during preparation of maps for Auburn LEP 2010 (Amendment No 1).

2. Some land at Wentworth Point that is covered by SEPP (Major Development) Amendment (Sydney Olympic Park) 2009 is deferred land, however on the Flood Planning Map (FLD_009) the land is shaded blue as being affected by the Flood Planning Area. Council has requested that this land be shown uncoloured.

3. There is an error showing a 27m height notation on the Height of Buildings Map (Tiles 001, 002, 006) for land within the Parramatta Road Precinct. The map should be uncoloured and edged orange so that only office premises and hotel and motel accommodation development achieve this height, in accordance with clause 4.3(2A)(a).

4. There is an error showing a 14m height notation on the Height of Buildings Map (Tile 006) for land within the Silverwater Road Precinct. The map should be uncoloured and edged light purple so that only office premises and hotel and motel accommodation development achieve this height, in accordance with clause 4.3(2A)(b).

Sydney West was aware of clause 4.3(2A) when reviewing the draft instrument, and was satisfied that other built forms (eg. light industries, neighbourhood shops) can be satisfactorily controlled by other controls, such as FSR.

The land was exhibited with no underlying height control, and it appears that the introduction of a height control is an error (otherwise clause 4.2(2A)(a) would be superfluous). The removal of the height control may affect the neighbouring land by changing the maximum height from 27m (and 14m) to unlimited. However, the council's request is supported as any adverse affect on neighbouring land is unlikely to be significant due to inbuilt controls such as zoning and FSR which limit the building forms in these locations.

Consistency with strategic planning framework :

The proposal is consistent with the State's strategic planning framework in that it aims to ensure that the Auburn LEP 2010 provides accurate mapping information consistent with the written planning instrument. The Regional Office supports the above revisions.

Environmental social economic impacts :

There are no significant environmental, social or economic impacts. The proposed map changes will help to avoid confusion arising from incorrect map notations.

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Assessment Process

Proposal type : **Minor** Community Consultation Period : **Nil**

Timeframe to make LEP : **3 Month** Delegation : **DDG**

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

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 :

Legal Services

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Auburn1 Land Application, Zoning, Lot size maps.pdf	Map	Yes
Auburn2 Lot size, HOB, FSR maps.pdf	Map	Yes
Auburn3 FSR,LRA, Heritage, ASS Maps.pdf	Map	Yes
Auburn4 ASS,FP,FBL,Heritage maps.pdf	Map	Yes
Annotated_FSR_002_Map[1].pdf	Map	Yes
Minutes of Council Meeting.pdf	Proposal	Yes
Inventory of Mapping Anomalies.pdf	Proposal	Yes
Covering letter.pdf	Proposal Covering Letter	No

Planning Team Recommendation

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

S.117 directions:

Additional Information : **It is recommended that the proposal to amend Auburn LEP 2010 to correct mapping errors be supported.**

Supporting Reasons : **The proposed LEP will address errors that were made to the Auburn LEP 2010 maps during finalising the drafting of the LEP.**

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These changes are all considered minor.

Signature:

RJ Cumming

Printed Name:

Rachel Cumming

Date:

20 April 2012

Team Leader