
ORDINARY COUNCIL

ORD02

SUBJECT: PROPOSAL TO REZONE LAND AT 11 IRONBARK AVENUE,
CAMDEN (OLD CAMDEN BUS DEPOT SITE)
FROM: Director Governance
FILE NO: Binder: Old Camden Bus Depot

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to rezone the subject land to permit multi dwelling housing.

A Planning Proposal to support this rezoning is **provided in Supporting Documents of the Business Paper**

BACKGROUND

Council initially resolved to prepare a draft LEP to permit medium density residential development on the subject land on 9 October 2006. The Department of Planning (DoP) LEP Review panel subsequently advised Council on 2 January 2007 it would not support the rezoning at that stage as it considered the land to be in isolation from the adjoining land in Ironbark Avenue which is also zoned 3(d) Business Automotive.

Council was, during that time, commencing the preparation of the draft Camden LEP. Council on 25 September 2007 resolved to defer the Ironbark Avenue precinct from the draft LEP due to the difficulty in finding a compatible template zone to the current 3(d) Business Automotive zone. Following lengthy discussions with the DoP it was agreed that the closest "template" zone to the 3(d) was IN2 Light Industrial. Accordingly, the IN2 zoning was applied to the Ironbark Avenue precinct when the draft Camden LEP was placed on public exhibition during September and October 2009.

Council also commenced further investigations into the entire 3(d) zone in Ironbark Avenue and engaged external planning expertise to undertake a Planning Review which was completed in October 2009. A copy of the review is **provided in Supporting Documents of the Business Paper**. The findings of that review are outlined in this report.

The owners of the subject property made a submission during the exhibition of draft Camden LEP 2009 requesting that Council proceed with rezoning the land to permit medium density development. Council, in its consideration of submissions to the exhibition at its meeting held on 24 November 2009 resolved in relation to this matter to;

"reaffirm its resolution of 9 October 2006 to rezone the former bus depot site at Ironbark Avenue, South Camden to permit medium density development and to now include the land to the north being lot 48 DP 31406 and Lots 1&2 DP 516829 subject to the requirements outlined in this report including all costs associated with the proposal being borne by the applicant."

The owners have subsequently prepared a planning proposal in accordance with the new "Gateway" process requesting Council to rezone the land to R3 Medium Density.

MAIN REPORT

Subject property

The subject property is described as Lot B DP 409715 and Lots A & B DP 399965 being Nos 5 - 13 Ironbark Avenue, South Camden. The land has an area of 7430m² and has three street frontages. The site was formerly used as a bus depot and a contamination report has been provided and will be discussed further in this report. **A copy of the site plan is attached at the end of this report.**

Findings of the Planning Review for Ironbark Avenue, South Camden

The purpose of this Review was to ascertain the most appropriate template zone for the current 3(d) Business Automotive zone that applied to land at Ironbark Avenue, South Camden and to also analyse the preferred land use scenario for the former bus depot site.

The review recommended that the IN2 light industrial zone was the most appropriate 'template' zone. It further recommended that the land on the western side of Ironbark Avenue, which included the former bus depot site, has potential to be redeveloped for medium density housing.

The Review also established design principles for multi-unit housing. These address issues such as on-site parking, landscaping, building articulation and driveway access. These would need to form the basis of a development control plan which would also address interface issues with the adjoining residential area and the existing mixed use area opposite.

There are two other properties on the western side of Ironbark Avenue currently zoned 3(d) in addition to the former bus depot site. These are 1A Ironbark Avenue - owned by Adet Pty Ltd which currently contains a preschool and 1 - 3 Ironbark Avenue - owned by Safajach Pty Ltd and currently contains a truck servicing business. Both these owners were contacted and advised that Council was exploring the suitability of their properties as having potential for future multi dwelling housing. Both owners indicated that in the long term they may be interested however they have no intention of moving their businesses in the short to medium term.

Given the above, it is proposed to proceed with only the rezoning of the former bus depot site at this stage. There will still be an option, at some time in the future, to revisit the rezoning of the other two properties should circumstances change.

Detail of the Planning Proposal

The Planning Proposal has been prepared to comply with the guidelines of the DoP's Gateway process. The purpose of a planning proposal is to explain the intended effect of the proposed LEP and to provide justification for making it. This includes:

1. Statement of intended outcomes
2. Explanation of provisions
3. Justification
4. Proposed community consultation.

The intended outcome is to rezone the subject land to R3 - Medium Density Residential. The submission states that while there are no development plans at this stage they have acknowledged the design principles espoused in the Planning Review for both the public realm and private lands and that these will provide development criteria. It is proposed that such criteria should be developed into a development control plan (DCP) which would accompany the rezoning.

Site Contamination

Given the previous landuse of the site a detailed analysis of the contamination will need to be undertaken. A desktop analysis was undertaken by Environmental & Earth Sciences and submitted by the proponent when they lodged their previous rezoning application in 2006. As reported to Council on 9 October 2006 the key outcomes of the initial desktop analysis included:

- *Identification of asbestos cement sheeting and asbestos in electrical backing boards and vinyl tiles.*
- *Aluminium cases electrical capacitors containing PCBs*
- *Possible lead paint due to building age*
- *The remnant infrastructure from the historical site usage identified three underground storage tanks and four above ground storage tanks, two walk in service pits and three fuel dispensing bowsers.*
- *A petroleum hydrocarbon impact has been identified in the ground-water analysis.*

Given the large number of potential sources that need to be removed the consultants have recommended that a site specific Remediation Action Plan (RAP) will need to be prepared.

Prior to rezoning occurring Council will require a Phase 2 contamination report to be conducted which may require a RAP to be developed. In addition, Council will only agree to the rezoning proceeding if the site can be made suitable for residential development without the need for any ongoing management of the site.

DCP

Council will require the proponent to fund the preparation of a DCP which will be placed on exhibition with the Planning Proposal. The DCP is to address all of the existing Ironbark Avenue precinct and is to incorporate the design principles espoused in the Planning Review for both the public realm and private lands.

Process from here

Should Council resolve to proceed with the rezoning then the Planning Proposal will be forwarded to the DoP Gateway for determination. Further reports will be submitted to Council prior to and following the community consultation stages. It is not envisaged that the proposal will be placed on public exhibition until after the gazettal of Camden LEP 2010.

CONCLUSION

The Planning Proposal to rezone the former bus depot site in Ironbark Avenue, South Camden provides an opportunity to enable appropriate infill development, generally in keeping with the surrounding landuses. It also will provide a buffer between the

current light industrial uses on the eastern side of Ironbark Avenue and the adjoining residential development.

RECOMMENDED

That Council:

- i. not proceed with the rezoning of lot 48 DP 31406 (1A) Ironbark Avenue and Lots 1 and 2 DP 516829 (1-3) Ironbark Avenue to R3 Medium Density Residential, at this stage;
- ii. support the Planning Proposal for land at 11 Ironbark Avenue, South Camden known as lot B DP 409715 and Lots A & B DP 399965 to be rezoned to R3 Medium Density Residential;
- iii. advise the applicant that before agreeing to the gazettal of the LEP Council must be satisfied that the land can be remediated to make the site suitable for residential development without the need for any ongoing management of the site.
- iv. forward the Planning Proposal to the Department of Planning for Gateway determination and
- v. prepare a DCP, funded by the proponent for the land to provide appropriate development controls.

ATTACHMENTS

Attachment - site plan



Supporting Doc Ironbark Ave Planning Reviewpdf.pdf Attachment 1 site plan Ironbark Avenue.doc

RESOLUTION

Moved Councillor Dewbery, Seconded Councillor Funnell that Council:

- i. not proceed with the rezoning of lot 48 DP 31406 (1A) Ironbark Avenue and Lots 1 and 2 DP 516829 (1-3) Ironbark Avenue to R3 Medium Density Residential, at this stage;
- ii. support the Planning Proposal for land at 11 Ironbark Avenue, South Camden known as lot B DP 409715 and Lots A & B DP 399965 to be rezoned to R3 Medium Density Residential;
- iii. advise the applicant that before agreeing to the gazettal of the LEP Council must be satisfied that the land can be remediated to make the site suitable for residential development without the need for any ongoing management of the site.
- iv. forward the Planning Proposal to the Department of Planning for Gateway determination and
- v. prepare a DCP, funded by the proponent for the land to provide appropriate development controls.

THE MOTION ON BEING PUT WAS CARRIED.

(Councillors Cagney, Cottrell, Campbell, Dewbery, Funnell, Patterson and Warren voted in favour of the Motion.

No Councillor voted against the Motion).

ORD85/10

ACTIONS

CRMS number , Finalised 14/05/2010 8:33:47 AM

Action: Finalised,

Completed

Submission will now be made to the DoP gateway.

Link to CRMS document

CRMS: 11395180 12/05/2010, 01:39:26 PM