

Menangle Landscape Conservation Area (revised proposal)

Proposal Title : **Menangle Landscape Conservation Area (revised proposal)**

Proposal Summary : **To apply a Landscape Conservation Area to land around the existing Menangle Heritage Conservation Area.**

PP Number : **PP_2012_WOLLY_007_00**

Dop File No :

11/13040

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
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

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

Council is required to, before exhibition:

1. Amend the planning proposal to exclude land which is the identified for employment uses under the planning proposal prepared by Elton Consulting for land in Moreton Park Road, Menangle;

2. Comply with the requirements of section 117 Direction 4.4 - Planning for Bushfire Protection and demonstrate consistency with the Direction;

Other conditions:

3. Council be required to consult with the Heritage Office of the Office of Environment and Heritage and demonstrate consistency with section 117 Direction 2.3 Heritage Conservation;

4. Council be required to consult with CityRail/State Rail/RailCorp, Roads and Maritime Services and Sydney Catchment Authority, specifically regarding the implications for their properties under the heritage provisions of State Environmental Planning Policy (Infrastructure) 2007;

5. Council be required to consult with the adjoining council, i.e. Campbelltown City Council;

6. The Director-General (or his delegate) approves the inconsistency with section 117 Direction 3.1 Residential Zones on the basis that the inconsistency is of minor significance;

7. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") for a period of 28 days; and

8. The timeframe for completing the local environmental plan is to be 9 months from the week following the date of the Gateway determination.

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Supporting Reasons : The proposed Menangle Landscape Conservation Area will support the existing Menangle Heritage Conservation Area but should be amended to exclude land which has been identified as regionally significant potential future employment land.

Panel Recommendation

Recommendation Date : **25-Oct-2012**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to exclude land identified for employment purposes under the planning proposal prepared by Elton Consulting for land in Moreton Park Road, Menangle.

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:

- Office of Environment and Heritage
- NSW Rural Fire Service
- Sydney Catchment Authority
- Transport for NSW – RailCorp
- Transport for NSW – Roads and Maritime Services
- Adjoining LGAs

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:

- (a) the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection, and
- (b) the Heritage Office of the Office of Environment and Heritage and demonstrate consistency with S117 Direction 2.3 Heritage Conservation.

Council is to amend the planning proposal, if necessary, to take into consideration any comments made prior to the commencement of public exhibition.

5. Further to Condition 3 above, Council is to consult Transport for NSW – Railcorp, Transport for NSW – Roads and Maritime Services and the Sydney Catchment Authority regarding the implications for their properties under the heritage provisions of State Environmental Planning Policy (Infrastructure) 2007. Council is to amend the planning proposal, if necessary, to take into consideration any comments made prior to the commencement of public exhibition.

6. 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).

7. The timeframe for completing the LEP is to be 12 months from the week following the

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date of the Gateway determination.

Signature:

Printed Name:

Date:

6.11.12