

Camden Local Environmental Plan (Amendment No. 30) Orierton Homestead - proposed reduction in the minimum lot size

Proposal Title :	Camden Local Environmental Plan (Amendment No. 30) Orierton Homestead - proposed reduction in the minimum lot size		
Proposal Summary :	The planning proposal is to reduce the minimum lot size for the site of Orierton Homestead from 40 hectares to 7 hectares.		
PP Number :	PP_2013_CAMDE_018_00	Dop File No :	13/18804

Proposal Details

Date Planning Proposal Received :	12-Dec-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 :	The Northern Road		
Suburb :	Narellan	City :	Postcode :
Land Parcel :	Part of Lot 7 DP 270613 (Part of the lot which is zoned R5)		

DoP Planning Officer Contact Details

Contact Name :	Tai Ta
Contact Number :	0298601567
Contact Email :	tai.ta@planning.nsw.gov.au

RPA Contact Details

Contact Name :	Mary-Anne Madden
Contact Number :	0246547803
Contact Email :	mail@camden.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :	Terry Doran
Contact Number :	0298601149
Contact Email :	terry.doran@planning.nsw.gov.au

Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	N/A

Camden Local Environmental Plan (Amendment No. 30) Orielton Homestead - proposed reduction in the minimum lot size

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	N/A
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 : **Date of Receipt**
The planning proposal was received on 30 October 2013, however, discussions were held with concil officers and these were finalised on 12 December 2013.

Purpose

The purpose of the planning proposal is to allow the heritage listed Orielton Homestead and curtilage to be subdivided from the remainder of the lot. While this site currently has an area of 11 hectares, a minimum lot size of 7 hectares will allow for future land take for access roads, road widening and drainage in accordance with the Harrington Park West Structure Plan, while protecting against any further subdivision.

Planning Proposal

The subject site is zoned R5 Large Lot Residential, while the remainder of the lot is zoned E2 Environmental Conservation. It is recommended that the planning proposal be amended to clearly indicate this situation.

External Supporting Notes :

Adequacy Assessment

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

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

Comment : The objective of the planning proposal is to reduce the minimum lot size for the subject site to allow it to be subdivided from the remainder of the lot in accordance with the Harrington Park West structure plan. The planning proposal should be amended to clarify this situation prior to exhibition.

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

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

Comment : The planning proposal seeks to amend the minimum lot size maps LSZ_007 and LSZ_012 to show the minimum lot size for the subject site as 7 hectares.

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

* May need the Director General's agreement

3.1 Residential Zones

Is the Director General's agreement required? **N/A**

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 :

S117 DIRECTIONS

Direction 2.3 HERITAGE CONSERVATION

The planning proposal is consistent with this direction as it will ensure that the State significant heritage listed homestead site is protected by a sufficient curtilage and the site cannot be subdivided further. Orielton is listed on the State Heritage Register.

Camden LEP 2010 includes Clause 5.10 Heritage Conservation and the provisions of this clause will continue to apply to the site.

Direction 3.1 Residential Zones

Given the circumstances, it is not considered that the proposal is inconsistent with this direction.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

Council has indicated that amendments will be made to Camden LEP 2010 maps LSZ_007 and LSZ_012.

A small map identifying the site is included on page 3 of the planning proposal. It is recommended that the map be amended to show the lot boundary of the site and zones applying to the site and adjoining, prior to exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council has advised the planning proposal will be publicly exhibited for 28 days in the usual manner. In addition, the Office of Environment and Heritage will be consulted.

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Camden Local Environmental Plan (Amendment No. 30) Orierton Homestead - proposed reduction in the minimum lot size

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Camden Principal Local Environmental Plan 2010 was notified on 3 September 2010.

Assessment Criteria

Need for planning proposal :

Currently the subject site has a minimum lot size of 40 hectares.

To enable subdivision of the Harrington Grove Structure Plan residential development the minimum lot size of the subject site needs to be reduced.

As the land is zoned R5 large Lot Residential, the provisions of clause 4.6 - Exceptions to development standards - cannot be used to permit a lot smaller than 90% of the minimum lot size. Therefore a planning proposal is the available option to reduce the minimum lot size.

Consistency with strategic planning framework :

The planning proposal is not inconsistent with the relevant objectives and actions of the Sydney Metropolitan Strategy and the Draft south-west subregional strategy.

Environmental social economic impacts :

The purpose of this planning proposal is to enable the approved Structure Plan for residential development to proceed and to ensure there will be no further subdivision of the heritage homestead lot once it is subdivided in accordance with the approved Structure Plan.

This will improve the operation of Camden LEP 2010 by allowing the approved residential area to be developed and will provide a social benefit by ensuring the heritage homestead is appropriately conserved.

Assessment Process

Proposal type :

Minor

Community Consultation Period :

28 Days

Timeframe to make LEP :

6 months

Delegation :

RPA

Public Authority Consultation - 56(2)(d) :

Office of Environment and Heritage

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. :

Camden Local Environmental Plan (Amendment No. 30) Orielton Homestead - proposed reduction in the minimum lot size

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
Camden Am. No.30 - Council Letter.pdf	Proposal Covering Letter	Yes
Camden Am. No.30 - Planning Proposal.pdf	Proposal	Yes
Harrington Grove Structure Plan.pdf	Map	Yes
Am. No.30 Council Report and Resolution 22 October 2013.pdf	Proposal	Yes
Gateway Determination and Letter to Council.pdf	Determination Document	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

Additional Information : **DELEGATION OF GATEWAY DETERMINATION**

As the matter is minor, it is recommended that the Gateway determination be determined by the Director, Metropolitan Delivery.

DELEGATION OF PLAN MAKING FUNCTION

Camden Council has requested delegation of the plan making function. As the matter is minor, it is recommended that the plan making function be delegated to Council.

RECOMMENDATION

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

- 1. Community consultation is required under sections 56(2) 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. Council is to consult with the Office of Environment and Heritage.**
- 4. Council is to include the heritage conservation management plan for Orielton in the supporting exhibition material.**
- 5. Prior to exhibition, Council is required to make the following amendments to the planning proposal:**
 - (a) amend Part 1 - Objectives or intended outcomes in the planning proposal to clarify that the objective is to excise the homestead lot (lot and DP details are to be included);**

Camden Local Environmental Plan (Amendment No. 30) Orielton Homestead - proposed reduction in the minimum lot size

- (b) identify the 'approved Structure Plan' on page 4 of the planning proposal;
- (c) provide justification for the choice of 7 hectares as a minimum lot size for the homestead site (currently 11 hectares) within the planning proposal;
- (d) amend item 2 in Part 3 of the planning proposal to explain that the planning proposal is required as clause 4.6 of the Principal LEP does not apply in this instance;
- (e) amend items 9 and 11 in Part 3 of the planning proposal to include a reference to Orielton Homestead as an item on the State Heritage register, including item number and other relevant details; and
- (f) replace the diagram on page 3 of the proposal with: (1) a diagram showing the existing controls and (2) a diagram showing the proposed controls (where appropriate, diagrams are to include the lot and DP description, indicatively showing the existing and proposed cadastral boundary of the site, as well as the zone applying to the site and the zone(s) of land immediately adjoining the site.

Supporting Reasons : **The planning proposal will allow the subdivision of Lot 7 DP270613 into a separate allotment to accommodate the State significant Orielton heritage homestead and its curtilage and enable the provision of associated entry roadway and drainage for development of residentially zoned land, as identified in the Harrington Grove Structure Plan.**

Signature: _____

Printed Name: _____ Date: _____