

Draft Camden Local Environmental Plan 2010 Amendment No.7 – Spring Farm South and West Village zone boundary adjustment

Proposal Title : Draft Camden Local Environmental Plan 2010 Amendment No.7 – Spring Farm South and West Village zone boundary adjustment

Proposal Summary : The Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 to facilitate minor boundary adjustments through the rezoning of land in the vicinity of the South and West Villages of the Spring Farm Release Area.

The Planning Proposal will provide for an additional 3.88 hectares of residential zoned land in the Spring Farm Release Area, as follows:

In total, rezone 4.66 ha of land currently zoned E2 Environmental Conservation to a residential zone and 7 791 sqm of land, currently zoned for residential purposes, to the E2 Zone.

PP Number : PP_2012_CAMDE_003_00 Dop File No : 12/01451

Planning Team Recommendation

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

S.117 directions :
 1.2 Rural Zones
 1.3 Mining, Petroleum Production and Extractive Industries
 2.1 Environment Protection Zones
 2.3 Heritage Conservation
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.2 Mine Subsidence and Unstable Land
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that:

The Planning Proposal proceeds, subject to the following conditions:

1. The Director General's delegate agrees that the inconsistencies with Section 117 Directions:
 - 2.1 Environmental Protection Zones;
 - 3.1 Residential Zones;
 - 4.3 Flood Prone Land;
 - 6.2 Rezoning Land for Public Purposes; and
 - 6.3 Site Specific Provisions;
 are justified as of minor significance.
2. Prior to agency and community consultation, Council amends the Planning Proposal by including Council's intention to include a site specific clause that will safeguard the amenity of proposed residential development near sand mining operations.
3. Council amends its Development Control Plan, prior to the Planning Proposal being finalised, to ensure that the compaction of fill on the land, subject to the Planning Proposal, is undertaken in such a manner that the final land form will appropriately support urban development.

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4. Prior to agency and community consultation, Council amends Figure 3 of the Planning Proposal (page 10) to clearly show the boundary of lot 1 DP 625278; its relationship to the Planning Proposal boundary; and, identifies all boundaries shown on the diagram.
5. Before other agency consultation occurs, and prior to community consultation, Council consults with:
 - the Department of Primary Industries (Minerals and Petroleum);
 - Mine Subsidence Board; and
 - the Commissioner of Rural Fire Services.
6. Council consult with:
 - the Department of Primary Industries (Minerals and Petroleum);
 - the Commissioner of the NSW Rural Fire Service;
 - the Mine Subsidence Board;before publicly exhibiting the Planning Proposal; and consults with:
 - Office of Environment and Heritage;
 - Hawkesbury Nepean Catchment Management Authority;
 - Department of Primary Industries - Office of Water; and
 - Endeavour Energy;concurrently with community consultation.
7. The Planning Proposal be publicly exhibited for a period of 28 days.
8. The Planning Proposal be completed within 9 months.

Further, the regional team considers that Council has not technically complied with SEPP 55, as Council has not turned its mind to contamination issues for this particular Planning Proposal (see discussion under '6.3 SITE SPECIFIC PROVISIONS' of this regional team report).

It is consequently considered that this matter should be raised with Council in the Gateway's covering determination letter - suggesting that Council, following community consultation, may wish to formally consider whether the land is contaminated.

Supporting Reasons : The Planning Proposal is considered to have merit for progression.

Panel Recommendation

Recommendation Date : 09-Feb-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to commencing community consultation, Council is to amend Figure 3 on page 10 of the planning proposal to accurately indicate the boundary of Lot 1 DP 625278, and the boundary of the land subject to the rezoning to provide clarity to the community.
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:
 - Endeavour Energy
 - Hawkesbury-Nepean Catchment Management Authority

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- Office of Environment and Heritage
- NSW Department of Primary Industries – Minerals and Petroleum
- NSW Department of Primary Industries – Office of Water
- Mine Subsidence Board
- NSW Rural Fire Service

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 Director General of the NSW Department of Primary Industries prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 1.3 Mining, Petroleum Production & Extractive Industries and amend the planning proposal prior to exhibition if necessary.

5. Further to Condition 3 above, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal prior to exhibition if necessary.

6. Further to Condition 3 above, Council is to consult with the Mine Subsidence Board prior to undertaking community consultation and take into account any comments made as per the requirements of S117 Direction 4.2 Mine Subsidence and Unstable Land and amend the planning proposal prior to exhibition if necessary.

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

Signature:



Printed Name:

NEIL SELMAN

Date:

15/2/2012