

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

Proposal Title :	Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park		
Proposal Summary :	To permit additional uses of business premises, office premises and takeaway food and drink premises for three lots in the 'Struggletown' precinct, Harrington Park.		
PP Number :	PP_2013_CAMDE_015_00	Dop File No :	13/11910

Proposal Details

Date Planning Proposal Received :	15-Jul-2013	LGA covered :	Camden
Region :	Sydney Region West	RPA :	Camden Council
State Electorate :	CAMDEN	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	2 Sharman Close			
Suburb :	Harrington Park	City :	Sydney	Postcode : 2567
Land Parcel :	Lot 1, DP 740423			
Street :	4 Sharman Close			
Suburb :	Harrington Park	City :	Sydney	Postcode : 2567
Land Parcel :	Lot 2, DP 740422			
Street :	1a Stewart Street			
Suburb :	Harrington Park	City :	Sydney	Postcode : 2567
Land Parcel :	Lot 1, DP 329195			

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

DoP Planning Officer Contact Details

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Contact Name : **Terry Doran**
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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The site is zoned R2 Low Density Residential. It is part of a larger area in which the following additional uses are permitted with consent:**

- . function centres,
- . restaurants or cafes, and
- . retail premises (but limited to retail premises that sell arts and crafts).

The site currently includes two restaurants and an office premise. The office premise is located in a heritage item and exists due to the heritage incentives clause of Camden LEP 2010. An art gallery which formerly occupied one building has closed.

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

The proposal is to increase the range of additional permitted uses on the site to include:

- . business premises,
- . office premises and
- . takeaway food and drink premises.

The lots at 2 and 4 Sharman Close are part of the Struggletown Heritage Conservation Area, while the cottage at 2 Sharman Close is listed as a local heritage item in Camden LEP 2010.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **Camden Council states that the object on the proposal is facilitate value adding to the site in a way that sensitively interfaces with surrounding residential development and to maintain the conservation and preservation of the heritage item at 2 Sharman Close.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal is to permit the following additional uses on the site:**
. Business premises
. Office premises
. Takeaway food and drink premises.

It is proposed to retain the existing R2 Low Density Residential zone for the site.

Camden LEP 2010 (Schedule 1 (12)) also permits the site and adjoining lots to be used for the purposes of function centres, restaurants or cafes and retail premises (but limited to retail premises that sell arts or crafts). It is proposed that these existing additional uses be retained.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

While not identified by Camden Council, Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 - 1997) (deemed SEPP) is relevant to the planning proposal. The proposal is not inconsistent with the deemed SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

The proposal is considered to be generally consistent/justified with relevant s.117 directions. However, the proposal's technical inconsistency with S.117 direction 6.3 Site Specific Provisions requires approval of the delegate.

The direction applies where a planning proposal will allow a particular development to be carried out. While the proposal generally conforms to the items specified in item (4) of the direction, it could be construed that by permitting additional uses there is an element of inconsistency with the direction.

In these circumstances it is recommended that the delegate agree that any inconsistency is of minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal includes the following maps:**

- . **Figure 1 - Location map**
- . **Figure 2 - Map showing the location of the Heritage Conservation area covering part of the site, as well as the land where additional uses are permitted in accordance with Schedule 1 (12).**
- . **Figure 3 - Existing zoning map.**

Following the recent publication of Camden LEP 2010 (Amendment No 13), Figure 3 shows incorrect zones for certain adjacent land. It is recommended that Council be required to amend this prior to exhibition.

Note: Camden LEP 2010 includes maps showing additional permitted uses (APU maps). However the map shows only those areas not identified by Lot and DP numbers in Schedule 1. As this site is identified by Lot and DP numbers, an updated APU map which meets the Technical Guidelines for Mapping is not required.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public exhibition for 28 days is proposed.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Standard Instrument LEP, Camden LEP 2010, was published in 2010.**

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

Assessment Criteria

Need for planning proposal :

A planning proposal is required to amend Camden LEP 2010 to permit additional uses on the site. The proposal adds a small number of additional permitted uses on the site, and states that this is necessary to ensure that the site remains viable and that the heritage character is not eroded.

The proposal states that the limited range of uses currently permitted has made it difficult for the owners to market the development, particularly if any of the existing uses should cease.

Council has considered the option to rezone the site to the B1 Neighbourhood Centre Zone. However council considers that in view of the character of the site and restricted access, a B1 Zone would not be appropriate.

Comment

The Department's draft LEP Practice Note: 'Schedule 1 Additional Permitted Uses', advises that for reasons of clarity, land use and permissibility should preferably be controlled by zones and the land use table. Further, additional listing in the LEP schedule 1 should be minimised and only proceed where council demonstrates that there is no other acceptable solution to progress the matter.

The regional team considers that given the unique location of the site, both within a conservation area and adjacent to residential housing and a major intersection, the introduction of a business zone is not reasonable in the circumstances and no objections are therefore raised to the introduction of additional uses on this occasion.

Note: The current additional permitted uses for the site also apply to other lots fronting Sharman Close and Stewart Street. The planning proposal addresses the option of extending the range of additional permitted uses for all sites. It concludes that as these lots are primarily residential in character and have limited off street parking, it is not appropriate to permit additional uses in this wider area.

Consistency with strategic planning framework :

The site is diagonally opposite the current Narellan Town Centre, and directly opposite the land recently rezoned to provide for expansion of the centre. Although the site is separated from the existing and proposed centre by major roads, it is an extension of the centre providing for uses complimentary to those in the centre.

Narellan was identified as a Town Centre in the Draft South West Subregional Strategy.

The proposal is consistent the Draft Metropolitan Strategy for Sydney to 2031, March 2013, and in particular with Objective 7, to 'deliver well-designed and active centres that attract investment and growth'. One of the policies to promote this objective is that 'the protection and use of heritage assets will be planned for upfront in urban renewal or establishing new centres.'

Environmental social economic impacts :

The site is currently developed. The proposal will not impact on the natural environment.

The proposal will not change the heritage item on the site or the heritage conservation area covering part of the site.

The proposal states that it will make a positive contribution to economic and social wellbeing, will provide additional diversity, add to employment opportunities and contribute to local businesses.

The site is located adjacent to a major road intersection. The only access is from a service road off Camden Valley Way. For this reason it is recommended that the RPA be required to consult with Roads and Maritime Services about traffic impacts.

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Office of Environment and Heritage
Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover_letter.pdf	Proposal Covering Letter	Yes
Planning_proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

- S.117 directions:
- 2.3 Heritage Conservation**
 - 3.1 Residential Zones**
 - 3.4 Integrating Land Use and Transport**
 - 4.1 Acid Sulfate Soils**
 - 6.1 Approval and Referral Requirements**
 - 6.3 Site Specific Provisions**
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **Gateway Determination**

The proposal is to allow additional commercial uses on a site where other various commercial activities are already permitted, and which adjoins Narellan Town Centre.

Camden Amendment 24 - Additional permitted uses in 'Struggletown' precinct, Harrington Park

The proposal is of minor significance and it is recommended that the determination function of the Gateway be exercised the Regional Director, Sydney West Region.

Delegation to Council

The matter is of local significance, and it is recommended that the making of the LEP be delegated to Council, as requested.

Section 117 direction

It is recommended that the delegate agree that any inconsistency with s.117 direction 6.3 Site Specific Provisions is of minor significance.

Recommended Gateway Conditions

It is recommended that the planning proposal proceed, subject to the following:

Conditions

1. Prior to exhibition Figure 3 of the planning proposal is amended to show the correct zone for certain land adjacent to the subject site.
2. Community consultation is required under section 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days.
3. Consultation is required with the Office of Environment and Heritage and Transport for NSW - Roads and Maritime Services.
3. The timeframe for completing the local environmental plan is to be nine months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal proposes to permit a small range of additional uses on the site, subject to consent. The site is adjacent to Narellan Town Centre. The additional uses will assist in maintaining the viability of the existing businesses on the site, and help to maintain the heritage item and the heritage character of the area.

Signature:



Printed Name:

T. DORAN

Date:

31/7/13