

Contact: Stephanie Lum
Phone: 9330 9437
File Reference: D20/30097

12 February 2020

Mr Brendan Metcalfe
Acting Director Eastern and South Districts
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Metcalfe,

Planning Proposal – Georges River Local Environmental Plan 2020

The Planning Proposal for the *Georges River Local Environmental Plan (GRLEP) 2020* was reported to Council's Environment and Planning Committee on 11 November 2019 and subsequently to Council at its meeting on 25 November 2019. However, Council was unable to form a quorum and exercise its planning proposal authority functions at both meetings as a result of Councillors appropriately managing pecuniary conflicts of interest in accordance with Council's Code of Conduct (adopted 27 May 2019 and reflects the *NSW Model Code of Conduct 2018*).

In accordance with the General Manager's delegated functions under Section 377 of the *Local Government Act 1993*, Council's Acting General Manager sub-delegated Council's functions as the planning proposal authority to the Georges River Local Planning Panel (LPP) for the purpose of submitting this Planning Proposal for a Gateway Determination to the Department of Planning, Industry and Environment (DPIE), pursuant to Section 378 of the LG Act on 21 January 2020.

Accordingly, the LPP considered the Planning Proposal for the *GRLEP 2020* at its meeting on 6 February 2020 and as delegate of the Georges River Council resolved that:

(a) The Planning Proposal PP2019/0004 for Georges River Local Environmental Plan 2020 be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979, subject to the following amendments:-

*(i) Insertion into clause 1.2 Aims Of The Plan the following aim:
- to promote a high standard of urban design and built form.*

(ii) Delete clause 6.12 (7) landscaped area and deep soil area definitions of the draft instrument so that the standard instrument LEP definition of landscaped area applies.

(iii) The inclusion of a savings provision as Clause 1.8A in the following terms:

Savings provisions relating to development applications

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

(1) The Minister be informed that the Georges River Council does not seek to be the local plan making authority for the proposed Georges River Local Environmental Plan 2020.

In accordance with the LPP's resolution, Council requests a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment (EP&A) Act 1979* and that the Minister or its delegate undertake the functions of the local plan-making authority in accordance with Section 3.31 of the *EP&A Act*.

A Planning Proposal is enclosed together with the relevant LEP maps and attachments. The Planning Proposal has been prepared in accordance with Section 3.33 of the *EP&A Act*, and the DPIE's guidelines titled, "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

The enclosed Planning Proposal includes the following relevant supporting documents:

- Appendix 1 Draft instrument - Georges River Local Environmental Plan 2020
- Appendix 2 Consistency with the Greater Sydney Region Plan, South District Plan and Council's Local Strategic Planning Statement 2040
- Appendix 3 Development standards justification
- Appendix 4 Additional local provisions justification
- Appendix 5 Consistency with State Environmental Planning Policies (SEPPs)
- Appendix 6 Consistency with S9.1 Ministerial Directions
- Appendix 7 Georges River Local Environmental Plan 2020 Mapping

In addition to the Planning Proposal, please also find enclosed a copy of the following documentation:

- Georges River Local Planning Panel report and minutes – dated 6 February 2020
- Information Checklist for the Planning Proposal

Council has a funding agreement with the DPIE under the Accelerated LEP Review Program. The funding agreement is for \$2.5 million subject to the completion of project milestones, including submission of the draft *GRLEP 2020* for finalisation to the DPIE by the 30 June 2020.

Council officers are continuing to prepare for the public exhibition of the draft *GRLEP 2020* with the aim of commencing the engagement program in late February. Council acknowledge the DPIE's review of the draft *GRLEP 2020* to date and appreciate the

opportunity to resolve any issues prior to the issuing of a Gateway Determination by the end of February 2020 in order for Council to meet the 30 June 2020 deadline.

You may recall that at the meeting dated 17 January 2020, the DPIE raised a number of concerns regarding the content of the draft *GRLEP 2020*. Council is currently responding to these issues and will arrange a meeting with you and your team to discuss a workable solution.

Should you have any queries regarding this matter please do not hesitate to contact Stephanie Lum, Coordinator Strategic Planning, on 9330 9437 or Anne Qin, Strategic Planner/Urban Designer, on 9330 6266.

Yours sincerely



Meryl Bishop
Director Environment and Planning

Attached:

- Planning Proposal for the *Georges River Local Environmental Plan 2020* and supporting documents.
- Georges River Local Planning Panel report and minutes – dated 6 February 2020.
- Information Checklist for the Planning Proposal.