

Report by Frankie Liang, Strategic Planner

RECOMMENDATION

- 1. That Council endorse the draft Housekeeping Planning Proposal.**
- 2. That Council submit the Housekeeping Planning Proposal to the Department of Planning and Environment for a Gateway Determination.**
- 3. That Council request the Department of Planning and Environment to issue written authorisation for Council to exercise delegation in accordance with s23 of the Environmental Planning & Assessment Act 1979 to prepare and make the LEP following Gateway determination (and public exhibition).**
- 4. That should a Gateway determination be issued, a further report be presented to Council following the public exhibition period, to demonstrate compliance with the Gateway determination and to provide details of any submissions received in the plan-making process.**

PURPOSE OF REPORT

1. This Report has been prepared to outline the draft housekeeping amendments to the Strathfield Local Environmental Plan 2012.
2. To seek Council's endorsement on the draft Housekeeping Planning Proposal and to submit to the Department of Planning & Environment to commence the plan making process.

REPORT

Background

Strathfield Council's environmental planning instrument *Strathfield Local Environmental Plan 2012* (SLEP 2012) was gazetted on 15 March 2013. Since the commencement of SLEP 2012, Council Officers have become aware of several minor anomalies and errors within the SLEP 2012 maps and written instrument.

In January 2015, a Section 73A submission (amending obvious errors in the SLEP 2012) was previously completed by Council as the delegated authority from the Department of Planning & Environment (the Department). In accordance with the previous advice from the Department, some amendments initially proposed to be included in that submission were postponed to this housekeeping amendment process subject to Community Consultation.

This housekeeping amendment to SLEP 2012 has been prepared to address these minor issues and to improve the operation and accuracy of the plan.

Housekeeping Planning Proposal

In summary, this Housekeeping Planning Proposal (attachment 1) intends to rectify eight (8) minor anomalies in the SLEP 2012, which are as follows:

1. Missing building height and floor-space ratio at southern end of Enfield Intermodal Logistics Centre (ILC)
2. Error in building height at 2-26 Telopea Avenue, Homebush West
3. Missing Floor Space Ratio at Weeroona Road Industrial Precinct
4. Missing Floor Space Ratio at 415 Liverpool Road, Strathfield
5. Error in Floor Space Ratio at 14 Rochester Street and 55 Rochester Street, Homebush
6. Error in identifying location of St. Columba's Anglican Church on Heritage Map
7. Error in incentive building height controls for Key Site 74 and Key Site 75
8. Discrepancy between written instrument and Parramatta Road Key Sites map due to previously removed key sites

The Housekeeping Planning Proposal has been prepared in accordance with the Department's guidelines "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

A description of the each item, associated justification and mapping amendments are also outlined in Appendix 1 of the Housekeeping Planning Proposal.

LEP Plan Making Process

Should Council resolve to proceed with the Housekeeping Planning Proposal, the LEP plan making process generally involves the following main steps:

- The Department undertakes an assessment of the Planning Proposal and issues a Gateway Determination to provide advice as to whether the LEP Amendments can proceed;
- The Gateway Determination would also determine whether any additional justification is required, the length of public exhibition of the Planning Proposal, the relevant state agencies and stakeholders to be consulted, and any other relevant conditions;
- Council updates the Planning Proposal in accordance with the Gateway conditions and publicly exhibits the Planning Proposal;
- Council considers submissions received and whether to amend the Planning Proposal and submit this to the Department;
- Final assessment is undertaken by Council (under delegated authority) or the Department; and
- The Plan is then forwarded to Parliamentary Counsel to be made.

Conclusion

The majority of the proposed housekeeping amendments to the SLEP 2012 are generally of an administrative nature and need to be amended in order to prevent Council's planning controls being misinterpreted in the future. Given the nature of this Planning Proposal, it is recommended that Council requests the Department issue written authorisation to exercise local delegations to make this Plan. This will streamline the Plan Making process and enable the SLEP amendment to be processed by Council Officers.

A further report to Council will be provided for consideration following the Gateway Determination and Public Exhibition prior to the finalisation of this LEP Amendment.

REFERRAL FROM OTHER DEPARTMENT

Council's Planning Officers and Legal Officer were consulted on the proposed amendments to the SLEP.

FINANCIAL IMPLICATIONS

There are no financial implications of this Planning Proposal to Council.

ATTACHMENTS

1. Draft Housekeeping Planning Proposal to Amend SLEP 2012.

Report approved by:

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A/Manager Planning & Development	A/Director Infrastructure & Development