

North West Local Area

Proposal Title : **North West Local Area**

Proposal Summary : **The planning proposal intends to amend the land use table for the 2(b) and 3(b) zones. The planning proposal also intends to implement the Local Area Plan for the North West Local Area (which includes the suburbs of Bass Hill, Chester Hill, Georges Hall, Lansdowne, Sefton and Villawood East) by amending the zoning, height, heritage, biodiversity protection and FSR maps.**

PP Number : **PP_2013_BANKS_001_00**

Dop File No : **13/18257**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
6.2 Reserving Land for Public Purposes
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **S117 DIRECTIONS**

Council should be advised that inconsistencies with s117 Directions 3.5, 4.1 and 4.3 are of minor significance and no further approval is required in relation to these Directions.

Inconsistency with s117 Directions 3.1, 6.2 and 6.3 needs to be further addressed within the planning proposal.

DELEGATION

Council has not requested delegation and as the proposal is for a precinct it is not considered to be a minor matter. Therefore it is recommended that the Deputy Director General exercise the plan making delegation.

RECOMMENDATION

That the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:

(a) The introduction and Part 1 - Intended Outcomes are to be corrected to identify that the planning proposal applies to the entire LGA, not just the North West Local Area. An explanation is to be included regarding proposed changes to the land use tables.

(b) Part 1 of the planning proposal is to include the following information from the report to Council dated 24 September, 2013:

- details under the heading of "proposed land use changes" contained on page 17;
- the tables outlining proposed zoning changes contained on pages 11 -15; and
- the text under the heading "proposed floor space ratio and building height changes on pages 17 and 18.

(c) Include the column "current use" from the table on page 21 of the Council report into

the relevant table on page 7 of the planning proposal.

(d) Revise the planning proposals attached maps to ensure that the maps exhibited are of a high enough resolution and size to enable the community's review of proposed controls on a site by site basis (eg. A3).

(e) Update the information on page 11 of the planning proposal regarding s117 Direction 3.1 Residential Zones to include a commentary on proposed changes to the land use tables and justify inconsistency with clause 4(a).

(f) Update the information on page 12 of the planning proposal regarding s117 Direction 6.2 to include the address of any sites proposed to be rezoned from open space and discuss whether this is consistent with the Direction.

(g) Include a commentary on the inconsistency with s117 Direction 6.3 Site Specific Provisions with regard to the proposed additional uses outlined on page 7 of the planning proposal.

(h) Reword the table in Part 2 - Explanation of Provisions to make it clear that various maps will be amended, not just the definition of these maps.

2. Council is to consult with the following agencies during the public exhibition period:

- Transport for NSW (including Transport NSW, RMS and Railcorp);
- Office of Environment and Heritage;
- Land and Housing Corporation; and
- adjoining LGA's

3. The planning proposal be publicly exhibited for 28 days.

4. The timeframe for making of the LEP is to be 9 months from the week following the Gateway determination.

Supporting Reasons :

This planning proposal is supported as:

1. It will implement Council's adopted North West Local Area Plan;
2. It seeks to achieve the dwelling targets within the Draft West Central Subregional Strategy; and
3. It aims to provide sufficient land to achieve employment growth as specified in the Employment Lands Development Study.

Panel Recommendation

Recommendation Date : **21-Dec-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

The Planning Proposal should proceed subject to the following conditions:

1. Council is to clearly identify how the planning proposal will amend the draft Bankstown LEP 2013, if necessary, in order that the amendment may proceed irrespective of the timing of the finalisation of Council's Standard Instrument LEP. Council should include an explanation of the relationship of the amendment to controls for the subject land under the draft Bankstown LEP 2013.

2. Prior to public exhibition, Council is to amend the planning proposal as follows:

(a) The Introduction and Part 1 – 'Intended Outcomes' are to be corrected to identify that the planning proposal applies to the entire LGA, not just the North West Local Area. An explanation is to be included regarding proposed changes to the land use tables.

(b) Part 1 of the planning proposal is to include the following information from the report to Council dated 24 September 2013:

- details under the heading of "proposed land use changes" contained on page 17;
- the tables outlining proposed zoning changes contained on pages 11 -15; and
- the text under the heading "proposed floor space ratio and building height changes" on pages 17 and 18.

(c) Include the column "current use" from the table on page 21 of the Council report into the relevant table on page 7 of the planning proposal.

(d) Revise the planning proposal's attached maps to ensure that the maps exhibited are of a high enough resolution and size to enable the community's review of proposed controls on a site by site basis (eg. A3).

(e) Update the information on page 11 of the planning proposal regarding s117 Direction 3.1 Residential Zones to include a commentary on proposed changes to the land use tables and justify inconsistency with clause 4(a).

(f) Update the information on page 12 of the planning proposal regarding s117 Direction 6.2 Reserving Land for Public Purposes to include the address of any sites proposed to be rezoned from open space and discuss whether this is consistent with the Direction.

(g) Include a commentary on the inconsistency with s117 Direction 6.3 Site Specific Provisions with regard to the proposed additional uses outlined on page 7 of the planning proposal.

(h) Reword the table in Part 2 - Explanation of Provisions to make it clear that various maps will be amended, not just the definition of these maps.

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW (including Transport NSW, RMS and Railcorp)
- Office of Environment and Heritage
- Land and Housing Corporation; and
- adjoining LGA's.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Once the above consultation with public authorities has been undertaken, Council is to update the planning proposal to reflect the outcomes of the work and consultation undertaken prior to exhibition.

4. 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 a minimum of 28 days; and
5. 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 & Infrastructure 2013).

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) 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).

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Delegations:

Council has not requested delegation for the making of this plan. The LEP Review Panel has recommended Council not be issued with plan making delegation.

North West Local Area

Signature:



Printed Name:

JAMES MATTHEWS

Date:

10/12/13