

Camden LEP 2010 Amendment No. 11 - Elyard Gardens rezoning

Proposal Title : **Camden LEP 2010 Amendment No. 11 - Elyard Gardens rezoning**

Proposal Summary : **To rezone part of the Elyard Gardens site at Elyard St Narellan from B2 Local Centre and B5 Business Development to R3 Medium Density Residential.**

PP Number : **PP_2011_CAMDE_004_00** Dop File No : **11/17188**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.2 Mine Subsidence and Unstable Land
5.1 Implementation of Regional Strategies
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

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

1. Amendment of the objectives of the planning proposal in Part 1 to be consistent with the proposed provisions in Part 2. This can be done by amending the objectives to ensure that they refer only to maintaining the previous controls prior to the making of Camden LEP 2010 in relation to residential development.

2. Simplification of the description of the proposed rezoning in the planning proposal by removing the reference to moving the boundary between zones, and replacing it with "to rezone the land shown on the map from B2 Local Centre and B5 Business Development to R3 Medium Density Residential".

3. Amend the description of the subject lands in the planning proposal so that it refers only to the area actually proposed for rezoning i.e. part Lot 6, DP 812672.

4. Amend the maps in the planning proposal such that the subject site is only the actual area to be rezoned.

5. Remove the reference in the planning proposal to introducing an additional permitted use for the subject site in in Schedule 1 of Camden LEP 2010 (page 5), as this option is not proposed by the planning proposal.

7. Amend section 5.3.3.2 of the planning proposal, in relation to SEPP 55 - Remediation of Land, to refer to clause 6 of the SEPP, and prepare a report on the findings of a preliminary investigation of the land as required by clause 6(2) of SEPP 55.

Supporting Reasons : **The planning proposal to rezone the site to permit medium density residential development should proceed. It is a use which was previously permitted on the site and is necessary to implement a masterplanned mixed use development incorporating commercial, medical and residential uses.**

Panel Recommendation

Recommendation Date : 19-Jan-2012

Gateway Recommendation : Passed with Conditions

Panel

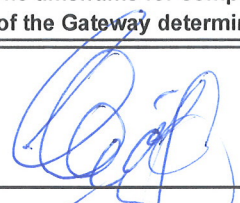
The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to amend the planning proposal to correctly define the area being rezoned by amending the property description and corresponding maps and by removing references to adjusting boundaries between zones.
2. Council is to review and amend the objectives of the planning proposal in Part 1 to ensure consistency with the proposed provisions in Part 2.
3. Council is to remove reference to amending Schedule 1 as this is not an option proposed by the planning proposal.
4. Council is to amend the planning proposal to consider the requirements of Clause 6(2) of SEPP 55, and in doing so prepare a report into the findings of a preliminary investigation of the land, prior to the commencement of public exhibition.
5. 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).
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Essential Energy
 - Department of Education and Communities
 - Office of Environment and Heritage
 - Mine Subsidence Board
 - Sydney Water
 - Telstra

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.
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 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

30.1.12