

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to protect the Channel 7 Former site at Epping (*the site*):

- (a) by ensuring that Parramatta City Council (*the Council*) remains the consent authority for any application to carry out development on the site, and
- (b) by prohibiting the carrying out of excessive development on the site, and
- (c) by requiring community consultation in relation to the carrying out of development on the site.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines certain words and expressions used in the proposed Act.

Part 2 Parramatta City Council is consent authority

Clause 4 provides that the Council is the consent authority in relation to the carrying out of any development on the site.

Clause 5 prevents the making or operation of any declaration under the *Environmental Planning and Assessment Act 1979* that the carrying out of development on the site is a project to which Part 3A of that Act applies or that has the effect of making development on the site a project or part of a project to which Part 3A of that Act applies. Any such declaration that has been made or is made has no effect to the extent to which it applies to the site.

Part 3 Development of site requires consent

Clause 6 provides that development (other than exempt development) on the site cannot be carried out except with development consent under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Clause 7 provides that the Council must not consent to the carrying out of development on the site unless it has taken into consideration the concept plan prepared under proposed Part 4.

Part 4 Concept plan for site

Clause 8 requires the Council to prepare and implement a concept plan for the site.

Clause 9 requires the Council to consult with the Community Consultative Forum in preparing a concept plan.

Part 5 Community consultation

Clause 10 provides that the Council must not consent to the carrying out of development on the site unless it is satisfied that the local community has been properly informed of the proposed development. In particular, the Council must not consent to an application for development consent unless the development application has been publicly notified in accordance with the *Environmental Planning and Assessment Act 1979* as if it were advertised development and the Council has taken into account any objections received as part of that notification procedure.

Clause 11 makes it the duty of the Council to establish an effective procedure for community consultation concerning the management of land at the site reserved as public open space and the development of the concept plan for the site.

Clause 12 provides for the establishment of a Community Consultative Forum.

Part 6 Miscellaneous

Clause 13 provides that the proposed Act applies despite any provision of any other Act, or of any regulation or environmental planning instrument, and that nothing in the proposed Act prevents the making of an environmental planning instrument that imposes additional restrictions on development on the site or on the Council's ability to consent to such development.

Clause 14 provides for the making of regulations under the proposed Act.

Clause 15 repeals Part 4 (Channel 7 site) of Schedule 3 to *State Environmental Planning Policy (Major Projects) 2005* as a consequence of the operation of proposed section 5 (3).