

Amendment No. 19 to Camden LEP 2010 - Reclassification of Lands

Proposal Title : **Amendment No. 19 to Camden LEP 2010 - Reclassification of Lands**

Proposal Summary : **The Proposal seeks to:**

- 1) Reclassify 4 Council-owned sites from a 'community' to an 'operational' classification:**
 - "Camden Town Farm",
 - "Elizabeth Park", Narellan Vale,
 - Mount Annan Leisure Centre, and
 - land in Topham Road, Smeaton Grange.
- 2) Amend the reference to the "Camden Town Park" local heritage item, and**
- 3) Introduce a local clause for the "Camden Town Park" site to ensure consistency with a master plan for the land.**

PP Number : **PP_2012_CAMDE_010_00**

Dop File No : **12/14268**

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones**
 - 1.2 Rural Zones**
 - 2.3 Heritage Conservation**
 - 3.1 Residential Zones**
 - 3.5 Development Near Licensed Aerodromes**
 - 4.2 Mine Subsidence and Unstable Land**
 - 4.3 Flood Prone Land**
 - 4.4 Planning for Bushfire Protection**
 - 6.3 Site Specific Provisions**
 - 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the proposal proceed subject to the following conditions:**

- 1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days;**
- 2. The timeframe for completing the local environmental plan is to be 6 months from the week following the date of the Gateway Determination;**
- 3. The Proposal is to be amended prior to community consultation, as follows:**
 - Part 1 is to clearly indicate the proposed changes to the "Camden Town Park" heritage item;**
 - Part 2 is to indicate the correct property description for the Elizabeth Park site, i.e. the DP and street address should read "1138792" and "Waterworth Drive" respectively.**
 - Part 3 is to exclude consideration of SEPP (Rural Lands) 2008 as the SEPP does not apply to the Wollondilly LGA;**
 - Attachment D is to exclude consideration of section 117 Direction 1.5 Rural Lands, as the Direction does not apply to the Camden LGA;**
- 4. Proposed Clause 7.9 Camden Town Farm is not supported. In lieu, additional uses for**

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'food and drink premises', 'information and education facility' and 'retail premises' (but limited to retail premises that sells art and crafts) may be added to Schedule 1 of Camden LEP 2010 for the farm site. The proposal is to be amended accordingly prior to exhibition;

5. S117 DIRECTION 3.5 DEVELOPMENT NEAR LICENSED AERODROMES

In respect of the Camden Town Farm site, Council is to give consideration to the direction and consult with Department of the Commonwealth responsible for aerodromes, in accordance with the Direction.

6. S117 DIRECTION 4.2 MINE SUBSIDENCE AND UNSTABLE LAND

Consultation is required with the Mine Subsidence Board under section 117 Direction 4.2 Mine Subsidence and Unstable Land. Demonstration of the consistency of the proposal with the direction will be required when the final proposal is submitted for approval.

7. S117 DIRECTION 4.4 PLANNING FOR BUSHFIRE PROTECTION

Consultation is required with the Commissioner of the Rural Fire Service under section 117 Direction 4.4 Planning for Bushfire Protection. Demonstration of the consistency of the proposal with the direction will be required when the final proposal is submitted for approval.

8. APPROVAL OF THE DIRECTOR GENERAL

It is recommended that the Director General (or delegate) approves the proposal's inconsistency with section 117 directions: 4.3 Flood Prone Land and 6.3 Site Specific Provisions, as matters of minor significance.

10. A public hearing into the proposed reclassification of land is required pursuant to the Local Government Act 1993.

Supporting Reasons : The Proposal, with amendments as recommended, will enable Council to manage its assets and will benefit the community.

Panel Recommendation

Recommendation Date : 04-Oct-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to make the following amendments to the planning proposal:

- (a) Amend Part 1 to clearly indicate the proposed changes to the 'Camden Town Park' heritage item;
- (b) Amend Part 2 to indicate the correct property description for the Elizabeth Park site, being DP 1138792, Waterworth Drive;
- (c) Amend Part 3 to exclude consideration of SEPP (Rural Lands) 2008 as the SEPP does not apply to the Wollondilly LGA;
- (d) Amend attachment D to exclude consideration of S117 Direction 1.5 Rural Lands, as the direction does not apply to the Camden LGA and
- (e) Remove reference to the additional local provision clause, as this matter can be dealt with under the heritage incentives provided for by Clause 5.10(10) of Camden LEP 2010.

2. 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 28 days; and
- (b) 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Mine Subsidence Board

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- NSW Rural Fire Service
- Australian Government Department of Infrastructure and Transport

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. Further to Condition 3 above, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

5. Further to Condition 3 above, Council is to consult with the Mine Subsidence Board as per the requirements of S117 Direction 4.2 Mine Subsidence and Unstable Land. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

6. Further to Condition 3 above, Council is to consult the Department of Infrastructure and Transport in relation to S117 Direction 3.5 Development Near Licensed Aerodromes. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

7. 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).

8. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SECMAN

Date:

8/10/12