



CAMDEN COUNCIL PLANNING PROPOSAL

**Amendment No. 29 - Housekeeping
Amendments to Camden LEP 2010**

July 2014

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Background

Camden Local Environmental Plan 2010 (Camden LEP 2010) was gazetted on 3 September 2010 and became the principal planning instrument covering land use and zoning in the Camden LGA. Council staff undertakes regular reviews of the LEP and the associated maps which has identified inaccuracies of a minor nature. This is the fourth 'housekeeping' amendment of the LEP.

Should Council resolve to proceed with the draft Planning Proposal it will be forwarded to the Department of Planning and Environment (DoPE) for gateway determination.

Part 1 – Objectives or Intended Outcomes

The amendments proposed to the Camden LEP 2010 by this Planning Proposal are to correct a number of minor mapping and land use table anomalies to ensure Council's intent in relation to these planning controls are achieved. Accordingly, the following 4 amendments are proposed.

Item No	Name of item	Proposal	Map changes
1	Mapping anomalies	This item seeks to make minor amendments to various Camden LEP 2010 maps to correct anomalies which have occurred during the finalisation of the maps prior to their publication.	<u>Land Zoning Maps</u> LZN_011 LZN_016 <u>Height of Buildings Map</u> HOB_013 HOB_016 HOB_017 <u>Lot Size Map</u> LSZ_016 LSZ_017
2	Vehicle sales or Hire premises in B5 zone	The item seeks to amend the land use table for B5 Business Development by adding ‘vehicle sales or hire premises’ to Item 3 – Permitted with Consent.	No amendments to Camden LEP 2010 Maps required.
3	Health consulting rooms in R2 zone	The item seeks to amend the land use table for R2 Low Density Residential by adding ‘health consulting rooms’ to Item 3 – Permitted with consent.	No amendments to Camden LEP 2010 Maps required.

4	Heritage item descriptions	This Planning Proposal seeks to amend the property descriptions in Schedule 5 - Environmental Heritage, to correct minor anomalies.	No amendments to Camden LEP 2010 Maps required.
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Part 2 – Explanation of provisions

Item 1 – Mapping anomalies

This item seeks to make minor amendments to various Camden LEP 2010 maps to correct anomalies which have occurred during the finalisation of the maps prior to their publication. The following table contains a summary of the mapping anomalies within Camden LEP 2010. **Comparison maps indicating current and proposed changes are included within Appendix A.**

	Anomaly	Action	Historical Notes	Map changes
1	Portion of Nepean River (within Camden Local Government Area) in Spring Farm is blank with no zoning reference.	Amend Land Zoning Map to reinstate RU1 Primary Production.	Change made during LEP conversion to the standard instrument.	Land Zoning Map LZN_011
2	Sections of land in Gledswood Hills and Leppington are blank, with no height of buildings reference.	Amend Height of Buildings Map to reinstate J – 9.5m	Change made during the finalisation of Consolidated Amendment No 5 which incorporated the following planning proposals Mater Dei Boundary Anomalies (Amendment No 5), Spring Farm South and West (Amendment No 7), Harrington Grove (Amendment No 8) and Elyard Gardens (Amendment No 11), gazetted on 18 January 2013.	Height of Building Map HOB_016
3	Small triangular portion of land in Gledswood Hills shows incorrect zone and minimum lot size.	Amend Land Zoning Map to reinstate R5 Large Lot Residential and amend Lot Size Map to reinstate minimum lot size of W – 4000sqm.	Change made during the finalisation of Amendment No 3- El Caballo Blanco/Gledswood, gazetted on 22 March 2013.	Land Zoning Map LZN_016 Minimum Lot Size Map LSZ_016

4	Portions of land in Mount Annan South zoned E1 National Parks and Natural Reserves and E2 Environmental Conservation currently has a minimum lot size and height of buildings reference. As the lands are identified for non residential development, height of buildings and minimum lot size controls do not apply.	Delete height of buildings and minimum lot size reference to portions of land identified E1 and E2.	Change made during LEP conversion to the standard instrument.	Lot Size Map LSZ_017 Height of Buildings HOB_013 HOB_017
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Table 1: Summary of Mapping anomalies within Camden LEP 2010. (Source: Camden Council, 2014).

Item 2: ‘Vehicle sales or Hire premises’ in B5 Business Development zone

‘Vehicle sales or hire premises’ are currently prohibited within the B5 Business Development zone under Camden LEP 2010. ‘Vehicle sales or hire premises’ is defined in the Dictionary to the Camden LEP 2010 as follows:

“means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.”

This item seeks to amend Item 3 of the Camden LEP 2010 land use table to the B5 Business Development zone to allow development for the purposes of a ‘vehicle sales or hire premises’. The B5 zone covers areas in Narellan and Smeaton Grange. Vehicle sales or hire premises was a permissible use for both zones in the previous LEP however it was inadvertently omitted from the Camden LEP 2010. The proposed land use is considered appropriate as it supports the objectives of the respective zones.

Note: No amendments to Camden LEP 2010 Maps required.

Item 3: Health consulting rooms in R2 zone

‘Health consulting rooms’ are currently prohibited within the R2 Low Density Residential zone under Camden LEP 2010. ‘Health consulting rooms’ is defined in the dictionary to the Camden LEP 2010 as follows:

“Means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.”

This use was described as ‘professional consulting rooms’ under Camden LEP 46, and was converted to ‘health consulting rooms’ during the conversion of LEP 46 into the Standard Instrument format. This was a permissible use in the previous LEP however it was inadvertently omitted from the Camden LEP 2010. The proposed land use is considered appropriate given ‘medical centres’ are permitted in the R2 zone. Further the proposed land use meets the objectives of the R2 zone and will provide a valuable service to low density residential areas in the Camden LGA. As such, this planning proposal seeks to amend the land use table for the R2 zone by adding ‘health consulting rooms’ to Item 3 – Permitted with consent. This item will ensure the LEP is consistent with the ‘status quo’ approach adopted during the conversion of the former Camden LEPs into the new LEP template format.

Note: No amendments to Camden LEP 2010 Maps required.

No. 4: Heritage item descriptions

A review of local heritage items listed under Schedule 5 of Camden LEP 2010 has identified some minor anomalies. The table below details the proposed changes (highlighted in bold) and the reason for correction. The proposed amendments do not make any changes to the heritage boundary or the heritage significance of the items. This administrative amendment will ensure the local heritage items are correctly identified.

Item No and Name	Address	Reason for correction	Proposed amendment
Item 142 House and curtilage	Lot 1, DP 625278 196 Macarthur Road, Spring Farm	Include correct dwelling name as recommended in Section 1.8 of Gordon Mackay Logan <i>Spring Farm Urban Release Area Heritage Assessment June 2002</i>	Under Item name insert the following: “Galvin Cottage” House and curtilage
Item 145 Mural and Wishing Well	Corner Broughton Street and Menangle Road, Camden	Include suburb name and Lot/DP as described	Under suburb name insert: Camden Under property description insert: Lot 2 DP 530480
Item 105 “Yamba”	Lot 10, DP 11038895 181 Camden Valley Way	DP identification incorrect	Amend property description to: Lot 10 DP 1103895

Table 2: Summary of changes to Schedule 5 of Camden LEP 2010. (Source: Camden Council, 2014)

Note: No amendments to Camden LEP 2010 Maps required.

Part 3 – Justification

Section A – Need for the Planning Proposal.

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not a result of any strategic study or report. The planning proposal is a result of a review that was undertaken by Council of the Camden LEP 2010 to identify anomalies requiring correction.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that the planning proposal provides the best way of achieving the intended outcome as it seeks to address the minor anomalies and amendments in a relatively prompt and efficient manner.

3. Is there a net community benefit?

Given the minor housekeeping nature of the matters contained within this planning proposal, it is not considered that a Net Community Benefit Test need be undertaken. The matters addressed by this planning proposal will strengthen the Camden LEP 2010 by ensuring that it is up-to-date and robust, thereby providing the community with greater certainty.

Section B – Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with both the draft sub regional strategy and the Sydney Metro Strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2040.

6. Is the planning proposal consistent with applicable state environmental planning policies?

<i>Application of State Environmental Planning Policies</i>			
State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
Standard Instrument—Principal Local Environmental Plan	Yes	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	Yes
State Environmental Planning Policy No 1—Development Standards	Yes	The rezoning proposal will not alter the application of this SEPP.	Yes
State Environmental Planning Policy No 14—Coastal Wetlands	n/a	This policy does not apply to Camden LGA	n/a
State Environmental Planning Policy No 15—Rural Landsharing Communities	n/a	This policy does not apply to Camden LGA	n/a
State Environmental Planning Policy No 19—Bushland in Urban Areas	Yes	n/a- housekeeping amendment only.	Yes

State Environmental Planning Policy No 21—Caravan Parks	n/a	This SEPP is relevant to specific development not permitted under this Planning Proposal.	n/a
State Environmental Planning Policy No 26—Littoral Rainforests	n/a		n/a
State Environmental Planning Policy No 29—Western Sydney Recreation Area	n/a		n/a
State Environmental Planning Policy No 30—Intensive Agriculture	n/a		n/a
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	n/a	This policy does not apply to Camden LGA.	n/a
State Environmental Planning Policy No 33—Hazardous and Offensive Development	n/a		n/a
State Environmental Planning Policy No 36—Manufactured Home Estates	n/a		n/a
State Environmental Planning Policy No 39—Spit Island Bird Habitat	n/a		n/a
State Environmental Planning Policy No 44—Koala Habitat Protection	n/a		n/a
State Environmental Planning Policy No 47—Moore Park Showground	n/a		n/a
State Environmental Planning Policy No 50—Canal Estate Development	n/a		n/a
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	n/a		n/a
State Environmental Planning Policy No 55—Remediation of Land	n/a	.	n/a
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	n/a		n/a
State Environmental Planning Policy No 62—Sustainable	n/a		n/a

Aquaculture			
State Environmental Planning Policy No 64—Advertising and Signage	Yes	Any subsequent development applications must be compliant with these provisions.	Yes
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	n/a		n/a
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy No 71—Coastal Protection	n/a	This policy does not apply in Camden LGA.	n/a
State Environmental Planning Policy (Affordable Rental Housing) 2009	yes	This SEPP is relevant to particular development categories. The Planning Proposal does not derogate or alter the application of the SEPP to future development	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	yes	Any subsequent development applications must be compliant with these provisions	yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Infrastructure) 2007	yes	This Planning Proposal is not inconsistent with the applications of this SEPP.	yes
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	n/a		n/a
State Environmental Planning Policy (Kurnell Peninsula) 1989	n/a		n/a
State Environmental Planning Policy (Major Development) 2005	n/a		n/a
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	n/a		n/a
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	n/a		n/a
State Environmental Planning Policy (Rural Lands) 2008	n/a		n/a

State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	n/a		n/a
State Environmental Planning Policy (State and Regional Development) 2011	n/a		n/a
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	n/a		n/a
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	n/a		n/a
State Environmental Planning Policy (Urban Renewal) 2010	n/a		n/a
State Environmental Planning Policy (Western Sydney Employment Area) 2009	n/a		n/a
State Environmental Planning Policy (Western Sydney Parklands) 2009	n/a		n/a
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	n/a		n/a
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	n/a		n/a
Sydney Regional Environmental Plan No 16—Walsh Bay	n/a		n/a
Sydney Regional Environmental Plan No 18—Public Transport Corridors	n/a		n/a
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	n/a		n/a
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	n/a		n/a
Sydney Regional Environmental Plan No 24—Homebush Bay Area	n/a		n/a
Sydney Regional Environmental Plan No 25—Orchard Hills	n/a		n/a
Sydney Regional Environmental Plan No 26—City West	n/a		n/a
Sydney Regional Environmental Plan No 28—Parramatta	n/a		n/a
Sydney Regional Environmental Plan No 30—St Marys	n/a		n/a
Sydney Regional Environmental Plan No 33—Cooks Cove	n/a		n/a

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	n/a		
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7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Ministerial Directions as outlined in Appendix B.

Section C – Environmental, social and economic impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There is no likelihood of any adverse effect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no likely environmental effects as a result of this planning proposal.

10. How has the planning proposal adequately addressed any social and economic affects?

Not applicable.

Section D – State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

Not applicable.

12. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?

Given the minor nature of the issues listed in this planning proposal it is not deemed necessary to contact state or commonwealth public authorities.

Part 4 – Maps

The following Camden LEP 2010 maps will need to be amended:

Land Zoning Map

LZN_011

LZN_016

Lot Size Map

LSZ_016

LSZ_017

Height of Buildings Map

HOB_013

HOB_016

HOB_017

Part 5 – Community Consultation

The matters dealt with in this planning proposal are of a housekeeping nature, and do not result in any adverse impacts upon the community. Accordingly, it is considered that an exhibition period of two weeks is appropriate for this planning proposal.

Due to the housekeeping nature of this planning proposal, it is considered that consultation with State or Commonwealth public authorities is not required in this inst

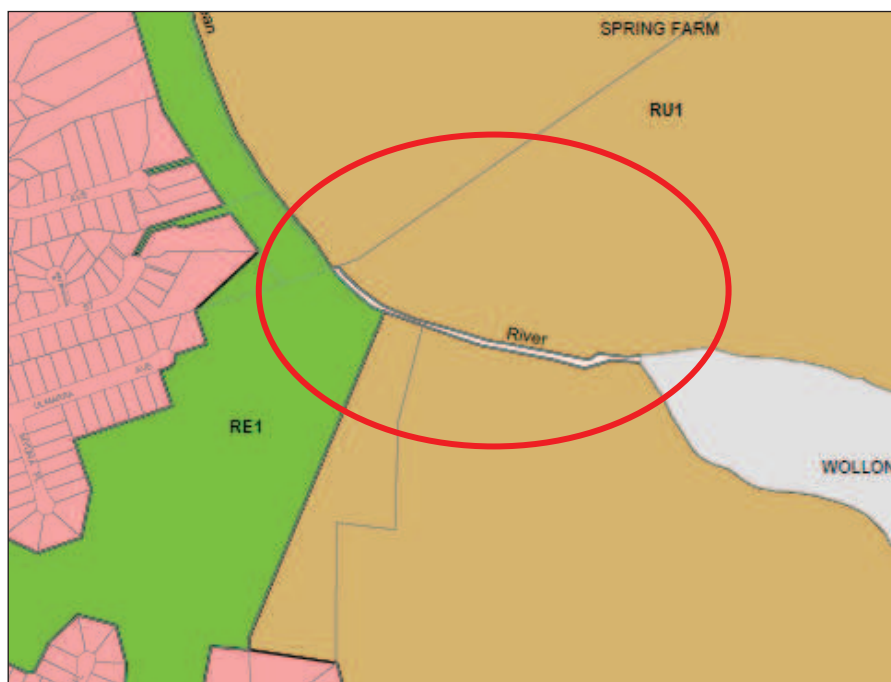
Part 6 – Project Timeline

Anticipated commencement date (date of Gateway determination)	August 2014
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A
Commencement and completion dates for public exhibition period	August/September 2014
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	TBA
Timeframe for the consideration of a proposal post exhibition	TBA
Date of submission to the department to finalise the LEP	TBA
Anticipated date RPA will make the plan (if delegated)	TBA
Anticipated date RPA will forward to the department for notification	TBA

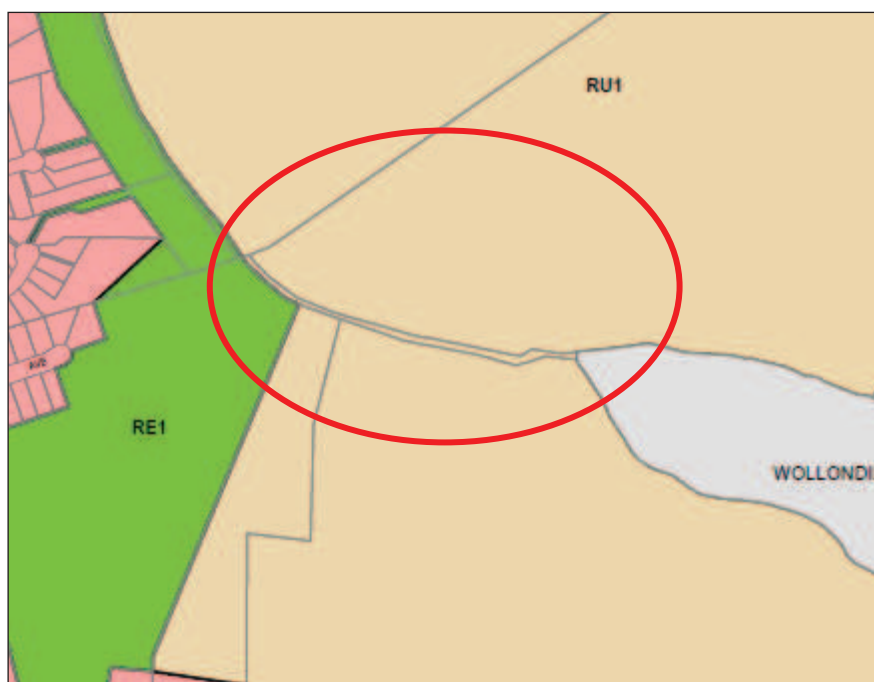
Appendix A – Comparison Maps

1.

Current Land Zoning Map



Proposed Land Zoning Map



2.

Current Height of Buildings Map

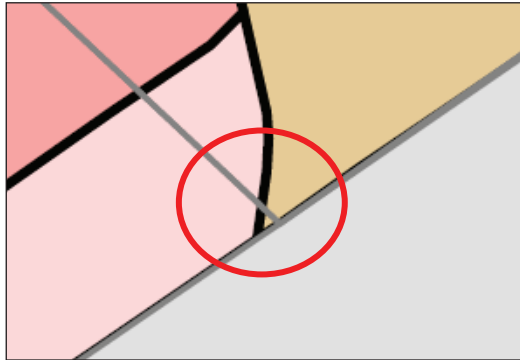


Proposed Height of Buildings Map

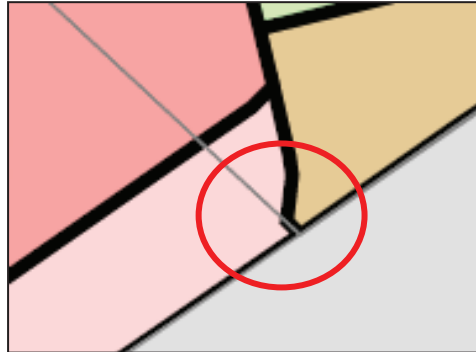


3.

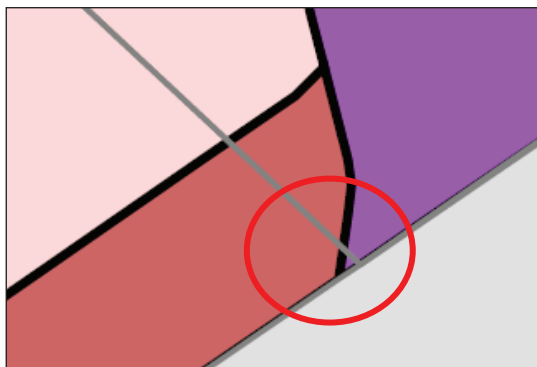
Current Land Zoning Map



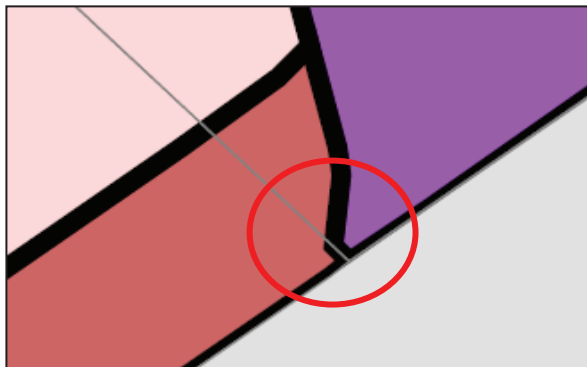
Proposed Land Zoning Map



Current Lot Size Map

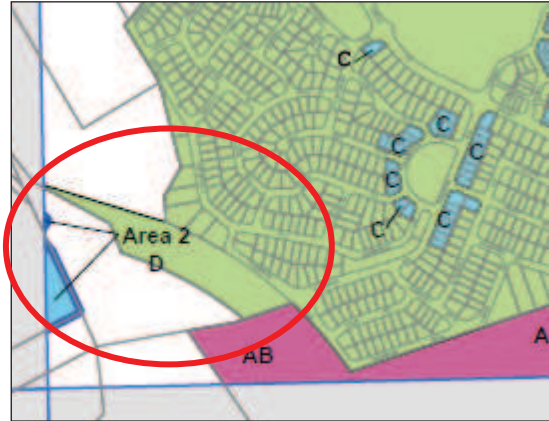


Proposed Lot Size Map

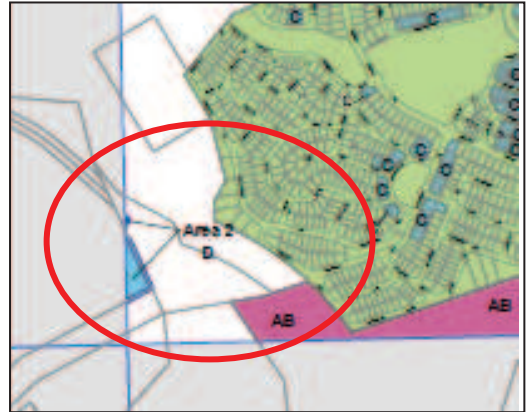


4.

Current Lot Size Map



Proposed Lot Size Map



Current Height of Buildings Map



Proposed Height of Buildings Map



Appendix B – Applicable section 117 directions

Direction	Objective	Response
1.1 Business and Industrial Zones	The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the vitality of identified strategic centres.	<u>Item 2. Vehicle sales or hire in B5 Business Development zone</u> The land use tables for B5 zone will be amended to allow for ‘vehicle sales or hire’ with consent. It will facilitate in achieving the objectives of this direction as it will increase the viability of the business zone.
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<u>Item 1. Mapping Anomalies</u> One of the amendments includes removing development standards to certain E1 National Parks and Nature Reserves and E2 Environmental Conservation lands. This will ensure this land is protected as subdivision is negated.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<u>Item 4: Heritage item descriptions</u> The intent of the Planning Proposal is to amend the description of certain local heritage items under Schedule 5 of Camden LEP 2010. This amendment will ensure that the LEP is reflecting the correct item descriptions.

Direction	Objective	Response
3.1 Residential Zones	The objective of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) To minimise the impact of residential development on the environment and resource lands.	<u>Item 3: Health consulting rooms in R2 Low Density zone</u> The land use table will be amended to allow for 'health consulting rooms' with consent. The proposed land use will provide a valuable service to low density residential areas in the Camden LGA. Accordingly, this planning proposal is considered to be consistent with this direction.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	<u>Item 3: Health consulting rooms in R2 Low Density zone</u> The land use table will be amended to allow for 'health consulting rooms' with consent. Health consulting rooms are considered a home occupation under the Exempt and Complying SEPP. Under the SEPP this use is exempt development. As such, this amendment will ensure Camden LEP is in line with the SEPP.
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The planning policy is consistent with the aims and objectives of all relevant regional Strategies.
7.1 Implementation of	The objective of this direction is to give legal effect to the	The proposals are compatible with the Metropolitan Strategy in that it assists with

Direction	Objective	Response
the Metropolitan Strategy	vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	residential Greenfield development.