



Camden Council Minutes

Ordinary Council Meeting
25 June 2013

**Camden Civic Centre
Oxley Street
Camden**



ORDINARY COUNCIL

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PRESENT

Cr Symkowiak (Mayor/Chairperson), Cr Bligh, Cr Campbell, Cr Copeland, Cr Dewbery, Cr Fedeli, Cr Fischer, Cr Sidgreaves, Cr Warren.

STAFF

General Manager, Director Governance, Director Development and Health, Acting Director Works and Services, Manager Corporate Services, Acting Manager Environmentally Sustainable Design, Manager Capital Works, Manager Development, Manager Environment and Health, Manager Strategic Planning, Manager Employee & Community Relations, Acting Manager Community Services, Manager Assets, Executive Service Coordinator, Senior Governance Officer.

APOLOGIES

There were no leave of absence to be granted.

DECLARATIONS OF INTEREST

Councillor Campbell declared a non-pecuniary interest in ORD07 as she and her husband have a shop in Argyle Street, Camden.

Resolution: Moved Councillor Dewbery, Seconded Councillor Sidgreaves that the declarations be noted.

ORD140/13 THE MOTION ON BEING PUT WAS **CARRIED**

PUBLIC ADDRESSES

Mr David Cadden addressed Council in relation to ORD11 - 2012/2013 Loan Borrowings.

Mr Keith Apps addressed Council on ORD04 - 190 Raby Road, Gledswood Hills Planning Proposal.

Mr Geoff Corrigan addressed Council on ORD01 - Proposed Road Naming - New Roads in Camden South.

Resolution: Moved Councillor Warren, Seconded Councillor Dewbery that the public addresses be noted.

ORD141/13 THE MOTION ON BEING PUT WAS **CARRIED**

CONFIRMATION OF MINUTES

Resolution: Moved Councillor Fischer, Seconded Councillor Fedeli that the Minutes of the Ordinary Council Meeting held 11 June 2013, copies of which have been circulated, be confirmed and adopted.

ORD142/13 THE MOTION ON BEING PUT WAS **CARRIED**

MAYORAL MINUTE

The Mayor tabled a Minute regarding the Western Sydney State Budget Breakfast Forum.

Moved Councillor Symkowiak that the Mayoral Minute be noted.

ORD143/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD01 Proposed Road Naming - New Roads in Camden South

Resolution: Moved Councillor Dewbery, Seconded Councillor Warren that Council:

- i. endorse the names Saunders, Funnell and Rum Corps as proposed road names for the approved subdivisions at 46 Crookston Drive, Camden South for a 30 day exhibition period; and
- ii. be provided with a further report detailing the results of the 30 day public exhibition period.

ORD144/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD02 Noxious Weed Officer Delegations

MOTION

Moved Councillor Fischer, Seconded Councillor Copeland that Council:

- i. revoke all previous delegations made by Council under the Noxious Weeds Act 1993;
- ii. resolves to appoint the following staff as Inspectors under section 41 of the Noxious Weeds Act:
 - a. Nicole Magurran, (Director Development and Environment)
 - b. Geoff Green, (Manager of Environment and Health)
 - c. Renee Galinaitis, (Team Leader Rangers)
 - d. Fiona Stalgis (Team Leader Environment)
 - e. Matthew McNaughton, (Noxious Weeds Officer)
 - f. Jennifer Rowe, (Ranger)
 - g. Michelle Gallo (Ranger)
 - h. Nathan Armytage (Trainee Ranger)
 - i. Dominic Bruszewski (Landscape Approval Office)
 - j. Luke Peacock (Public Tree Management Officer)
 - k. John Soldo (Tree Vegetation Officer)
 - l. Rob Corby (Natural Assets Officer)
- iii. resolve that the above Inspectors be delegated with Council's powers, duties and responsibilities under the following sections of the Noxious Weeds Act 1993:
 - Section 18 - the power to issue 'Weed Control Notices';
 - Section 18A - Prior Notice of Weed Control Notice';
 - Section 20(2) - the power to carry out 'Noxious Weed Control by Local Control Authority (Council) after Weed Control Notice not complied with';
 - Section 36A - the power to impose 'Temporary restrictions during weed control';
 - Section 41 – Inspectors;
 - Section 43 - 'Power of Entry';
 - Section 45 - the power to give occupiers 'Notice of Entry' for the purposes of undertaking noxious weeds inspections.
- iv. write to the Minister for Primary Industries, the Hon Katrina Hodgkinson and request that the Noxious Weeds Act 1993 be amended to allow the General Manager of the local control authority to sub-delegate the powers and

- responsibilities referred to above;
- v. raise this matter at the upcoming Local Government NSW Annual Conference and submit a motion that the LGNSW support the request to amend the Noxious Weeds Act 1993 to allow the General Manager of the local control authority to sub-delegate the powers and responsibilities referred to above;
- vi. write to MACROC to seek MACROC's support in this matter at the upcoming LGNSW Annual Conference.

ORD145/13 THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD03 Camden DCP Review

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Copeland that Council:

- i. supports the proposed changes to Camden Development Control Plan 2011 outlined in this report;
- ii. publicly exhibit the Draft amended Camden Development Control Plan 2011 for an period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Regulations 2000*; and
- iii. considers a further report to be prepared and submitted to Council to allow consideration of submissions received during the exhibition period.

ORD146/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD04 190 Raby Road, Gledswood Hills Planning Proposal

Resolution: Moved Councillor Fischer, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal for the rezoning of 190 Raby Road, Gledswood Hills to forward to the Department of Planning and Infrastructure for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979;
- ii. upon favourable Gateway Determination require the proponent to undertake to fund all required sub studies listed in the report (including the development of a DCP) and agree to fund Council's costs in undertaking any necessary peer reviews of those sub studies;
- iii. require an exhibition period of 28 days; and
- iv. require a report be brought back to Council following the completion of the relevant studies and draft DCP prior to the public exhibition.

ORD147/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD05 2 and 4 Sharman Close and 1a Stewart Street, Harrington Park

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Dewbery that Council:

- i. endorse the draft Planning Proposal for the rezoning of Lots 1 and 2 DP 740423 (2 and 4 Sharman Close) and Lot 1 DP329195 (1a Stewart Street) Harrington Park, and forward it to the Department of Planning and Infrastructure for Gateway Determination;
- ii. upon favourable Gateway Determination place the draft Planning Proposal on public exhibition for 28 days; and
- iii. require a report be brought back to Council following the completion of the public exhibition.

ORD148/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD06 White Paper Response to Department of Planning & Infrastructure

Resolution: Moved Councillor Dewbery, Seconded Councillor Sidgreaves that Council:

- i. note the initiatives of the NSW Government for the proposed reforms to the NSW planning system;
- ii. forward a submission to the Department of Planning and Infrastructure as outlined in this report;
- iii. undertake further investigation on the costing implications of implementing the White Paper for consideration in the 2014/2015 budget; and
- iv. request the Minister consider Camden Council be utilised as a model for the implementation of the new planning system in growth areas

ORD149/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)

ORD07 Request For Sponsorship - Light Up Camden 2013

MOTION

Moved Councillor Sidgreaves, Seconded Councillor Fischer that Council:

- i. donate \$5000 from the Public Relations budget;
- ii. donate \$5000 from Councillor Ward Funds; and
- iii. provide in kind support for advertising, bins, rubbish removal, road closure and public road events fee.

ORD150/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Bligh and Fedeli voted in favour of the Motion. Councillor Campbell voted against the Motion.)

ORD08 Council Seal - Release of Easements - Young Circuit, Elderslie

Resolution: Moved Councillor Copeland, Seconded Councillor Dewbery that the Council seal be affixed to the Plan of Subdivision and/or the associated Section 88B Instrument and dealing document of Lot 399 DP 1161921 for the removal of an easement to drain water, an easement for onsite detention and a restriction on the use of land associated with Stage 4A, Young Circuit, Elderslie, upon the release of the Subdivision Certificates.

ORD151/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD09 Adoption Of The 2013/14 Resource Strategy, Delivery Program & Operational Plan (Including Budget)

Resolution: Moved Councillor Fedeli, Seconded Councillor Sidgreaves that Council:

- i. adopt the Resource Strategy; including Asset Management Policy, Asset Management Strategy and Asset Management Plans, Workforce Plan and Long Term Financial Plan,
- ii. adopt the 2013/14 - 2016/17 Delivery Program & Operational Plan,
- iii. adopt the 2013/14 Budget and Revenue Policy as set out below:
 - expenditure totalling \$148,951,200 as summarised in the 2013/14 Operational Plan and Program Budget and that the funds to cover such expenditure be voted,
 - the 2013/14 List of unfunded Works and Services,
 - the 2013/14 Fees and Charges, including those amendments proposed within this report,
 - the introduction of on-charging of Merchant Service Fees on credit card transaction,
 - the continuation of the Stormwater Management Levy as outlined in this report and program of works in the 2013/14 Operating Plan,
 - approve the level of loan borrowings identified within the 2013/14 budget of \$1,350,000 to part-fund Council's road reconstruction program and the adoption of a Loan Reduction Program for recurrent loan borrowings,
 - adopt the creation of an Asset Renewal Reserve,
 - approve the following reserve transfers:

Transfers from Reserve	Amount
Central Admin Building Reserve	\$1,000,000
Capital Works Reserve	\$650,000
Camden Town Centre Reserve	\$50,000
Water Savings Action Reserve	\$13,900
Transfer to Reserve	
Asset Renewal Reserve	\$179,500
Working Funds Reserve	\$11,800

- reduce general rate income by \$1,307,510, which represents the expiration of the special rate variation (approved June 2010), as at 30 June 2013.
- adopt a 3.40% rate increase under Section 506 of the *Local Government Act*, in accordance with the allowable increase announced by IPART,
- adopt a one-off 1.10% special variation rate increase under Section 508(2) of the *Local Government Act* for a period of six years in accordance with the increase approved by IPART,

- adopt the following ad-valorem rates to be levied on the land value of all rateable assessments for 2013/14 financial year:

Rate Category	
Residential	0.232745
Business	0.628412
Farmland Intensive	0.209471
Farmland Ordinary	0.116373

- in accordance with Section 537(b) of the *Local Government Act, 1993*, note the percentage of base amount to total yield for the 2013/14 financial year for each class of rate is:

Rate Category	
Residential	48.83%
Business	12.95%
Farmland Intensive	25.24%
Farmland Ordinary	23.40%

- adopt a base amount of \$615.00 to be levied for each rateable assessment for the 2013/14 financial year,
 - adopt the rate permitted by the Minister for Local Government for the allowable interest rate on overdue rates of 9.00%; and
- iv. formally thank those who made submissions.

ORD152/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD10 Investment Monies - May 2013

Resolution: Moved Councillor Fischer, Seconded Councillor Fedeli that Council:

- note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act* and Regulations;
- note the list of investments for May 2013; and
- note the weighted average interest rate return of 4.51% p.a. for the month of May 2013.

ORD153/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD11 2012/13 Loan Borrowings

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Dewbery that:

- the offer of loan funds of \$1,300,000 from the Commonwealth Bank for a period of ten (10) years with bi-annual principal and interest payments at a fixed rate of 5.42% per annum be accepted; and
- the seal of Council be authorised to be affixed to the necessary loan documents.

ORD154/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell and Fedeli voted in favour of the Motion. Councillor Bligh voted against the Motion.)

ORD12 Memorandum of Understanding - Harrington Park Stage 2 Contributions for Vegetation Maintenance Works in Tranche 1 (Da 982/2008) and Tranche 9 (Da 453/2010), Oran Park Precinct

Resolution: Moved Councillor Fedeli, Seconded Councillor Sidgreaves that Council:

- i. endorse the acceptance of \$150,000 (excluding GST) in accordance with the Memorandum of Understanding – Harrington Park Stage 2 Contributions for Vegetation Maintenance Works in Tranche 1 (DA 982/2008) and Tranche 9 (DA 453/2010), Oran Park Precinct;
- ii. delegate authority to the General Manager to execute the Memorandum of Understanding; and
- iii. hold the \$150,000 in a restricted assets account until such time the land is fully transferred into Council's ownership and the works can commence.

ORD155/13 THE MOTION ON BEING PUT WAS **CARRIED**

Councillor Warren left the Chamber at 7:59pm.

Councillor Warren entered the Chamber at 8:00pm.

ORD13 Funding of Camden Naidoc Celebrations 2013

Resolution: Moved Councillor Fedeli, Seconded Councillor Sidgreaves that Council:

- i. endorse the acceptance of funds totalling \$1965 (exclusive of GST) from FaHCSIA (\$1300) and Office of Aboriginal Affairs (\$665) for NAIDOC celebrations; and
- ii. write to the FaHCSIA and the Office of Aboriginal Affairs thanking them for their support.

ORD156/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD14 Grant for Integrating Aboriginal Pathways in Natural Resource Management in the Camden LGA Project

Resolution: Moved Councillor Dewbery, Seconded Councillor Sidgreaves that Council:

- i. endorse Council's participation in the Hawkesbury Nepean Catchment Management Authority Pathways Project through the delivery of 'Integrating Aboriginal Pathways in NRM in the Camden LGA';
- ii. write to the Hawkesbury Nepean Catchment Management Authority thanking them for the grant; and
- iii. delegate the General Manager to sign the Project Service Agreement for immediate return to the Hawkesbury Nepean Catchment Management Authority.

ORD157/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD15 Love Food Hate Waste (LFHW) Program Round 3

Resolution: Moved Councillor Fischer, Seconded Councillor Fedeli that Council:

- i. endorse Council's participation in the Love Food Hate Waste Program through delivery of proposed 'Project Lunchbox' and accepting \$17,300 (excl. GST);
- ii. write to the New South Wales Government via the Environment Protection Authority thanking them for the grant; and

- iii. delegate the General Manager to sign both copies of the Funding Agreement for immediate return to the EPA.

ORD158/13 THE MOTION ON BEING PUT WAS **CARRIED**

ORD16 Closure Of The Meeting To The Public

Resolution: Moved Councillor Fischer, Seconded Councillor Sidgreaves that:

- i. the meeting be now closed to the media and public to discuss a report concerning commercial information of a confidential nature dealing with personal hardship, in accordance with the provisions of (Section 10A(2)(b)) of the Local Government Act, 1993; and
- ii. any objections or submissions as to the closure of the meeting be now heard and be limited to a period of four minutes.

ORD159/13 THE MOTION ON BEING PUT WAS **CARRIED**

CLOSURE OF THE MEETING TO THE PUBLIC

Following the resolution of Item ORD16, the meeting convened into Closed Council, the time being 8.14pm. The public and media left the Chamber.

OPEN COUNCIL

The Council reconvened into Open Council, the time being 8.19pm. All Councillors were present in the Chamber on resumption into Open Council. The following was the decision of the Closed Council:

"That Council affix the seal to each of the Agreements pertaining to the individuals identified in this report."

Councillor Dewbery left the Chamber at 8.19pm.

THE MEETING CLOSED AT 8.20PM

ORDINARY COUNCIL

ORD04

SUBJECT: 190 RABY ROAD, GLEDSDOOD HILLS PLANNING PROPOSAL
FROM: Director Governance
BINDER: Amendment 21 Gledswood Hills

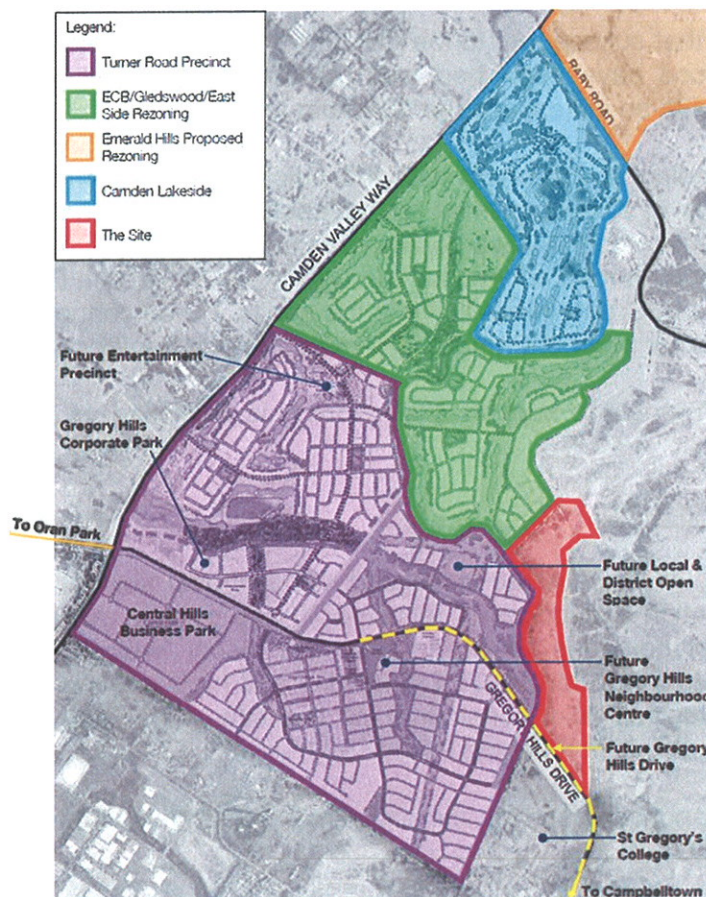
PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal to rezone 190 Raby Road, Gledswood Hills from a RU2 Rural landscape zone to a range of residential zones to facilitate the development of approximately 260 residential lots.

BACKGROUND

A draft Planning Proposal for 190 Raby Road, Gledswood Hills was submitted to Council on the 20 February 2013. This site does not form part of the South West Growth Centre.

The site is located between Gregory Hills (Turner Road Precinct South West Growth Centre), and the western boundary of the Scenic Hills in the Campbelltown Local Government Area (LGA), and to the south east of the El Caballo Blanco/Gledswood site. A location map for this site is shown below.



Location Map

Gregory Hills, adjoining the western boundary of the site, was rezoned in 2007 for residential development, employment lands and a neighbourhood centre. The El Caballo Blanco/Gledswood land, adjoining the northern boundary of the site was rezoned on 22 March 2013 from a rural landscape zone to residential and private recreation zones.

MAIN REPORT

The draft Planning Proposal site is irregular in shape and exhibits an overall length of approximately 1700m length and 200-300m width and is approximately 40 hectares.

The eastern boundary of the site adjoins the Campbelltown LGA. Campbelltown Council has been advised of the Planning Proposal and further ongoing discussions will be undertaken throughout the process as required should the proposal proceed.

The site is currently zoned RU2 Rural Landscape and has a minimum lot size of 40 ha. The draft Planning Proposal seeks to create approximately 260 residential lots by rezoning the land to:

- R1 General Residential with a minimum lot size of 450m² (approximately 190-196 lots);
- R2 Low Density Residential with lots ranging from 700m² - 1800m² (approximately 30 – 60 lots); and,
- R5 Large Lot Residential with a minimum lot size of 2000m² (approximately 4 – 6 lots).

The lot mix identified above is indicative only at this stage and subject to further detailed ongoings as part of the rezoning process.

It should be noted that subsequent to the Councillor Workshop held on 11 June 2013, additional discussions have been had with the proponent resulting in a review of proposed lot sizes and an increase in the minimum area.

The proposed rezoning is consistent with the adjoining development to the west in Gregory Hills and is in close proximity for connection to infrastructure, facilities and services that will be provided as a part of the development of the Turner Road Precinct. There is opportunity for a road connection through to the El Caballo Blanco/Gledswood site to the north and to Gregory Hills Drive in the south. These connections will provide broader access to other parts of Camden and more broadly to other parts of Sydney.

A draft Planning Proposal to support this rezoning is **included as Attachment 1 to this report.**

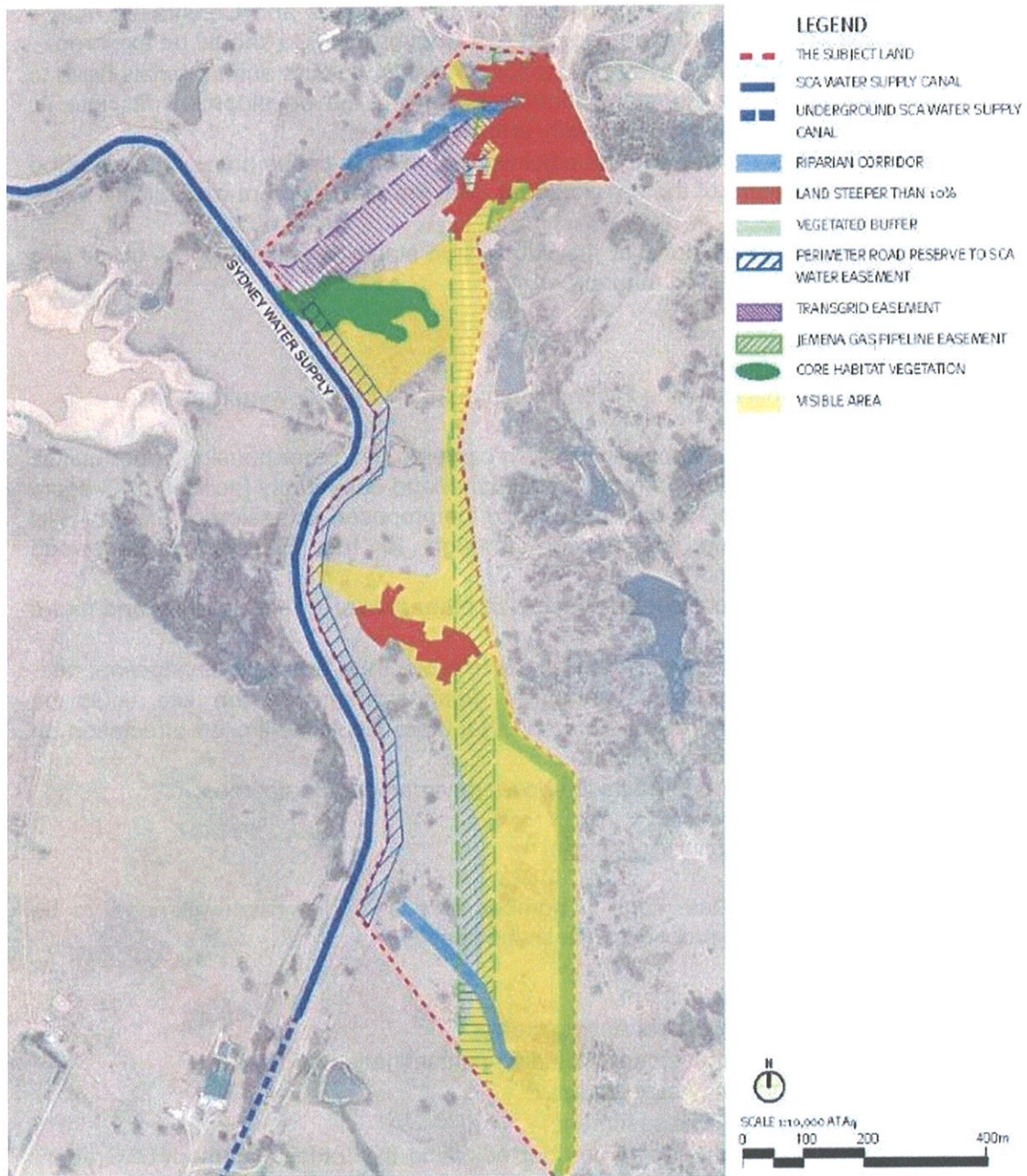
Landscape Visual Analysis

A range of studies will be required to support the proposal and will be undertaken if Gateway Determination to proceed is received. These studies are outlined further in the report. Notwithstanding the above, a Landscape Visual Analysis was requested by Council prior to Gateway Determination to identify and map existing landscape, visual and scenic opportunities and constraints of the site. This study is provided as Attachment 3 within the draft Planning Proposal.

As a result of the landscape survey and analysis it is recognised that the site has the following constraints:

- areas of critically endangered Cumberland Plain Woodland vegetation;
- an indigenous heritage site;
- proximity to European heritage items such as the Sydney Catchment Authority (SCA) Canal and Gledswood Homestead;
- a number of services that will need to be considered in any future planning such as a 44m wide Jemina easement for gas pipeline networks, a 60m wide Transgrid easement, and SCA Water Canal Easement, and
- land capability issues, including contamination and salinity.

The above will be dealt with as part of the range of studies outlined in this report. A map locating opportunities and constraints of the site is shown below:



Opportunities and Constraints Map

A major component of the Landscape Visual Analysis is the visual survey of the site assessing the visibility of the site from existing and proposed adjoining residential areas and the Scenic Hills ridgeline. The analysis indicates that the development will not be visible east of the Scenic Hills ridgeline and will not be visually intrusive to development west of the site.

An internal assessment has been undertaken of the Landscape Visual Analysis and its findings. The following comments are provided as part of this assessment:

- while the site is not visible east of the Scenic Hills ridgeline care is required that no high or visible elements are placed on the ridgeline, this includes high mounding and artificial lines of trees;
- a vegetated buffer area is located on the Opportunities and Constraints map – the possibility of this area forming part of a Community Title should be explored;
- restrictions on building envelope locations, heights, colours and materials need to form part of the development controls to ensure the development fits into its surroundings, particularly on visually prominent areas;
- view of the Upper Canal and the adjoining future open space areas of Gledswood should be a feature of the development, with the development maximising views to these; and
- landscaping must be done at the subdivision stage to ensure works occur in a consistent and controlled manner.

Support for this Proposal

It is considered that this Planning Proposal has merit for the following reasons:

- It offers an urban infill opportunity which can provide further housing opportunities which has close access to retail, educational and community facilities at Gregory Hills. It can also achieve direct access to the proposed extension of Gregory Hills Drive and has road connection through to the El Caballo/Gledswood development to the north;
- It provides housing choice not possible in other areas, for both current and future residents of Camden;
- It strategically locates larger lots in order to protect the Scenic Hills ridgeline; and
- The Landscape and Visual Analysis demonstrated that the site could be developed with limited constraints and that there would be limited affectation on vegetation and riparian corridors.
- Potential to explore opportunity to secure environmental outcomes.

Studies to underpin the Planning Proposal

The draft Planning Proposal flags a number of sub studies that will need to be undertaken if the rezoning proceeds. These include:

- a detailed Traffic Assessment;
- a comprehensive Ecological Assessment;
- a Land Capability Assessment, including contamination and salinity;
- a Bushfire Constraints Assessment;
- an Aboriginal Heritage Assessment;
- an Acoustic Assessment of a corridor adjoining the future alignment of Gregory Hills Drive extension;
- a Water Cycle Management Plan that includes Water Sensitive Urban Design, consideration of the Sydney Catchment canal/crossings and flooding;

- a Social Impact Statement; and
- DCP site controls and built form requirements.

The abovementioned sub studies will be funded by the proponent. Council staff will assess and approve all of the sub study briefs, agree on the appointment of appropriate consultants to prepare the sub studies and undertake the peer reviews. Any cost incurred by the peer review will be funded by the proponent.

Public Agency Consultation

Should a favourable Gateway Determination be received, the draft Planning Proposal will be referred to a number of public agencies either prior to or during the public exhibition period, depending upon the circumstances of the Gateway Determination. While these public agencies are listed below, it is recognised that if Gateway Determination to proceed is received there may be a requirement to consult more broadly. The draft Planning Proposal suggests the following public agencies be consulted:

- Office of Environment and Heritage (Environment Branch);
- Office of Environment and Heritage (Heritage Branch);
- Sydney Catchment Authority;
- Roads and Maritime Service (RMS);
- Campbelltown City Council;
- Liverpool City Council
- Wollondilly Council

Exhibition Period

The draft Planning Proposal recommends that the proposal will be exhibited for 28 days.

LEP Delegation

Council intends to use its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979 for this Planning Proposal. This will enable Council to streamline the processing of the Planning Proposal. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated officer.

Where to from here

If Council resolves to send the draft Planning Proposal to DPI for Gateway Determination the following steps will occur:

- if a Gateway Determination to proceed is received the studies will be undertaken and reviewed by Council officers;
- the draft Planning Proposal will be amended to align with the outcomes of the submissions and studies;
- a draft DCP will be prepared; and
- the draft Planning Proposal and draft DCP will be reported to Council prior to public exhibition.

The draft Planning Proposal includes a recommended timeframe that the rezoning process is predicted to follow. This timeframe includes an indicative course of action for

the studies to be completed, assessed internally and for the public exhibition period. Taking these into consideration it is anticipated that the rezoning process will take 18 months from the time of Gateway Determination.

FINANCIAL IMPLICATIONS

There are no financial implications for Council as a result of this Planning Proposal.

CONCLUSION

The draft Planning Proposal to rezone 190 Raby Road, Gledswood Hills to residential land is the first step in the rezoning process and has merit to progress to the next stage of seeking Gateway Determination as it provides approximately 260 residential lots that are in close proximity for connection to existing and/or proposed infrastructure and services.

Should Council resolve to proceed with the draft Planning Proposal it will be forwarded to Gateway for determination. Following the completion of the sub studies and draft DCP the matter will be reported back to Council prior to exhibition.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal for the rezoning of 190 Raby Road, Gledswood Hills to forward to the Department of Planning and Infrastructure for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979;**
- ii. upon favourable Gateway Determination require the proponent to undertake to fund all required sub studies listed in the report (including the development of a DCP) and agree to fund Council's costs in undertaking any necessary peer reviews of those sub studies;**
- iii. require an exhibition period of 28 days; and**
- iv. require a report be brought back to Council following the completion of the relevant studies and draft DCP prior to the public exhibition.**

ATTACHMENTS

1. Draft Planning Proposal