

PE1 DRAFT PLANNING PROPOSAL - STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 - HOUSEKEEPING AMENDMENT 2024

AUTHOR: Rita Vella, Executive Planner, Strategic Planning

APPROVER: Clare Harley, Director Planning and Environment

RECOMMENDATION

1. That Council notes the advice provided by the Strathfield Local Planning Panel on 10 October 2024 regarding the draft Planning Proposal for a housekeeping amendment to the *Strathfield Local Environmental Plan 2012*.
2. That Council forward the Planning Proposal – Housekeeping Amendment 2024 included at **Attachment 1** to the Department of Planning, Housing and Infrastructure under Section 3.34 of the *Environmental Planning and Assessment Act 1979* for Gateway determination.
3. That Council delegates authority to the General Manager to make necessary amendments to the Planning Proposal and supporting documents arising from a Gateway Determination and prior to public exhibition.
4. That Council endorse public exhibition of the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning, Housing and Infrastructure.
5. That a further report be brought back to Council following the exhibition of the Planning Proposal.

PURPOSE OF REPORT

This report seeks Council's endorsement to forward a draft Planning Proposal, Strathfield Local Environmental Plan (SLEP) 2012 - Housekeeping Amendment 2024 (Attachment 1), to the Department of Planning, Housing and Infrastructure (DPHI) and Environment (DPE) for a Gateway Determination.

The Planning Proposal seeks to amend the SLEP 2012 to respond to a range of administrative and housekeeping issues to the instrument and accompanying mapping which were identified as part of a previous Planning Proposal, which was subsequently withdrawn by Council.

The objective of the Planning Proposal is to amend the SLEP 2012:

- To improve its operation and accuracy by correcting identified anomalies and inconsistencies to existing provisions and maps,
- **By implementing the outcomes of Council's endorsed Biodiversity Conservation Strategy and Action Plan 2020-2030,**
- By responding to a request by Sydney Water to rezone existing Sydney Water infrastructure from R2 Low Density Residential to SP2 to better reflect their current and future use of the land,
- To expand the permitted uses in the E4 General Industrial zone to enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers, consistent with the objectives of the zone, and
- To ensure that heritage items and significant properties are correctly identified and protected.

The Planning Proposal was considered by the Strathfield Local Planning Panel (LPP) at its meeting on 10 October 2024. The LPP supported the Planning Proposal to be forwarded to the DPHI for a Gateway Determination.

Specifically, the Planning Proposal seeks to amend Strathfield LEP 2012 as follows:

- Amend the Land Use Table for the E4 General Industrial zone under Item 3 – Permitted with consent to include *recreation facility (indoor)*
- Amend Clause 4.1 – Minimum subdivision lot size
- Amend Clause 4.1A Minimum lot size for dual occupancies, multi dwelling housing and residential flat buildings
- Amend *Clause 6.11 Terrestrial biodiversity*
- Amend *Schedule 2 Exempt development*
- Amend *Schedule 5 Environmental Heritage – Part 1 Heritage*
- Amending *Schedule 5 – Environmental Heritage – Part 2 Heritage Conservation Areas*
- Amend the zoning of Sydney Water land from R2 Low Density to SP2 – Infrastructure and update the LZN map to reflect the change
- Introduce a Terrestrial Biodiversity Map
- Amend the Heritage Map

REPORT

BACKGROUND

In 2021, Council lodged a draft Planning Proposal with the Department of Planning and Environment (DPE) for the preparation of a new Strathfield Local Environmental Plan (Strathfield LEP 2021). The draft Planning Proposal included a long list of items for consideration.

On 29 April 2022, DPE issued a Gateway Determination which identified an extensive list of matters that should not be progressed, or required significant, additional work.

On 4 April 2023, Council resolved to withdraw the Comprehensive LEP 2021 Planning Proposal (PP-2021-3803). Council also resolved that it:

Be provided with a briefing, at a Councillor Workshop, to confirm next steps for progressing key components contained within the draft Local Environmental Plan 2021, in a new Planning Proposal to amend the Strathfield Local Environmental Plan 2012.

On 6 April 2023, a letter was sent to the DPE requesting the formal withdrawal of the Planning Proposal. The reasons for withdrawal can be broadly summarised as follows:

1. More evidence base needed
2. Non-compliances with Ministerial Direction requirements

On 24 October 2023, a Councillor Workshop was held to brief the Councillors on a way forward to progress several amendments to the Strathfield LEP.

On 14 November 2023, Council considered a report that outlined several amendments to the Strathfield LEP 2012 that could be progressed as a Housekeeping Amendment following the withdrawal of the Comprehensive LEP 2021 Planning Proposal (PP-2021-3803).

In this regard, Council resolved in part the following (289/23):

That:

1. *In accordance with the provisions of the Environmental Planning and Assessment Act 1979, Council endorse the preparation of a draft Planning Proposal to amend the Strathfield Local Environmental Plan 2012 in relation to the following eight (8) items:*
 - a) *Exclusion of access handles when calculating site area for battle-axe lot or any lot with an access handle for the purposes of minimum subdivision lot size*
 - b) **Introduction of 'Creative Industries' as Permitted with Consent in E4 General Industrial Zone.**
(N.B. Creative Industries are a type of Light Industry)
 - c) *Removal of signage from Schedule 2 – Exempt Development*
 - d) *Terrestrial Biodiversity – remove specific land mentioned in LEP Clause and reference new Terrestrial Biodiversity Map/s*
 - e) *Amend Schedule 5 as follows:*
 - Part 1 – Add existing State Heritage Items*
 - Part 2 – Expand the Burlington Road Heritage Conservation Areas*
 - f) *Rezoning selected Sydney Water lands from R2 Low Density Residential to SP2 Infrastructure and RE1 Public Recreation*
 - g) **Introduction of 'Recreation Facility (indoor)' as Permitted with Consent in the E4 General Industrial zones**
 - h) *Editorial and mapping updates to remove / update references to old legislation and update all mapping*
2. *The draft Planning Proposal be reported to a future Council Meeting to obtain approval to lodge it with the Department of Planning and Environment to seek a Gateway Determination.*

As outlined above, Council's resolution has been addressed except for (b) which is not required as "creative industries" are already a permitted use in the E4 General Industrial zone, under the parent term *light industry*.

Table 1 below provides a summary of how the PP seeks to amend SLEP 2012 and its consistency with Council's resolution of 14 November 2023:

Table 1: Summary of proposed amendments to SLEP 2012 and consistency with Council Resolution 289/23

Proposed Amendment to SLEP 2012	Council Resolution Item (289/23)
Amend <i>Clause 4.1 – Minimum subdivision lot size</i> to include a sub-clause that clarifies the exclusion of the calculation of the access handle for a battle axe block for the purposes of subdivision	a)
Amend <i>Clause 4.1A Minimum lot size for dual occupancies, multi dwelling housing and</i>	a)

Proposed Amendment to SLEP 2012	Council Resolution Item (289/23)
<i>residential flat buildings</i> to include a sub-clause that clarifies the exclusion of the calculation of the access handle for a battle axe block for the purposes of subdivision (so as to ensure consistency)	
Amend <i>Schedule 2 Exempt development</i> to remove the signage provisions	c)
Amend <i>Clause 6.11 Terrestrial biodiversity</i> by deleting subclause (2) that references land at 38–50 Weeroona Road, Strathfield, being Lot 1, DP 803688, and introduce a Terrestrial Biodiversity Map that identifies the key biodiversity areas identified in the <i>Strathfield Biodiversity Conservation Strategy and Action Plan 2020-2030</i>	d)
Amend <i>Schedule 5 Environmental Heritage – Part 1 Heritage items</i> to: <ul style="list-style-type: none"> update the item name from Australian Catholic University, Strathfield Campus (includes former “Mount Royal”)—various buildings and landscape to Mount St Mary Campus of the Australian Catholic University and significance from local to State 	e)
Amend <i>Schedule 5 – Environmental Heritage – Part 2 Heritage Conservation Areas</i> to: <ul style="list-style-type: none"> Expand the HCA C3 to include Nos 57-59 and 61 Burlington Road, Homebush and rename HCA C3 from <i>Pair of Federation Queen Anne style houses</i> to <i>Burlington Road Conservation Area</i>. The Heritage Conservation Area Map is to be updated to reflect the change 	e)
Rezone in accordance with the request from Sydney Water land in its ownership and control from R2 Low Density Residential to SP2 Infrastructure.	f)
Amend the Land Use Table to the E4 General Industrial zone to include <i>recreation facility (indoor)</i> as a permitted use	g)

In terms of Item b) of Council's resolution, “creative industries” are already a permitted use in the E4 General Industrial zone, under the parent term *light industry* so this amendment has not been included in the PP.

OVERVIEW OF THE PLANNING PROPOSAL

A draft Planning Proposal (Strathfield Local Environmental Plan 2012 – Housekeeping Amendment 2024) has been prepared and is included at **Attachment 1**. To achieve the objectives and intended outcomes, the PP proposes to amend the SLEP 2012 with the following types of amendments:

- Instrument only amendments;
- Instrument only amendments – Schedule 5 Environmental Heritage;
- Instrument and map amendments.
- Instrument and map amendments - Schedule 5 Environmental Heritage

a. Instrument only amendments

Instrument only amendments (Items 1–4 of the attached Planning Proposal) are amendments to the SLEP 2012 affecting the written instrument only, and do not affect any of the SLEP map sheets. These include:

- (i) *Amending the Land Use Table to the E4 General Industrial zone to include recreation facility (indoor) as a permitted use.*

Justification

The Greater Sydney Commission's A Metropolis That Works defines urban services as a wide range of industries that enable the city to develop and its businesses and residents to operate. This encompasses an eclectic landscape of panel beaters, home renovation services, glass makers, small-scale manufacturing companies, redistribution centres, kids indoor play zones, food preparation and catering facilities, repair workshops, gyms and the like.

The primary purpose of land in the E4 zone is to support industrial and warehousing land uses with non-industrial land uses such as retail being limited to meeting the daily needs of those businesses and workers. An objective of the E4 zone in Strathfield LEP 2012 is *to enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers*. The amendment is consistent with this objective.

The *Toolkit – Employment Zones Reform (November 2021)* prepared by the then Department of Planning, Industry and Environment identified that indoor recreation, including gymnasiums and play centres, in industrial areas may be suitable for the broader E4 General Industrial zone, if future applications can demonstrate compatibility with the dominant industrial character.

It is noted that recreation facility (indoor) is a permitted use in E4 zone in adjoining councils' LEPs (Canada Bay LEP, Inner West LEP 2022 (E4) and IN2 Light Industrial Zone in Canterbury-Bankstown LEP 2023).

The inclusion of recreation facility (indoor):

- Is consistent with the Department's consideration for land uses within the E4 zone
- Meets the existing objectives of the E4 zone by *enabling limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers*; and
- Is consistent with the permitted land uses in the E4 zones of the adjoining councils

Additional controls will be incorporated into the DCP to ensure that this use does not become a dominant use in the E4 zone.

- (ii) *Amending Clause 4.1 Minimum subdivision lot size to include a sub-clause that requires the exclusion of the calculation of the access handle for a battle axe block for the purposes of subdivision.*

Justification

This will correct a current anomaly between the Strathfield Consolidated Development Control Plan (DCP) 2005, which excludes the access handle in the lot size calculations. It is currently silent in the LEP.

The proposed amendment does not propose any changes to the minimum allotment size and aims to ensure that the subdivision of land does not result in an allotment that does not allow for the orderly development of the land.

The proposed amendment is also consistent with our neighbouring Councils LEPs (Canterbury Bankstown and Canada Bay) which exclude the access handle in site area calculation for the purposes of subdivision.

- (iii) *Amending Clause 4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings to include a sub-clause that requires the exclusion of the calculation of the access handle for a battle axe block for the purposes of subdivision.*

Justification

This will correct a current anomaly between the Strathfield Consolidated Development Control Plan (DCP) 2005, which excludes the access handle in the lot size calculations. It is currently silent in the LEP and will be consistent with Clause 4.1

The proposed amendment does not propose any changes to the minimum allotment size for the relevant development types and aims to ensure that the minimum lots size for dual occupancy, multi-dwelling housing and residential flat buildings does not result in an allotment that does not allow for the orderly development of the land.

- (iv) *Amending Schedule 2 Exempt development to remove the signage provisions which are now contained within State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

Justification

The exempt provisions for signage were added to the Codes SEPP in February 2012, which is after the SLEP 2012 was drafted. As the same provisions are now included in the Codes SEPP and the provisions in the SEPP override the LEP, it is proposed to delete these provisions to ensure clarity and reduce inconsistency.

b. Instrument only amendments – Schedule 5 Environmental Heritage

Instrument only amendments – Schedule 5 Environmental Heritage (Item 5 of the attached Planning Proposal) are amendments to the SLEP 2012 affecting the written instrument only, and do not affect any of the SLEP map sheets. These include:

- (v) *Amending Schedule 5 Environmental Heritage – Part 1 Heritage items to update the item name from **Australian Catholic University, Strathfield Campus (includes former “Mount Royal”)—various buildings and landscape to Mount St Mary Campus of the Australian Catholic University and significance from local to State (Item No 192)***

Justification

Item 192 in Schedule 5 Environmental Heritage – Part 1 is proposed to be updated to be consistent with the State Heritage listing for the property. It is also proposed to amend the item's significance from 'local' to 'State' consistent with the State Heritage Register.

No changes are proposed to the Heritage Map layer for this property.

c. Instrument and map amendments.

Instrument and map amendments (Item 6 & 7 of the attached Planning Proposal) are amendments to the SLEP 2012 affecting the map and written instrument. These amendments include:

- (vi) *Amend Clause 6.11 Terrestrial biodiversity by deleting subclause (2) that references land at 38–50 Weeroona Road, Strathfield, being Lot 1, DP 803688, and introduce a Terrestrial Biodiversity Map that identifies the key biodiversity areas identified in the Strathfield Biodiversity Conservation Strategy and Action Plan 2020-2030*

Justification

The *Strathfield Biodiversity Conservation Strategy and Action Plan 2020-2030* has been endorsed by Council and includes key biodiversity areas across the LGA.

Currently, Clause 6.11(2) includes reference to one (1) property, being land at 38–50 Weeroona Road, Strathfield, being Lot 1, DP 803688. As the Biodiversity Conservation Strategy identifies additional properties; to ensure that this provision reflects the recommendations of the Council endorsed Strategy, it is proposed to amend Clause 6.11(2) to remove the specific reference to land at 38-50 Weeroona Road, Strathfield and introduce a Terrestrial Biodiversity map, that maps the identified properties.

The proposed amendment to the Clause and the introduction of the Terrestrial Biodiversity map will ensure that high priority biodiversity areas in the LGA consistent with Council's Strategy are identified, preserved and protected. A draft Terrestrial Biodiversity Maps has been prepared and is shown in Figure 1 below.

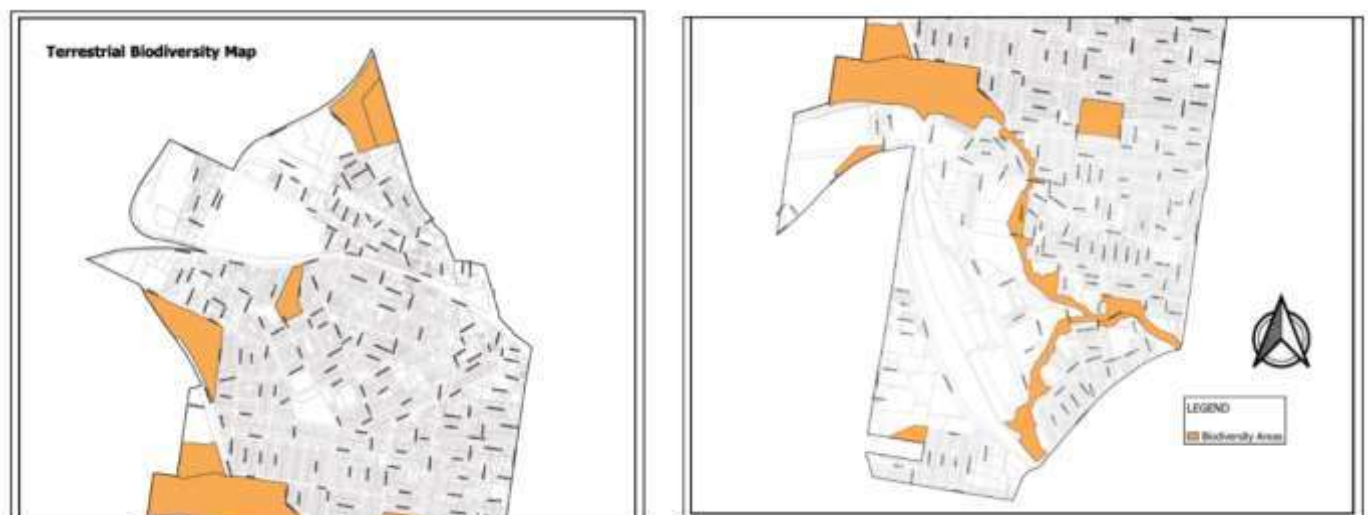


Figure 1: Proposed Terrestrial Biodiversity Mapping

- (vii) *Rezone identified Sydney Water sites to SP2 – Infrastructure to better recognise and reflect the existing and on-going permanent infrastructure use of the site*

Justification

During the exhibition of the Strathfield 2040 - Local Strategic Planning Statement, Sydney Water made a submission requesting that infrastructure land within their ownership within the Strathfield LGA be rezoned to SP2 to better reflect their current and future use of the land, which is for water infrastructure. A copy of the Sydney Water submission is included at Attachment 2.

Council subsequently prepared a Planning Proposal for a comprehensive review of the Strathfield LEP 2012 titled Strathfield LEP 2021. This Planning Proposal proposed to rezone:

- Coronation Parade (Lot 7 DP 30405) and 75 Churchill Avenue (Lot 1 DP 959595) from R2 Low Density Residential to SP2 Infrastructure to better recognise and reflect their existing and on-going permanent infrastructure use; and
- Homebush Road to Rickard Road (Lots 1 to 4 DP 127839) and Fitzgerald Crescent, Strathfield (Lot 1 DP 745077, Lot 2 DP 745077 & Lot 2 DP 635485) from R2 Low Density Residential to RE1 Public Recreation to open up this vacant area for public use and provide a key east-west link pedestrian access, whilst **maintaining the site's primary use.**

The Gateway Determination was issued by DPHI on 29 April 2022, however as outlined above the Planning Proposal was not progressed and was withdrawn.


Prior to the preparation of this Planning Proposal, a meeting was held with the property arm of Sydney Water on 24 January 2024 to discuss the rezoning of their sites. At this meeting Sydney Water indicated that their preferred option for their sites currently is to retain the existing R2 Low Density Residential zone for the subject sites. The reason for this request is to retain the zone that will facilitate the highest and best use for these sites.

The current R2 zoning of the properties in Sydney Water ownership does not reflect the current and permanent use of the sites. It is proposed to rezone the sites identified in Table 1 below to SP2 – Infrastructure to better reflect the use of the land as water infrastructure as initially requested by Sydney Water.

The SP2 zone also clearly identifies that the land is used for infrastructure purposes, and this zoning provides transparency and clarity.

Consultation with Sydney Water (as owner of the land) will be required as part of any future public exhibition of the Planning Proposal and it is proposed that Sydney Water provide sufficient justification for an alternate rezoning of land that is currently used for water infrastructure.

Table 2 below identifies the Sydney Water sites and the existing zoning:

Subject Property	Location/Zoning Map															
Coronation Parade (Lot 7 DP 30405)	<p style="text-align: center;">Existing Zoning</p>  <p>LEGEND</p> <table><tr><td>Existing Zone</td><td>R2 Local Centre</td><td>R3 Medium Density Residential</td></tr><tr><td>R2 Low Density Residential</td><td>R4 Mixed Use</td><td>R5 Public Recreation</td></tr><tr><td>L20</td><td>R6 Enterprise Corridor</td><td>R6 Private Recreation</td></tr><tr><td>B1 Neighbourhood Centre</td><td>R7 General Industrial</td><td>SP2 Infrastructure</td></tr><tr><td></td><td>R3 Low Density Residential</td><td></td></tr></table>	Existing Zone	R2 Local Centre	R3 Medium Density Residential	R2 Low Density Residential	R4 Mixed Use	R5 Public Recreation	L20	R6 Enterprise Corridor	R6 Private Recreation	B1 Neighbourhood Centre	R7 General Industrial	SP2 Infrastructure		R3 Low Density Residential	
Existing Zone	R2 Local Centre	R3 Medium Density Residential														
R2 Low Density Residential	R4 Mixed Use	R5 Public Recreation														
L20	R6 Enterprise Corridor	R6 Private Recreation														
B1 Neighbourhood Centre	R7 General Industrial	SP2 Infrastructure														
	R3 Low Density Residential															
75 Churchill Avenue (Lot 1 DP 959595)	<p style="text-align: center;">Existing Zoning</p>  <p>LEGEND</p> <table><tr><td>Existing Zone</td><td>R2 Local Centre</td><td>R3 Medium Density Residential</td></tr><tr><td>R2 Low Density Residential</td><td>R4 Mixed Use</td><td>R5 Public Recreation</td></tr><tr><td>L20</td><td>R6 Enterprise Corridor</td><td>R6 Private Recreation</td></tr><tr><td>B1 Neighbourhood Centre</td><td>R7 General Industrial</td><td>SP2 Infrastructure</td></tr><tr><td></td><td>R3 Low Density Residential</td><td></td></tr></table>	Existing Zone	R2 Local Centre	R3 Medium Density Residential	R2 Low Density Residential	R4 Mixed Use	R5 Public Recreation	L20	R6 Enterprise Corridor	R6 Private Recreation	B1 Neighbourhood Centre	R7 General Industrial	SP2 Infrastructure		R3 Low Density Residential	
Existing Zone	R2 Local Centre	R3 Medium Density Residential														
R2 Low Density Residential	R4 Mixed Use	R5 Public Recreation														
L20	R6 Enterprise Corridor	R6 Private Recreation														
B1 Neighbourhood Centre	R7 General Industrial	SP2 Infrastructure														
	R3 Low Density Residential															

Subject Property	Location/Zoning Map															
Homebush Road to Rickard Road (Lots 1 to 4 DP 127839) Fitzgerald Crescent, Strathfield (Lot 1 DP 745077, Lot 2 DP 745077 & Lot 2 DP 635485)	<div><p>Existing Zoning</p><p>LEGEND</p><table><tr><td>Existing Zone</td><td>B2 Local Centre</td><td>B3 Medium Density Residential</td></tr><tr><td>R2 Low Density Residential</td><td>B4 Mixed Use</td><td>RE1 Public Recreation</td></tr><tr><td>LZN</td><td>B6 Enterprise Corridor</td><td>RE2 Private Recreation</td></tr><tr><td>B1 Neighbourhood Centre</td><td>IN1 General Industrial</td><td>SP2 Infrastructure</td></tr><tr><td>R2 Low Density Residential</td><td></td><td></td></tr></table></div>	Existing Zone	B2 Local Centre	B3 Medium Density Residential	R2 Low Density Residential	B4 Mixed Use	RE1 Public Recreation	LZN	B6 Enterprise Corridor	RE2 Private Recreation	B1 Neighbourhood Centre	IN1 General Industrial	SP2 Infrastructure	R2 Low Density Residential		
Existing Zone	B2 Local Centre	B3 Medium Density Residential														
R2 Low Density Residential	B4 Mixed Use	RE1 Public Recreation														
LZN	B6 Enterprise Corridor	RE2 Private Recreation														
B1 Neighbourhood Centre	IN1 General Industrial	SP2 Infrastructure														
R2 Low Density Residential																

Table 2: Sydney Water sites and existing zoning under Strathfield LEP 2012

Instrument and map amendments – Schedule 5 Environmental Heritage

d. Instrument and map amendments – Schedule 5 Environmental Heritage

Instrument and map amendments – Schedule 5 Environmental Heritage (Item 8 of the attached Planning Proposal) are amendments to the SLEP 2012 affecting the map and written instrument associated with Schedule 5 - Environmental Heritage. This amendment includes:

- (viii) Amend Schedule 5 – Environmental Heritage – Part 2 Heritage Conservation Areas to expand HCA C3 to include Nos 57-59 and 61 Burlington Road, Homebush, rename HCA C3 from Pair of Federation Queen Anne style houses to Burlington Road Conservation Area and update the Heritage Conservation Area Map to reflect the changes*

Justification

This proposal was part of the draft Planning Proposal for the preparation of a new Strathfield Local Environmental Plan Strathfield LEP 2021. The Department imposed a Gateway Condition requiring that further justification be provided for the proposed expansion of the existing HCA, as the proposed amendment was inconsistent with the recommendations of the Strathfield Heritage Review 2020.

Independent consultants, Heritage 21 were engaged by Strathfield Council to undertake the review of the expansion of HCA C3 and conduct a significance assessment for the properties located at 61 and 57-59 Burlington Road, Strathfield, as well as to provide advice regarding the inclusion of these properties in the C3 – *Pair of Federation Queen Anne Houses* HCA.



Figure 2: Existing Heritage Map – Strathfield LEP 2012 – HCA C3

Heritage 21 has undertaken an investigation in accordance with the Heritage Significance Assessment Guidelines (2001), Investigating Heritage Significance (2021), published by Heritage NSW or its precursor and make the following recommendations:

- The inclusion of 61 and 57-59 Burlington Road in the C3 HCA has merit and will strengthen the significance of the HCA forming a row and collection of early housing stock of aesthetic and historical significance within their respective garden settings
- **The name of the HCA be renamed to the 'Burlington Road Heritage Conservation Area' to reflect the change in quantity of dwellings and housing stock**

A copy of the report prepared by Heritage 21 is included at Attachment 3.

The Heritage Map is also proposed to be amended to reflect the change, as indicated in Figure 3 below.



Figure 3: Updated draft Heritage Map showing expanded HCA boundary for C3

Should these changes be supported by the DPHI, then an amendment will also need to be made to the DCP. These changes will be presented as a separate report to Council.

ASSESSMENT OF THE PLANNING PROPOSAL

A detailed assessment and justification of the strategic and site-specific merit of the proposed housekeeping amendments has been undertaken to determine whether the Planning Proposal should be supported. The **Planning Proposal provides a detailed assessment/justification in response to the 12 questions from the DPE's Local Environmental Plan Making Guideline** dated September 2022 which outlines the matters for consideration when describing, evaluating and justifying a proposal.

The proposed amendments cover a range of instrument and mapping related matters which have been identified as administrative or housekeeping issues that need to be addressed to improve the operation of Strathfield LEP 2012 and to ensure that there is clarity with respect to the provisions.

The Planning Proposal is consistent with the endorsed LSPS and other strategic studies which have been undertaken by Council. It is also consistent with all relevant State Environmental Planning Policies (SEPPs) and is not inconsistent with applicable Ministerial Directions (section 9.1 Directions).

A detailed assessment/justification is included in Section 5 of the draft Planning Proposal document, titled *Part 3 – Justification of Strategic and Site-Specific Merit*

STRATHFIELD LOCAL PLANNING PANEL

The Planning Proposal was considered by the Strathfield Local Planning Panel (LPP) at its meeting on 10 October 2024. The LPP has reviewed the Planning Proposal and supports the recommended amendments to Strathfield LEP.

Accordingly, the Panel's advice to Council is to proceed to seek Gateway Determination.

COMMUNITY CONSULTATION

Should the Planning Proposal be supported, it will be forwarded to the delegate of the Minister for Planning and Public Spaces requesting a Gateway Determination.

If a Gateway Determination is issued, it is intended to exhibit the Planning Proposal for a period of 28 days or as specified in the Gateway Determination.

Exhibition material, including plain English explanatory information, fact sheets, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during **the exhibition period on Council's website. Hard copies will also be available at Council offices and library for public viewing.**

Notification of the public exhibition will be through:

- **Exhibition notice on Council's website,**
- Notices in Council offices and libraries,
- **Community engagement project on Council's Have Your Say website,**
- **Council's social media platforms,**
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination, and
- Letters to property owners directly impacted by a proposed change in the LEP.

Consultation will also be undertaken with any relevant public authorities/organisations as conditioned by the Gateway Determination. It is also proposed to specifically consult with Sydney Water and Heritage NSW with respect to the provisions relevant to these authorities.

The project timeframe will depend on the Gateway Determination date and the required public exhibition period. Table 3 below provides an indicative project timeline based on the Gateway Determination being issued by the end of 2024:

Table 3: Project Timeline

Stage	Timeframe/date
Consideration by the Strathfield LPP	10 October 2024
Report to Council seeking endorsement to forward the PP for a Gateway Determination	22 October 2024
Gateway Determination	December 2024/January 2025
Pre-exhibition tasks eg complete technically compliant mapping	November/December 2024

Stage	Timeframe/date
Commencement and completion of public exhibition	February/March 2025
Consideration of submissions	March 2025
Post-exhibition review and additional studies	March/April 2025
Report to Council on the results of the community consultation and finalisation of the PP	May 2025
Submission to the Department for finalisation	May 2025
Gazettal of LEP amendment	June/July 2025

It is noted that the project timeline will be assessed by the DPHI and may be amended by the Gateway Determination.

CONCLUSION

The Planning Proposal seeks to amend the SLEP 2012 via a number of instrument and mapping amendments to respond to a range of administrative and housekeeping issues to the instrument and accompanying mapping **consistent with Council's resolution of 14 November 2023.**

The Planning Proposal meets both the strategic and site-specific merit tests that are outlined in the Local Environmental Plan Making Guideline dated September 2022.

In terms of Strategic Merit, the Planning Proposal:

- Gives effect to the objectives within the Greater Sydney Region Plan – A Metropolis of Three Cities.
- Gives effect to the relevant planning priorities of the Eastern City District Plan.
- Is consistent with the relevant planning priorities of the endorsed Strathfield Local Strategic Planning Statement 2040.

The Planning Proposal is not inconsistent with the relevant Section 9.1 Ministerial Directions.

If the Planning Proposal is endorsed by Council, it will be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination under Section 3.34 of the EP&A Act.

FINANCIAL IMPLICATIONS

There are no financial implications.

ATTACHMENTS

- [1. Draft Planning Proposal - Housekeeping Amendment - Council](#)
- [2. Letter from Sydney Water - Request for SP2 Zone](#)
- [3. Heritage 21 - Final Report for C3 Burlington Road HCA](#)