

Department of Planning and Environment
Greenfield Housing
PO BOX 31,
SYDNEY, N.S.W 2001

Attention: Brad Carmady

Dear Brad,

Re: Submission to Draft Leppington Precinct Plan
(Lot [REDACTED], Leppington)

I represent [REDACTED], Leppington¹. The [REDACTED] (and many members of the broader neighbourhood) have for at least the last decade placed their “lives on hold” as the South West Growth Centre was initiated, enacted and progressively implemented. They have withheld basic property improvements/investments whilst waiting for the rezoning of their property.

More recently, my Clients have been awaiting the imminent precinct planning and rezoning of their land and surrounding lands, since Departmental advice in early 2013, that the process would be completed by December, 2013.

A year later my Clients are confronted with a Precinct Planning Process (Leppington Precinct)² which proposes to defer the rezoning of their land and immediately surrounding land to Stage 2, with no guarantee on the timing of the same or indeed that the staging will not be changed and further deferred.

It is acknowledged that all land in the Precinct cannot be serviced at the outset, however, it is considered that market forces will reflect the same should the whole Precinct be zoned as “one entity”.

There is also an often cited concern with the impact of an escalation in land rates payable to the Local Authority (Council) until the land is disposed of or developed. This concern, however, fails to acknowledge the “relief” available pursuant to Chapter 15, Part 8, Division 2 of the Local Government Act, 1993 and in particular sections 585-599 inclusive.

Simply expressed these provisions provide for the postponement of a component of rates (attributable part) ordinarily payable if the land were otherwise capable of

¹ Refer to Attachment “A” for a copy of details of the subject holding and Attachment “B” for a locational context extract, including in the context of the proposed Indicative Layout Plan.

² Refer to Attachment “C” for an overview of the process

[REDACTED]

subdivision for residential purposes (in accordance with the prevailing zoning) and not used solely as a single dwelling-house.³

It is possible to hold 5 years worth of deferred rates (attributable part inclusive of interest) in arrears.

If circumstances change and the property is sold or developed in accordance with the prevailing zoning the “rates in arrears” must be reconciled (Sections 596-597)

Clearly a concern with the potential negative impact of increased land values and commensurate rates payable to Council should not be cited as a reason to stage the proposed rezoning of the subject Precinct and other similar precincts.

Given the foregoing and in the absence of any other substantive reason for staging the zoning of the Leppington Precinct, the Department of Planning and Environment is urged to review the proposed zoning of the Leppington Precinct in stages and rezone the whole Precinct as “one entity”. In particular my Clients land should be zoned R2 Low Density Residential as a minimum or preferably R3-Medium Density Residential, (given its locational and inherent urban attributes), from the outset.

Should you require clarification of any aspect of this submission please do not hesitate to contact either myself on 0431 519 128 or [REDACTED].

Yours sincerely,



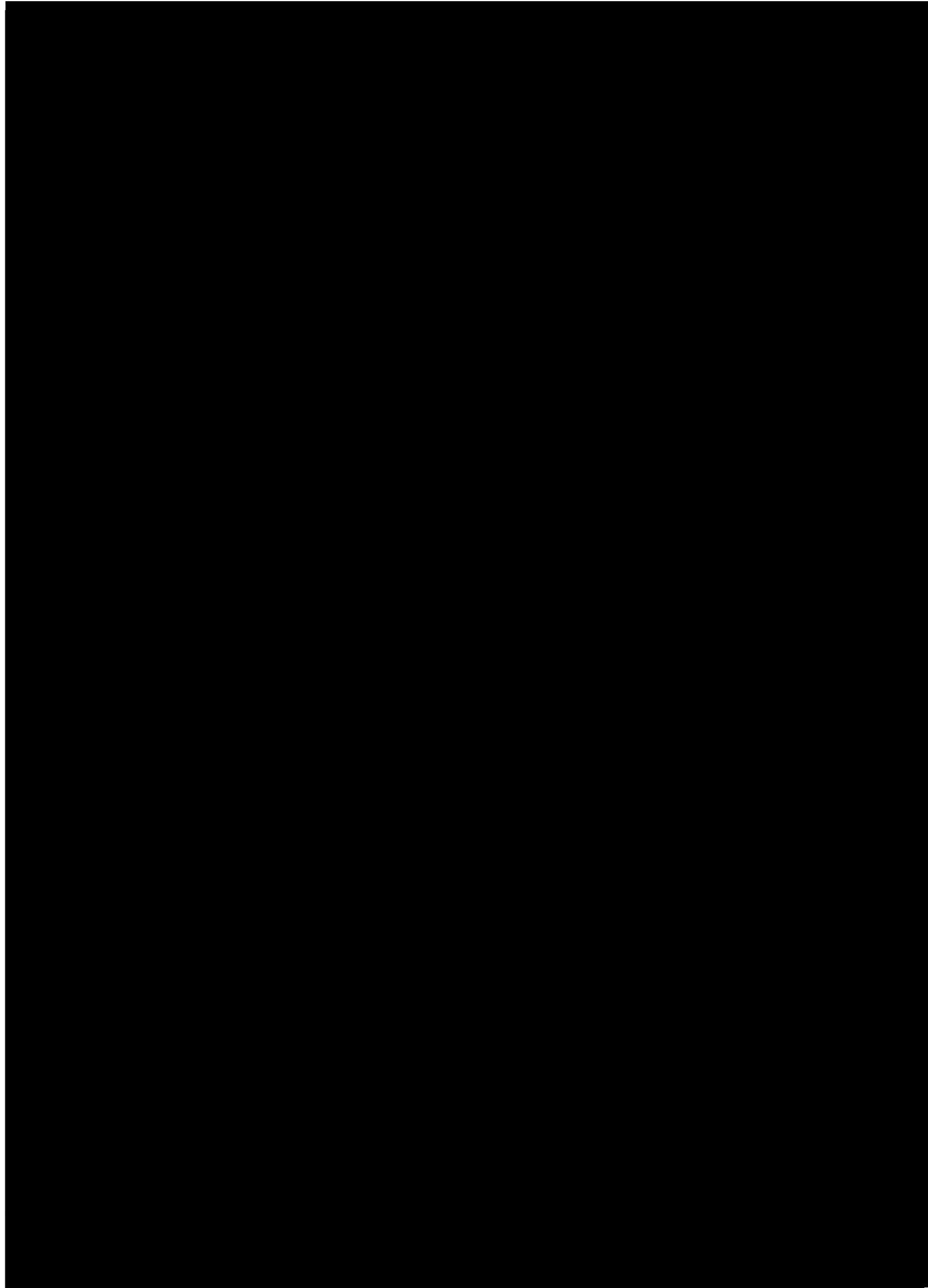
Graham G. Pascoe JP
MPIA, CPP, FIAG
15 January, 2015

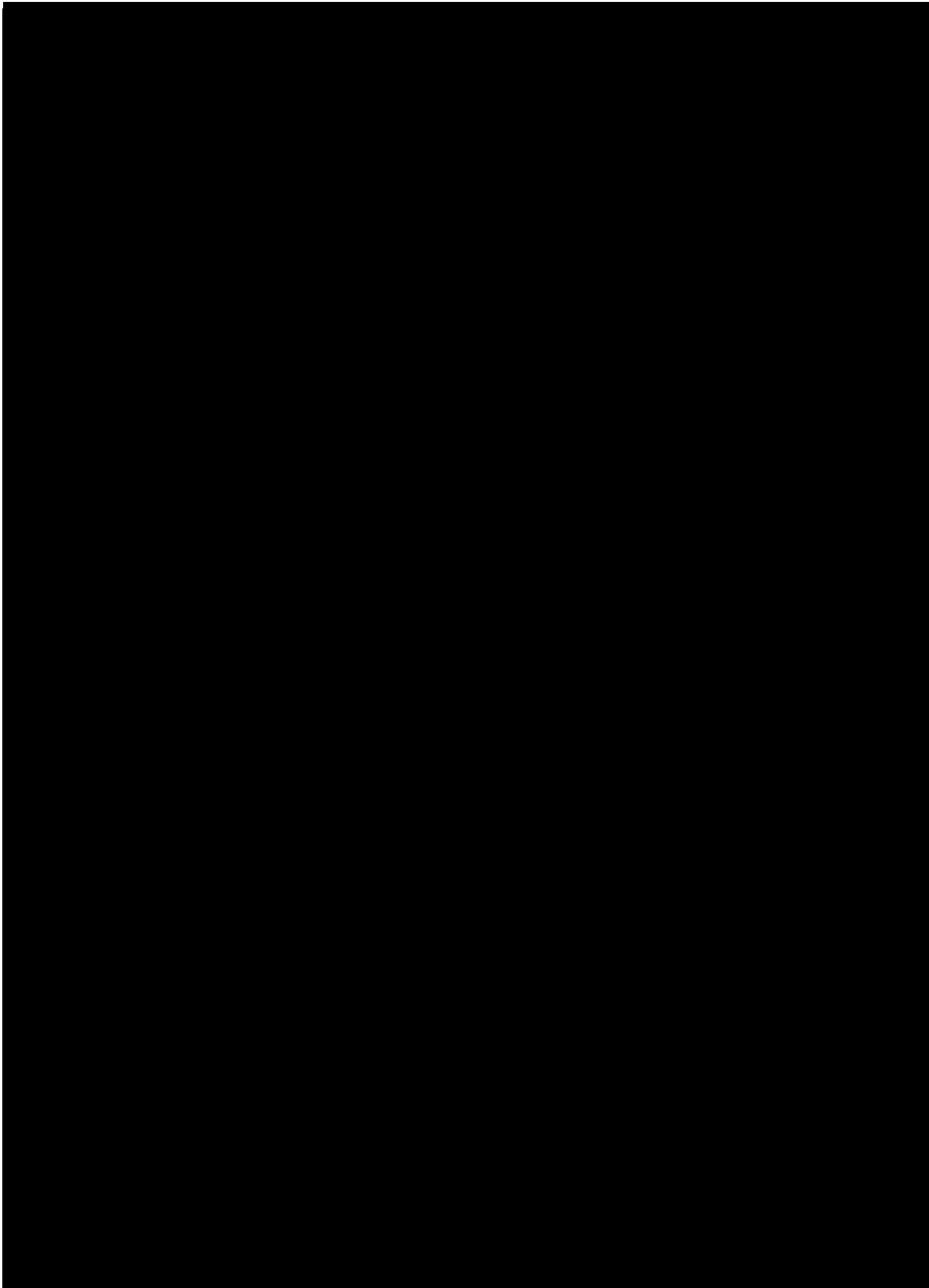
³ The attributable part is determined (in accordance with Section 587) by deducting from the land value the value that the land would have if the land could be used only as the site of a single dwelling-house



ATTACHMENT "A"

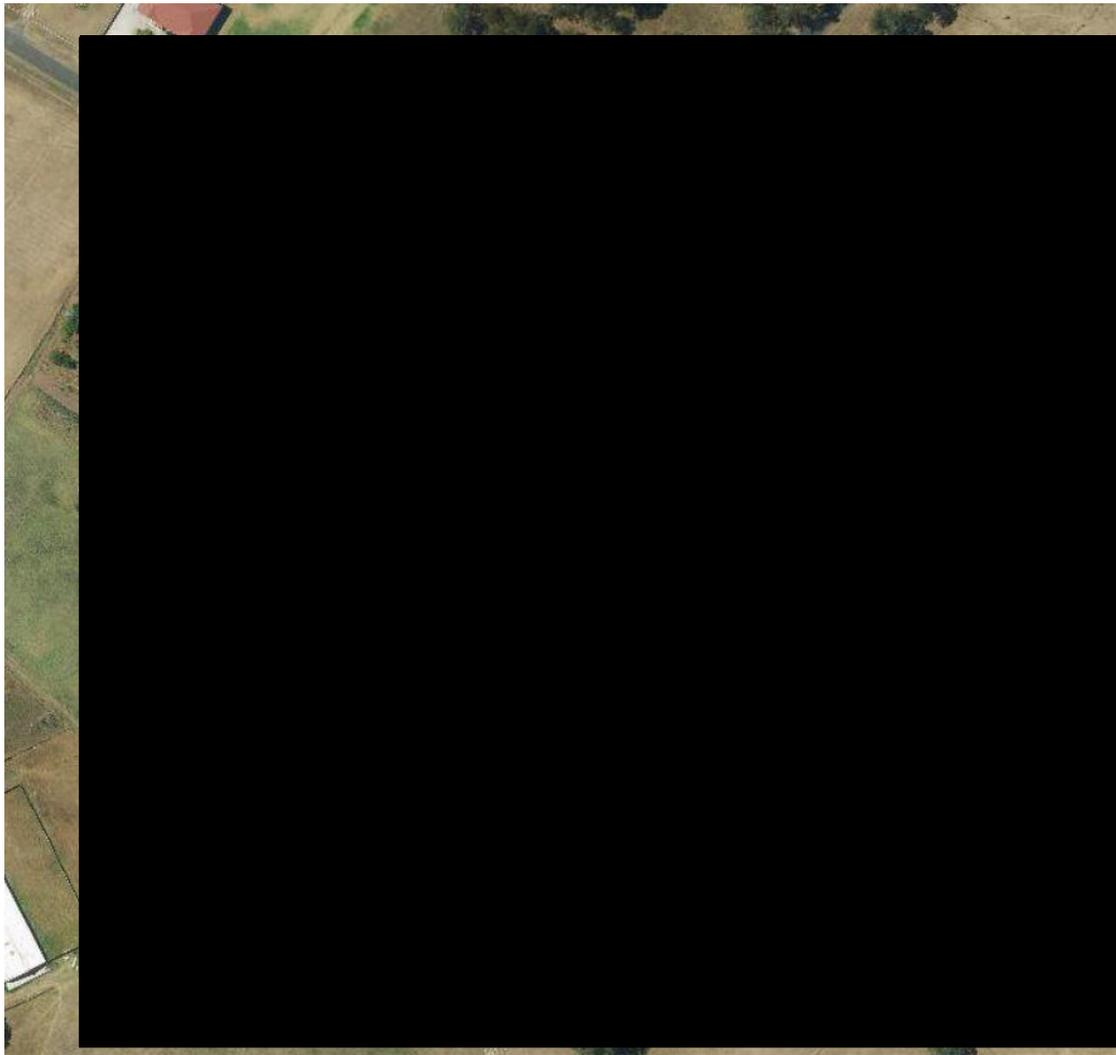
SUBJECT LAND







ATTACHMENT "B"
SUBJECT LAND IN CONTEXT





LEPPINGTON PRECINCT

DRAFT INDICATIVE LAYOUT PLAN

	Land to which this Plan applies		Major Road
	Precinct Boundary		Local Road
	Indicative School Location		Passive Open Space
	Community Centre		Active Open Space
	Retail/Commercial Area		Drainage
	Medium Density Residential		Water Tower
	Low Density Residential		Environmental Conservation
	Environmental Living		Environmental Protection Overlay
			Existing Easements





ATTACHMENT “C”

OVERVIEW OF PRECINCT PLANNING PROCESS



The Leppington Precinct Planning Process

The Leppington Precinct represents a further priority development precinct in the South West Growth Centre, pursuant to the "Managing Sydney's Growth Centres" (2005) and South West Structure Plan and Development Control Plan and State Environmental Planning Policy - Sydney Region Growth Centres (2006) (SEPP SRGC, 2006).

The South West Structure Plan provides a blueprint for detailed planning of individual precincts, including the Leppington Precinct. As part of the precinct planning process, specialist studies and detailed surveys have been undertaken to determine urban capability of the Leppington Precinct, in accordance with the Growth Centres protocols comprising the Growth Centres Structure Plan, the Growth Centres Infrastructure Plan and the Growth Centres Development Code.

Further, it is understood that comprehensive studies and surveys underpin the ILP prepared for the precinct.

The ILP is importantly referred to as providing broad level design outcomes for the Precinct. It is, however, fundamental that even at this level of detail and stage in the planning process, that optimum accuracy and projected planning outcomes are achieved.

The release of the Leppington Precinct heralded the commencement of a comprehensive precinct planning process. This process has entailed:

- The compilation of a series of technical studies;
- The preparation of a draft ILP representing a master plan for the development of the Precinct, showing proposed road patterns and future land uses (refer to extract at Attachment "B");
- A Draft Development Control Plan (DCP); (Camden Growth Centre Precincts Development Control Plan and Schedule 5 – Leppington Precinct)
- An explanation of the enactment process entailing an amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP);
- An Infrastructure Delivery Plan; and
- A Precinct Planning Report