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Binder: Former Bus Depot Camden

18 May 2010

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Planning Proposal for the Former Bus Depot Camden

In October 2006 Council advised the Department, pursuant to section 54(4) of the Environmental Planning and Assessment Act 1979 (EP&A Act), of the Council's decision to prepare a draft local environmental plan (LEP) to rezone the former Camden Bus Depot from 3(d) Business Automotive to 2(b) Residential Medium Density. The Department, in January 2007, subsequently advised Council that while this rezoning may be appropriate, there was no strategic justification provided as to the future needs of the community and future use of the whole of the 3(d) zone (Ironbark Avenue).

A Planning Review has since been undertaken for the whole of Ironbark Avenue. This review recommended that the land on the western side of Ironbark Avenue, which included the former bus depot, has potential to be redeveloped for medium density housing. There are two other properties on the western side of Ironbark Avenue. Owners of these sites were contacted and indicated to Council that in the long term they may be interested in a rezoning, however they have no intention of moving their businesses in the short to medium term. Given this, it is proposed to proceed with only the rezoning of the former bus depot site at this stage.

Please find enclosed the Planning Proposal for the former Camden Bus Depot – Lots A & B in DP 399965 and Lot B in DP 409715, Nos 5-13 Ironbark Ave Camden. Also enclosed is the Council Report that considered this Planning Proposal and Council's resolution, and the attachments to this report. Please note that the site plan is within the Planning Proposal. The second attachment is the Planning Review of Ironbark Avenue.

As outlined in the Council Report this Planning Proposal has support from Council to proceed to Gateway Determination. Should you require any further information or assistance regarding this Planning Proposal please call me on 4654 7803.

Mary-Anne Madden
Senior Project Officer – Strategic Planning

English

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PLANNING PROPOSAL

SUBMISSION TO CAMDEN COUNCIL

**Land Situated at Lots A & B in DP 399965 and
Lot B in DP 409715, Nos 5 – 13 Ironbark Avenue,
Camden – Former Camden Bus Depot**

Prepared For:
Transit Management Pty Ltd
Prepared By:



March 2010

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1 Executive Summary

The purpose of this report is to support a request to Camden Council to rezone land at Camden by amending Camden Local Environmental Plan 46 (LEP 46) to permit the development of the land for medium density purposes. This request is in context of the current zoning of the land, which is zoned 3 (d) Business Automotive under the provisions of LEP 46. The current zoning, to some extent, reflects the use of the land for a bus depot, which is predominately the zoning of lands in the immediate area.

The zoning also reflects the status of this road when it formed part of the Hume Highway, before this road was diverted. The Hume Highway was then the main road from Sydney to Melbourne. Since that time the F5 Freeway has since replaced this road, including the volume of traffic that once passed by these sites in Ironbark Avenue. The need for the current zoning is now substantially outdated and this is reflected in previous uses, such as services stations, closing down. This report has been prepared in respect of instructions from the owners (Transit Management Pty Ltd) regarding the subject land.

In 2006 a submission was lodged with Council to rezone the land from 3 (d) Business Automotive to 2 (b) Residential Medium Density. The submission was submitted to the Council meeting of 23 October 2006 with a recommendation to rezone the land in accordance with the submission. The matter was forwarded to the Department of Planning (DoP) advising of Council's intention to prepare a draft LEP pursuant to Section 54 of the EP&A Act 1979. The matter was considered by the DoP LEP Review panel, who advised that the rezoning of the site in isolation was not supported and that detailed investigations should occur to determine an appropriate zoning for all of the 3(d) zoned land.

During this period, the Council was undertaking the preparation of a Consolidated LEP for the LGA in accordance with the direction from the DoP to Council's. During the DoP consultation process, the DoP directed Council to include the land in the draft LEP 2009 and apply the IN2 Light Industrial Zone to the Ironbark Avenue Precinct, as this was considered to be the closest "Template" zone.

Concerns were expressed by the owner as to zoning the land for this purpose given the permissible landuses under this zoning and the likely impacts of this proposed zoning on adjoining residential areas.

Subsequently, the Council conducted a review of the zonings within the precinct. This review was undertaken by an independent town planning consultancy firm. The firm recommended that:

"The most appropriate zoning for the precinct is considered to be IN2 Light Industrial, subject to the land use provisions detailed in the Report.

Council should earnestly consider legitimising existing facilities such as veterinary hospitals and motor showrooms, rather than facilitating their ongoing existence via "existing use" provisions.

The former "bus depot site" (No.'s 5 – 13 Ironbark Avenue and No.'s 1a – 3 Ironbark Avenue) should be capable of being redeveloped as either a "service industrial park" or "multi-unit housing estate", in accordance with basic design parameters as appended to the Report."

At the Council meeting of 24 November 2009, the Council considered a further submission from the owner of the land. The report to Council stated:

*“Council, at its meeting held on 25 September 2007, resolved to defer the Ironbark Avenue land at South Camden from the draft LEP. This was due to the difficulty in finding a compatible template zone with the current 3(d) Business Automotive zone. The DoP has subsequently directed Council to apply the 'closest' compatible zone, which is the IN2 Light industrial, for the exhibition. Prior to the commencement of the exhibition, a planning consultant was engaged by Council to review the proposed IN2 zone and to determine whether it was the most appropriate zone for the Ironbark Avenue precinct. A copy of the Planning Review for Ironbark Avenue is **provided as attachment 3 to this report**.*

The report makes the following recommendations:

- *The IN2 Light industrial zone is considered to be the 'best fit' for the precinct.*
- *The land on the eastern side of Ironbark Avenue has potential to be redeveloped for medium density residential.*
- *Design principles have been developed for both the 'service industrial park' and 'multiunit housing'.*
- *Car parks, vehicle showrooms, (vehicle hire or sales premises - template definition) and veterinary hospitals are uses which should be permitted in all IN2 Light Industrial zones.*

Council had previously resolved to prepare a draft LEP to rezone the old bus depot site to permit medium density development. The DoP subsequently advised Council to undertake a broader review of the potential land to be included in any rezoning. The above review suggests that all the land on the western side of Ironbark Avenue (this includes the former bus depot site and land adjoining to the north being the truck sales yard and the preschool) could be considered for future medium density development.

Any rezoning for medium density must include the preparation of development controls to ensure that a high level of residential amenity is achieved and that the interface with both the residential and light industrial are addressed appropriately.

Accordingly it is recommended that the IN2 Light Industrial zoning, for the Ironbark Avenue, South Camden precinct, remain. The issue of the rezoning of land on the eastern side of Ironbark Avenue to permit medium density residential development is discussed separately in this report.

The owners of the former bus depot site have, in their submission, requested that Council proceed with the rezoning of the land to permit medium density development as previously resolved by Council on 9 October 2006. As indicated above the report on Ironbark Avenue has recommended that this land together with the other land on the eastern side of Ironbark Avenue is suitable for medium density residential development subject to appropriate development controls being developed. The rezoning will also require any contamination issues to be identified and addressed together with studies relating to traffic, infrastructure and community facilities. All costs associated with the rezoning are to be funded by the proponent.”

The Council resolved that the draft LEP be adopted as exhibited and that it be submitted to the Department of Planning for making of the plan. The recommendation also provided that Council reaffirm its resolution of 9 October 2006 to rezone the site to permit medium density development

However, in brief, this report seeks an amendment to LEP 46 to reflect future development aspirations of the owners to develop the land generally for residential purposes in accordance with the 2006 submission.

The intention of the planning proposal is to allow the subject property to be developed in a form or manner compatible with the site's context and that within the immediate area. This in our view would provide a logical development opportunity as opposed to the options presently available under the current zoning and that proposed by the DoP. The rezoning of the land would provide certainty and finality for the owners, Council and the Community as to the future development aspirations for the land. This would also in our view be consistent with the general thrust and direction of Council's overarching strategic vision as articulated by *Camden 2025*.

The report is in four parts in accordance with the Department of Planning's Guidelines for preparing planning proposals. These are as follows:

Part 1 - Objectives or Intended Outcomes – Section 3.

Part 2 - Explanation of Provisions – Section 4.

Part 3 – Justification – Section 5.

Section A - Need for the planning proposal.

Section B - Relationship to strategic planning framework.

Section C - Environmental, social and economic impact.

Section D - State and Commonwealth interests.

Part 4 – Community Consultation – Section 6.

These Guidelines will be addressed below under the various headings.

2 Subject Lands and Context

The subject land is described as Lot B in DP 409715 and Lots A & B in DP 399965 Nos 5 – 13 Ironbark Avenue, Camden. The subject lots have an area of approximately 7430m². The subject land was the site of the former Bus Depot, which ceased use of the site in recent times. The bus depot moved to Anzac Avenue, Smeaton Grange in 2005/6 and the site has remained vacant since that time.

An aerial photograph in **Figure 1** shows the context of the site to adjoining properties. The subject property is located opposite land zoned for automotive purposes to north and east.

The land is gentle fall across the site. The surrounding lands have a mixed land use character reflecting the zoning of these lands. Parts of Ironbark Avenue (east side) are used for a variety of commercial land uses, whilst land to the north is residential in character. Belar Road and Dobroyd Avenue have residential development, mainly of single detached dwellings. Medium density development, a nursing home and Camden South Primary School are located a short distance to the east in Old Hume Highway. This road and the Camden Bypass provide ready access to other parts of the area and Campbelltown.

The series of photographs below show the adjoining and surrounding developments.

As demonstrated by the site photos, site landscaping comprises a mixture of scattered large eucalypts and exotic trees and shrubs. Site observations would confirm that the site is unlikely to contain vegetation species or communities of any environmental significance. For the above reasons, combined with the current land use, it would also be unlikely that the precinct would contain or support critical habitat for environmentally significant fauna species or populations.

The existing trees are located within the front setback area or Council's road reserve and could be retained as part of redevelopment of the land

In terms of services, the subject property has all utility services available, but may require to be augmented as part of any redevelopment of the property.

The subject land is located within the suburb of Camden. This suburb is well-established in terms of housing, with a retirement village located in the Old Hume Highway to the east; whilst Camden Primary School is located to the northeast of the subject property. In Ironbark Avenue, development is a mixture of commercial uses involving caravan sales showroom, motor vehicle showroom, a veterinary clinic and child care centre.

In terms of roads, Camden Bypass is a regional road with generally four travelling lanes. Camden Bypass links Camden South with Narellan to the north. Further to the north, this road links with Narellan Road, which changes to a sub-arterial road and is being upgraded due to development within the urban release areas of Oran Park and Gregory's Hills.

Other major roads in close proximity to the site are Old Hume Highway, Camden Valley Way and The Northern Road. Burrangong Road provides a connection to townships at The Oaks and Mount Hunter. In this regard, the site is ideally located to transport routes, with local bus services operating in the area on a regular basis providing connection to major centres located in Camden, Narellan and Campbelltown.

FIGURE 1 – LOCATION OF SUBJECT SITE – AERIAL PHOTO



(Source: Council Maps)

Photograph 1 showing site from Ironbark Avenue. Existing workshop and other structures shown on site.



Photograph 2 showing previous service station. At one stage, Ironbark Avenue was the Hume Highway hence the service station on this land and immediately opposite.



Photograph 3 showing disused service station looking north.



Photograph 4 showing commercial development opposite.



Photograph 5 showing disused service station opposite subject site. Premises used as squash courts.



Photograph 6 showing vet clinic adjoining squash courts in Ironbark Avenue.



Photograph 7 showing car yard on the corner of Ironbark Avenue and Belar Road.



Photograph 7 showing existing mature trees located within the road reserve and front setback area.



3 Part 1 – Statement of Objectives or Intended Outcomes

The subject land is currently zoned 3(d) Business Automotive under the provisions of LEP 46. The only development permissible under the prevailing zoning is that listed below, with such being permissible only with Council consent.

Auto electricians' workshops; automotive spare parts sales; bus depots; bus stations; car battery supplies and repairs; car repair stations; motor showrooms; service stations; agricultural machinery sales and repairs; motels; refreshment rooms; transport terminals; utility installations (other than gas holders or generating works).

All other uses are prohibited under the zoning. As such, the zoning is very restrictive in its nature and permits limited landuses.

The IN2 Light Industrial zoning suggested by the Panel would have permitted the following landuses:

Depots; Helipads; Heliports; Light industries; Neighbourhood shops; Roads; Sawmill or log processing works; Sewage reticulation systems; Take-away food and drink premises; Warehouse or distribution centres; Any other development not specified in items 2 or 4.

Whilst this zoning may have in some part reflected the previous use of the land as some form of industrial use, the location of the property adjoining residential development is seen to be incongruous with adjoining development and may lead to landuse conflicts, particular with industrial traffic and potential size of such vehicles servicing any industrial use and the potential for Council to impose restricted hours of operation.

In addition, there is industrial land zoned in Little Street (Camden) that has remained vacant or used for other purposes other than industrial since these lands were zoned under LEP 46 and preceeding planning instruments. Council in the past has undertaken a review of these lands and has not reached a definitive decision as to the future of the Little Street Precinct.

It is clear that this Precinct will remain in a state of uncertain development, particularly as Smeaton Grange and future industrial estates offer better and more accessible serviced land, without the potential for landuse conflicts. This landuse conflict was evident in a recent application to establish a fast food outlet in Ironbark Avenue. This application met with community opposition, which led to the application being refused by Council.

The review undertaken by the independent town planner states in respect of this aspect the following:

“The preceding discourse has identified the appropriateness for the subject precinct to continue to evolve as a mixed use precinct, subject to certain limitations

The limitations pertain in particular to:

- *Ensuring minimum outright competition with the Camden Town Centre (via range of permissible business focused land uses)*
- *Access denial to the Old Hume Highway/Camden By-Pass (only controlled access at current intersection of Old Hume Highway/Ironbark Avenue)*
- *Traffic generation (modest traffic generating land uses)*
- *Residential amenity and in particular integration with an overwhelmingly surrounding residential context (appropriate interface management in respect of overlooking, overshadowing, building bulk and articulation, access, street parking and streetscape)*
- *Public realm interface (attractive streetscape)*

Market limitations are likely to include:

- *Limitations to range of automotive uses given limited public exposure and accessibility to main roads*
- *Limitations to satisfactory parking outcomes from habitual high demand generators*
- *Limited capacity to fund public realm upgrades”*

It is on the above basis that the owners have pursued a residential development of the site.

Having regard to the above comments, the stated objectives or intended outcomes are as follows:

To enable the development of Nos 5 – 13 Ironbark Avenue, Camden for medium density purposes in accordance with Zone R3 – Medium Density Residential.

4 Part 2 – Explanation of Provisions

4.1 DRAFT LEP PROVISIONS FOR SUBJECT LANDS

It is proposed by this submission to zone the subject land to R3 Medium Density Residential. At this stage of the process there are no plans of the development options. However, it is noted that the town planning review of lands within the precinct has proposed design principles that would provide criteria for development of the land for such purposes. Essentially, design principles are denoted below in **Figure 2** with the following design principles applying to redevelopment scenarios:

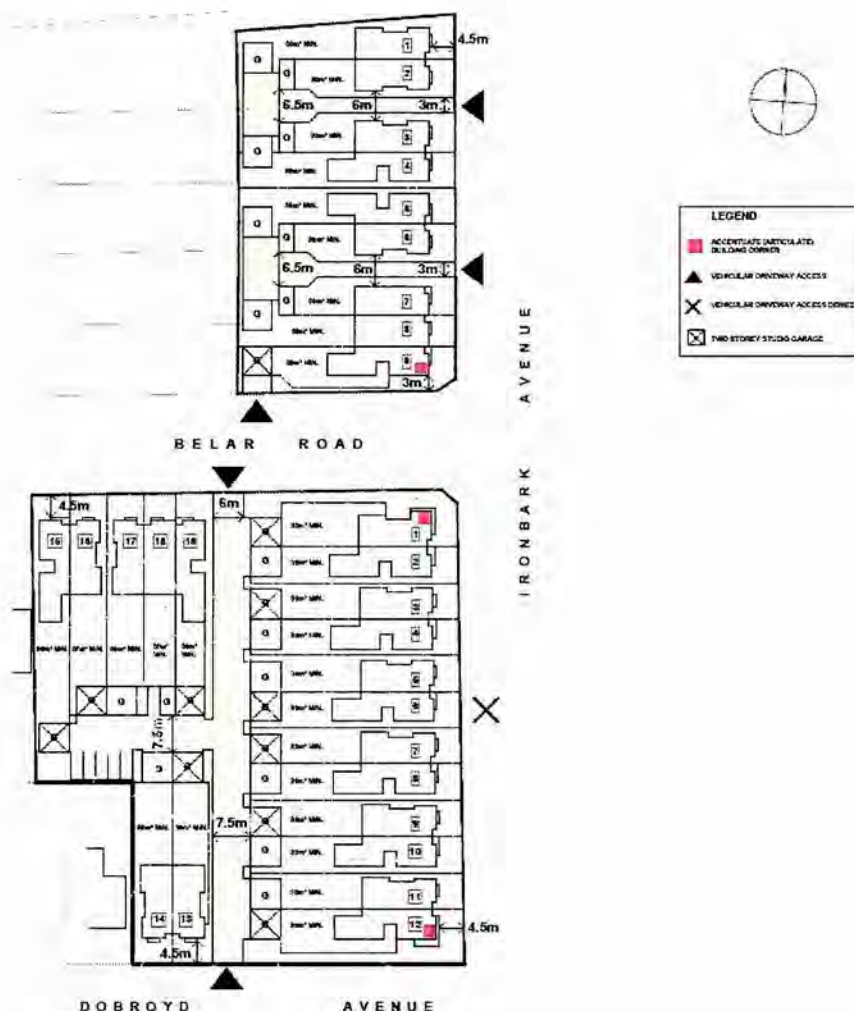
Public Realm

- Reinforcing framework planting involving narrow leaved ironbark (eucalypt) species
- Retaining all mature trees where possible
- Integrating expanded kerbside public parking where possible
- Formalising footpaths where required
- Consideration of traffic calming

Private Property (Generally)

- Restricting building bulk
- Articulation/modulation of buildings, particularly where interfacing with residential development
- Optimising onsite deep root plant areas
- Restricted integrated advertising
- Adequate accessible parking
- Limited rationalised ingress/egress
- Integrated acoustic treatments
- Optimum energy efficiency and water harvesting
- Implementation of water sensitive urban design principles
- An integrated approach to materials and colour to new walls
- Adequate setbacks to residential buildings

FIGURE 2 – DESIGN PRINCIPLES



Having regard to the above, such plans for redevelopment of the site should include the principles. These may be included within a document addressing these principles or shown on development plans. Such plans may also require supporting studies and would be prepared upon Council supporting the rezoning of the land for the medium density residential purposes. In this regard the following provisions would apply:

Amendment to Local Environmental Plan No 46 in accordance with the proposed zoning map shown at Attachment 1 and the applicable objectives within Standard Template to R3 Medium Density Residential as permissible development with the consent of Council.

The draft LEP has the following requirements for R3 Medium Density Residential zone.

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure all forms of residential development are carried out in a functional, aesthetic and environmentally sensitive manner and having particular regard for existing heritage values.
- To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Backpackers accommodation; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Group homes; Home industries; Medical centres; Multi dwelling housing; Neighbourhood shops; Places of public worship; Roads; Seniors housing; Sewage reticulation systems; Any other development not specified in items 2 or 4.

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Boat repair facilities; Boat sheds; Bulky goods premises; Business premises; Car parks; Caravan parks; Charter and tourism boating facilities; Correctional centres; Crematoriums; Depots; Dual occupancies; Electricity generating works; Entertainment facilities; Exhibition homes; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral chapels; Funeral homes; Home occupation (sex services); Industries; Landscape and garden supplies; Mortuaries; Moveable dwellings; Nightclubs; Office premises; Public administration buildings; Recreation facilities (major); Research stations; Registered clubs; Restricted premises; Retail premises; Rural industries; Rural supplies; Rural worker's dwellings; Service stations; Sewerage systems; Sex services premises; Storage premises; Timber and building supplies; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Waste or resource management facilities; Wholesale supplies.

5 Part 3 - Justification

5.1 PROPOSED ZONING

As stated above, the current zoning does not reflect the aspirations of the owners to redevelop the land for medium density residential purposes. The proposed zoning, as stated above, basically would ensure that there was development potential for the land, other than that permitted by the current zoning and that essentially requested by the DoP Panel.

5.2 SECTION A – NEED FOR THE PLANNING PROPOSAL

5.2.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT

There exists a raft of planning strategies and policies developed at state and regional level which integrate with local planning to establish future urban “blueprints”.

Camden Council has sought to respond to the evolving metropolitan and subregional planning context, participating in the planning for new urban growth areas and identifying strategies for the evolution of its town centres in particular. There is little detail at the subregional level to inform consideration of a small precinct, such as Ironbark Avenue.

Past structure planning has taken place at a Local Government Area wide scale and/or town centre masterplanning scale. There is little documented to guide the evolution of the broader Camden Township (beyond the town centre). There exist a number of policies and policy positions which commence to underpin the evolution of a Camden Township Structure Plan and future vision which have potentially strategic implications for the subject precinct.

Key elements informing a potential vision and structure plan include:

- The Old Hume Highway forms a major spine road along the ridge;
- The floodplains of Matahill Creek and the Nepean River flank the ribbon of urban development focused on the spine road;
- A major local intersection and focal point occurs at the intersection of the Old Hume Highway, Camden By-Pass and Burragorang Road;
- Pedestrian/cycle connections flank the urban community linking the extended Camden Township with the Camden Town Centre;
- A public school and recreation and community facilities occur in the immediate neighbourhood;
- A “satellite” support service industry philosophy.

Council has no detailed strategy for the evolution of business centres and managing the tenuous balance of centre viability. Camden and Narellan Town Centres are noted to be complementary Centres providing different services and levels of core retail facilities. Camden Town Centre is seen to act as a support role to the Narellan Town Centre. In many instances these centres are not directly competing for the same disposable income (Camden Strategic Plan – 2025).

Neighbourhood centres have evolved to cater for lower order goods and services and as community focus points. They tend, however, generally to struggle to be vibrant vital centres, particularly given the major attraction of Campbelltown (Macarthur Square) and Liverpool, which have Department Stores (David Jones, etc).

Major industrial activities are focused in Smeaton Grange and Narellan. Isolated service industrial estates have evolved in Little Street, Cawdor Road, part of Edward Street and Ironbark Avenue, but as stated above have struggled due to the availability of more accessible estates such as Smeaton Grange.

5.2.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

Yes. The current zoning permits a limited range of landuses, with a number of landuses prohibited (refer to Section 3 above). The limited permissibility landuses and the potential for further limited landuses under the IN2 zoning, including restricted hours of operation, lend the land to be developed for residential purposes. Access to the site via the intersection with the Old Hume Highway and Ironbark Avenue is restrictive for larger vehicles that would be required to service any industrial development on the land (refer to **Figure 1** above).

The planning proposal is the best means of achieving the objectives as the approach is site specific, which is the intention of the proposal. The site has been vacant for a number of years as the previous tenant (trucking company) vacated the site due to concerns raised by adjoining neighbours.

It is also considered that a medium density use is a good outcome for this site and will allow full realisation of a strategic location to be developed rather than allow the land to remain in an underdeveloped manner. The overgrown nature of the site does not present well for this location and a development that can be realised is a far better outcome for the community in general. This proposal is site responsive.

5.2.3 IS THERE A NET COMMUNITY BENEFIT?

The net community benefits are clearly the redevelopment of the site for residential purposes, rather than remain in its current disused state with limited development opportunities under the current zoning.

The proposal results in increased local activity through the development cycle as local builders will be used to construct the development and the end development will provide housing choice for the LGA particularly in an established area. Given the location of the site close to Camden with inherent services and facilities, the site offers opportunities for various forms of residential accommodation that is not readily available in the immediate area. This is consistent with the Strategies discussed below.

Redevelopment of the site for residential purposes will also result in the removal of unsightly buildings and allow the site to be remediated.

5.3 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

5.3.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY?

As stated above, the subject lands are within the established suburb of Camden. There are limited opportunities for alternative forms of housing choice close to amenities.

5.3.1.1 METROPOLITAN STRATEGY

“The Metropolitan Strategy seeks to strategically locate employment, ensure good management of existing land resources, ensure there is sufficient supply of suitable commercial sites and employment lands and efficiently utilising existing infrastructure”.

The Metropolitan Strategy was broadly developed to facilitate and manage growth and development in the Sydney Metropolitan Region in anticipation of an increased population and demographic changes over the next 25 years. The Strategy highlights the importance of increasing the number of jobs located in Western Sydney through the provision of zoned land in western Sydney localities with high quality transport access (including the orbital motorway M4/M5/M7 network) for business, manufacturing, warehousing and transport activities.

It also notes that a predicted increase in Sydney in transport, storage and logistics employment opportunities related to the assembly and distribution of goods, particularly in ‘outer areas of the city’ will require an anticipated 7,500 hectares of industrial land for these purposes.

The subject proposal will create short-term jobs during the remediation and construction phase, but more importantly create housing choice within the established area of Camden. There are limited opportunities within the immediate area to develop a large site for such purposes.

5.3.1.2 DRAFT SOUTH WEST SUB-REGIONAL STRATEGY

Subregional planning is an important aspect of the planning and implementation of the 2005 Metropolitan Strategy, *City of Cities: A Plan for Sydney’s Future*. The metropolitan area is too large and complex to resolve all the planning aims and directions down to a detailed local level through one Metropolitan Strategy and hence a series of sub-regional strategies have been developed.

Subregional planning is an intermediate step in translating the Metropolitan Strategy to the local level, and recognises that some issues extend beyond local government boundaries and require a ‘subregional’ approach. The draft Subregional Strategies act as a broad framework for the long term development of an area, guiding government investment and linking local and state planning issues.

The aims of the subregional planning are:

- To provide a forum for councils to allocate the local distribution of housing and employment capacity targets based on the principles of the Metropolitan Strategy, and to work together on complementary future directions especially in centres crossing LGA boundaries.
- To provide for balanced growth among LGAs to build upon regional strengths and bolster opportunities.
- To identify the future role of Strategic Centres and Corridors, as well as Towns, Villages and Neighbourhood Centres in relation to the overall metropolitan structure.
- To focus coordinated State agency involvement and asset management with respect to Strategic Centres and corridors including providing a basis for the prioritisation of investment.
- To assist planning for regional facilities, within and between subregions.

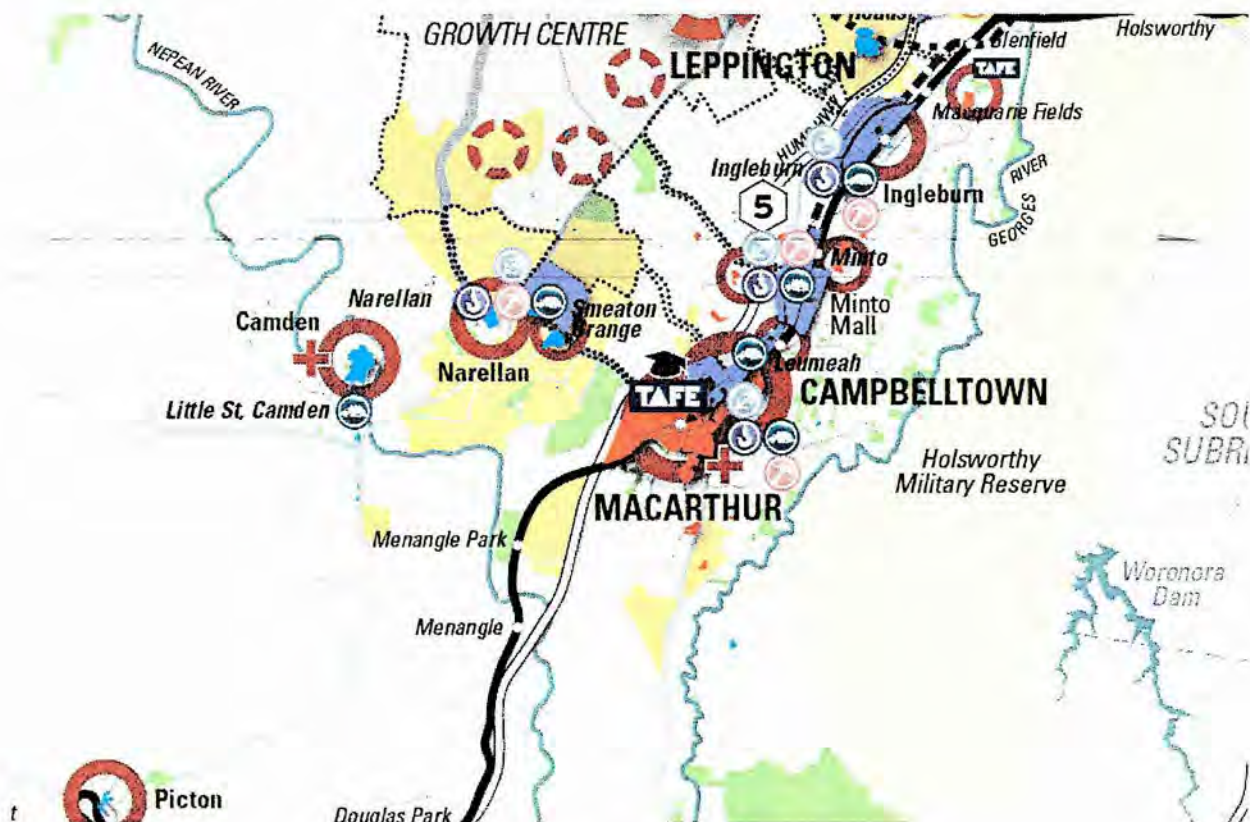
The Strategy has several a number of matters for consideration in local planning matters; namely:

- Economy and Employment
- Centres and Corridors
- Housing
- Transport
- Environment, Heritage and Resources
- Parks, Public Places and culture
- Implementation and Governance

The subject document does not specifically identify the subject land; however, Camden is identified as a centre for employment (refer to **Figure 3** below). The subject land is on the fringe of the Camden CBD and located just southwest of the Narellan CBD. These centres are defined as local and sub-regional centres within Council's Retail/Commercial Hierarchy, respectively.

Therefore the subject land could be considered as part of this document. However, the subject land provides opportunities to be consistent with a number of the above in terms of housing choice. Therefore the planning proposal is consistent with this Draft Strategy document.

FIGURE 3 – IDENTIFICATION OF LAND WITH STRATEGY



5.3.1.3 SOUTH WEST GROWTH CENTRE STRUCTURE PLAN

The South West Sydney Growth Centres Structure Plan is part of the SEPP (Sydney Region Growth Centres) 2006 and applies to the precincts identified on the "Sydney Region Growth Centres Precinct Boundaries Map – South West Growth Centre". The Structure Plan identifies:

- The general pattern and strategic direction of development in the growth centre over the next 30 years;
- The areas of future urban and employment development that are potentially available for release;
- The areas of future regional open space and of environmentally constrained land; and
- Future major infrastructure and transport routes.

The entire south-west region, including Camden, Liverpool and Camden LGA's, are currently facing unprecedented growth and will continue to do so over the next 20-30 years. The LGA's face significant challenges in delivering this growth and meeting the challenges of the impacts on infrastructure.

The provision of services housing land is consistent with this Structure Plan. The land is located with access to Camden Bypass and has good accessibility to transport routes, including services and facilities provided in centres such as Camden and Narellan.

5.3.1.4 SOUTH WEST SYDNEY EMPLOYMENT LANDS STRATEGY 2003

The South-West Sydney Employment Lands Strategy (2003) was prepared by Hill PDA for Camden, Campbelltown and Liverpool Councils to identify, release, rezone and develop employment lands, including the associated infrastructure, in response to the anticipated increase in demand for this type of land over the next 25 years.

The Strategy outlines a number of criteria for the selection and nomination of appropriate employment lands in the Camden, Camden and Liverpool LGAs. The Strategy is focussed on employment lands and whilst this document does not apply to the subject land, the proposed development will assist in providing short-term job opportunities for the local area during remediation and construction phases. Therefore the Planning Proposal is not inconsistent with this document.

5.3.1.5 REGIONAL POLICIES AND STRATEGIES

A number of regional policies and strategies have been developed, particularly focussing on the employment and industrial development of the south west sector of Sydney, and the region known as "MACROC" (or Macarthur Regional Organisation of Councils). MACROC comprises Camden, Camden and Wollondilly LGAs (the Outer South Western Sydney accommodating approximately 240,000 people).

In this regard the subject land is located on the fringe of the Camden Township and close to employment workforce. The subject land is not inconsistent with the policies and strategies and provides for housing choice.

5.3.1.6 GREATER WESTERN SYDNEY REGIONAL ECONOMIC PROFILE 2006

The Greater Western Sydney Regional Economic Profile provides a comprehensive coverage and analysis of economic and business conditions for Greater Western Sydney, concluding that Greater Western Sydney offers a competitive business environment and is the largest manufacturing region in Australia. The proposal is not inconsistent with this document.

5.3.2 IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN, OR OTHER LOCAL STRATEGIC PLAN?

5.3.2.1 CAMDEN COUNCIL

The Camden Strategic Plan portrays a vision of Camden (as an LGA) in the year 2025. To realise this vision 4 pillars of interest or focus areas are established around which strategies and actions are fashioned.

The areas of most relevance include:

- Managing Urban Growth.
- Accessibility.
- Economic and community development.
- Environmental systems.

Managing Urban Growth

The development proposal is consistent with the relevant aspects of the Urban Development Objective.

Accessibility

The planning proposal has good access to the local street network as described above.

Economic and Community Development

The development proposal is focused upon contributing to a positive urban and landscape design outcomes and in so doing enhance quality of employment for future employees. Further, the proposal also seeks to contribute to the sense of community and local identity by creating a "place" of character and attraction. Consistent with the philosophy of complimentary centres, the development proposal is viewed as complimentary and will support services provided in the Camden Town Centre.

Environmental Systems

The development proposal is strongly focused on producing positive and sustainable environmental outcomes in fulfilment of the Environmental Systems Objective.

The planning proposal is considered to be in accordance with these strategies and is consistent with these directions.

5.3.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The following State Environmental Planning Policy (SEPP) applies to the planning proposal:

- State Environmental Planning Policy (Infrastructure) 2007; and

- State Environmental Planning Policy 55 – Remediation of Land.

5.3.3.1 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

SEPP (Infrastructure) 2007 rationalises consultation required in relation to traffic generating developments. The proposal does not require referral to the RTA. Future development of the land for medium density purposes may require consideration by the Local Development Committee.

5.3.3.2 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Due to the nature of former land uses on the site, the proposed development is subject to the provisions of SEPP 55 – Remediation of Land. Specifically the Policy provides under Clause 7(1) that development consent must not be granted by Council unless:

- (a) It has considered whether the land is contaminated, and
- (b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) If the land requires remediation to be suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

In accordance with Council's policy and SEPP 55 a contamination report was prepared for the site having regard to the previous use of the land for a bus depot. In this regard Environmental & Earth Sciences prepared two reports addressing contamination on the site. These reports have previously been provided to Council with the earlier rezoning request. The following provides a brief summary of issues relating to the site development.

Hazardous Building Materials Report

On 30 August 2005, Environmental & Earth Sciences NSW conducted an inspection of a former bus depot consisting of an office/garage and two sheds, located at 11 Ironbark Avenue.

The inspection consisted of a building walk through in conjunction with collection of eleven samples for asbestos analysis and inspection of thirteen fluorescent light capacitors. The inspection was non-intrusive and therefore not all cavities were inspected. However, the areas inspected were considered representative.

This inspection encompassed asbestos materials and products as well as synthetic mineral fibres, lead based paint, polychlorinated biphenyls, radiation sources, ozone depleting substances and biological hazards.

The following is a summary of the findings:

- the site buildings included the office/garage , which could be split into a western section (the garage) and an eastern section (the office) and two sheds, one of which was located along the southern boundary and one located in the centre of the site;
- the office section (eastern end) of the office/garage building looked older than the garage section and was constructed mainly of wood with fibre cement walls. The garage section (western end) looked to be mainly constructed from brick and corrugated iron;

- both sheds were constructed of corrugated iron with minimal internal fittings; and
- no significant risk to human health (such as friable asbestos materials) was detected relating to hazardous building materials (see below).

Asbestos containing materials were observed in various locations on the site, however the asbestos was in a bonded form in all locations (no friable asbestos was detected in any location during the inspection), and these include:

- various internal and external walls and ceilings in the office/garage building, totalling approximately 370 m² of asbestos cement sheeting;
- three different types of vinyl floor tiles located in the office/garage building, totalling approximately 150 m² of tiles; and
- at least four electrical backing boards composed of zelemite, which contains asbestos.

Other hazardous building materials included in this inspection are mentioned below:

- electrical capacitors considered likely to contain polychlorinated biphenyls were observed in two of thirteen fluorescent light fittings dismantled and inspected. Not all fittings were inspected and therefore it is possible that other capacitors of this type are present;
- synthetic mineral fibres were observed within wall cavities and in ceiling spaces, in the form of pink bats used for insulation; and,
- no radiation sources, potential ozone depleting substances or biological hazards were detected during the inspection.

Asbestos materials and products

The following provides information on potential asbestos containing materials located within the building. Refer to plans for details of rooms.

Asbestos cement (AC) sheet

Fibrous cement sheet was observed in a number of locations at the site.

- ceiling of room 3. Asbestos fibres were visually identified in the fibre cement sheeting by the inspecting consultant. Approximately 12 m² of sheeting;
- access was not available for rooms 4 and 5, however due to the location of the rooms and the age of the building it is expected that fibre cement if present in these rooms will contain asbestos fibres. Estimated to be less than 15 m² in total;
- walls of rooms 6, 13 and 14. Laboratory analysis identified asbestos fibres within sample AS05, which was collected from the wall of room 6. Approximately 75 m² of sheeting. It is also possible that a concealed ceiling in these rooms is asbestos cement sheeting, however this could not be confirmed during the inspection;
- the western wall of room 11. Laboratory analysis did not identify asbestos fibres within sample AS03, which was collected from the western wall of room 11. This material is fibre cement and does not contain asbestos;
- the eastern wall of room 15. Laboratory analysis identified asbestos fibres within sample AS04, which was collected from the wall. Approximately 38 m² of sheeting;
- exterior walls around the eastern section of the office garage. Visual inspection of samples AS08, AS09 and AS11 confirmed the presence of asbestos fibres within the

cement sheeting. Approximately 95 m² of sheeting. Material along the southern wall of the building was thought to be part of recent repairs or renovations, one sample of this material was collected (AS07) and laboratory analysis confirmed the material did not contain asbestos;

- the eaves around the western building. Laboratory analysis of a sample of this material (AS10) confirmed the presence of asbestos fibres. Approximately 22 m² of sheeting;
- the ceiling in rooms 16, 17, 18 and 19. Visual inspection confirmed the material contained asbestos fibres. Approximately 100 m² of sheeting;
- fibre cement wall separating rooms 21 and 22. The presence of asbestos cement fibres was confirmed by visual identification. Approximately 5 m² of sheeting; and,
- fibre cement partition running along the eastern wall of rooms 21 and 22. The presence of asbestos fibres was confirmed by visual identification. Approximately 5 m² of sheeting.

Fire doors

No fire doors were identified within the building.

Vinyl tiles

The vinyl floor tiles were identified in rooms 8, 11, 16, 17 and 18. A grey vinyl flooring material was also identified in rooms 1, 2 and 3. This material was considered by the consultant to be a recent addition to the building and was not likely to contain asbestos. Three types of floor tiles were identified:

- a lime tile observed within rooms 16, 17 and 18. Laboratory analysis of a sample of this tile type (AS01) confirmed the presence of asbestos. This material constitutes approximately 75 m²;
- a tan type tile observed in room 11. Laboratory analysis of a sample of this tile type (AS02) confirmed the presence of asbestos. This material constitutes approximately 20 m²; and
- a grey coloured tile observed within room 8. Laboratory analysis of a sample of this tile type (AS06) could not confirm the absence or presence of asbestos, it is therefore assumed that the material contains asbestos. This material constitutes approximately 50 m².

Zelemite electrical backing boards

Black zelemite backing boards are known to contain asbestos fibres. Zelemite boards were identified in:

- the electrical switch between rooms 6 and 7;
- in the power box located in room 9; and
- at the power board in the southern shed and the power board in the central garage.

Malthoid

No Malthoid (fibrous waterproofing) was identified during the inspection.

Other potentially hazardous materials

Ozone depleting substances (ODS's)

No ozone depleting substances (ODS's) were observed during the site inspection, however, it is possible that some small volumes may be present in some of the smaller air conditioning units within the building. This could not be confirmed by the consultant due to access difficulties.

Polychlorinated biphenyls (PCB's)

Polychlorinated biphenyls (PCB's) were commonly used as additives to oils contained in fluorescent light capacitors prior to 1979. Fluorescent light fittings were dismantled and inspected in thirteen locations as noted. This inspection did not include all light fittings, but rather a random selection.

Within the light fittings labelled FL1 and FL3 (Figure 1), aluminium cased capacitors of type (RIFA PMP 509S) were observed. According to the Australian and New Zealand Environment and Conservation Council (ANZECC) (1997) - *Identification of PCB – Containing Capacitors* (Reference 2), this type of capacitor is likely to contain PCBs. In the remaining eleven fluorescent lights other capacitors observed were not considered likely to contain PCBs. As the inspection did not include all capacitors it is possible that other PCB containing capacitors are present.

Light fittings were not observed in the shed located on the southern boundary and the fittings were not accessible in the central shed.

Synthetic mineral fibres (SMF's)

Synthetic mineral fibres (SMF's) were identified as insulating material (pink bats) within wall cavities located between rooms 3 and 7 and as ceiling insulation on the floor of rooms 21 and 22. The SMF identified in the wall separating rooms 3 and 7 was noted only as the walls in room 3 had deteriorated exposing the SMF in the cavity. It is assumed that SMF would be present in other cavities within office/garage building (rooms 1 to 14), however, this has not been confirmed. It is likely that SMF would be present in the ceiling cavity above the rooms 16, 17 18 and 19, however, this cavity could not be accessed. No SMF containing material was identified in either of the sheds inspected.

The fibre cement sheeting identified in room 11 and on the exterior of room 8 contains SMF's, as does the plaster board observed on the walls of rooms 7 and 12. Plasterboard and fibrous cement sheet does not represent a significant human health risk in its current condition.

Lead paint

Any demolition works will have to be conducted to standards which meet the requirements of materials containing lead paints.

Microbial contamination

Microbial contamination has become a serious issue in recent years. No cooling towers are associated with the work area. Pigeon or bird droppings are able to contribute to the microbial load within a building. This was not observed to be an issue for this site.

Radioactive sources

No radioactive sources (such as battery operated stand-alone smoke detectors) were observed during the inspection. Hard wired detectors do not contain radioactive source.

Conclusion

The key outcomes of this survey are:

- asbestos cement sheeting is present in ceilings, interior walls, exterior walls and eaves in the office/garage building. The locations of these occurrences are described in this report and locations are shown on Figure 1;
- fibre cement sheeting which does not contain asbestos was also observed in several locations within the office/garage;
- vinyl floor tiles within the office/garage contain asbestos fibres. The locations of these occurrences are described in this report and shown on Figure 1;
- electrical backing boards present on the site are constructed of zelemite which contains asbestos. The locations of these occurrences are described in this report and locations are shown on Figure 1;
- aluminium cased electrical capacitors were identified in two out of thirteen fluorescent light fittings inspected. It is likely that capacitors containing PCBs are also present in other areas of the site;
- due to the age of the building it is possible that lead paint is present in some locations;
- synthetic mineral fibres (SMF's) were identified in ceiling and wall cavities in the form of insulation bats; and
- based on the limitation of the site inspection and the current condition of the building, no other hazardous building materials were observed.

Detailed Site Investigation (Contamination)

Historically the site has been used as a service station, followed by a bus depot where storage and maintenance of buses was undertaken. It was noted during a previous site visit that remnant infrastructure from the historical site usage included at least three underground storage tanks (UST's), four above ground storage tanks (AST's) and three fuel dispensing bowsters. Site discussions also inferred that the UST's had been present for at least thirty years as they are part of remnant infrastructure associated with the old service station on the site.

The soil sampling and subsequent laboratory analyses of soil was undertaken across the entire site with reference to the NSW EPA (1997) – *Contaminated sites: guidelines for consultants reporting on contaminated sites* (Reference 17), the NSW EPA (1995) – *Contaminated sites: sampling design guidelines* (Reference 16) and SEPP 55 requirements. The investigation was undertaken on the soil, at and below the site surface to determine the potential for offsite migration of contaminants and to identify areas of gross contamination (if any).

Site Investigation

Field program

- A service locator was used to clear the chosen sites on the morning of the 29 August 2005. Fieldwork commenced shortly after (continued 30 August 2005) and involved the sampling of the twenty-one borehole locations for soil laboratory analysis.

- On the 28 September 2005 three of the borehole locations were drilled further and converted into groundwater monitoring wells. Once the wells had recharged, they were purged and sampled for laboratory analysis.
- An additional visit to the site was organised on the 13 October 2005. This visit was to site survey the levels of the bores to determine more accurately the groundwater flow direction.

Site Condition

The following is a summary of the site condition observed during the site inspection and subsequent fieldwork. Site layout plans showing present and past industrial processes conducted on site are shown in Figure 2.

- The main office and workshop area was located in the central section of the site; although not used for sometime this area had remained in generally good condition.
- The majority of the sites surface was sealed with bitumen; only the workshop areas and North West corner were sealed with concrete.
- The general condition of the concrete in the workshops was good; however the seals surrounding the concrete slabs were generally in poor condition.
- The slope of the site was approximately five degrees slope towards the west. Surface drainage across the site generally followed this slope with the exception of the workshop area. A drainage line running from south to north was evident within the centre of the workshop area.
- It appeared that the south western portion of the workshop had been used as a wash bay
- The remnant infrastructure from the historical site usage identified included at least three UST's, four AGST's, two known walk in service pits and three fuel dispensing bowsers.

Details of tank sizes and contents are provided in the report.

- Tanks T1 to T3 located in the forecourt were dipped, however the dipper used was not considered reliable and may have been installed from another tank at a later date therefore the dipped levels cannot be relied upon.
- Tanks T4 and T5 were bunded in a brick wall, however it is thought that the floor of the – pit was earthen and this floor appeared blackened by spillages of oil or diesel. Based on site observations it was through possible that waste oil had been deposited into this bund.
- Tank T6 was the waste oil tank and appeared in reasonable condition while Tank 7 was a raised AGST which did not appear to have been in recent use.
- A hydrocarbon odour and staining was evident in the workshop area particularly surrounding T6.
- Two inground oil water separator units in poor condition were located near T7. The lids were severely rusted and they were considered to represented an occupational health and safety hazard in their current state;
- No product spill and loss history was available for the site;
- No summary of local literature was included in the scope of work for the investigation, however it is noted that local industrial activities may have resulted in contamination of the aquifer underlying the site.

- No details regarding building and related permits, licences, approvals and trade water agreements were reviewed during the investigation.
- No drums, waste or fill material of environment concern were observed during the site inspection, however, pooled oil was identified in the underground service trenches in the workshops

Site borelogs – stratigraphy

A mixture of natural, disturbed natural, fill material and bitumen covered the surface of the site. Approximately 80% of the site was paved as shown in Figure 2.

Fill material was encountered at all borehole locations either at the surface or beneath paving with the exception of borehole BH1, and comprised different matrixes including silty sand, silty clay, loam and fragments of gravel, blue metal and concrete. The maximum depth of drilling along the soil coring program was approximately 1.0 metre.

Fill was observed at depths between 0.1 and 0.6 metres below the surface with pH measurements ranging between 7.0 and 9.0. There were no odours of environmental concern encountered. Natural soils were encountered between 0.2 to 1.0 metres depth. The natural soils consisted of a firm, medium to heavy red-brown clay grading into a firm, heavy yellow-brown clay. Natural soils had pH measurements between 6.0 and 8.5. As part of the groundwater well construction three of the boreholes (BH5, BH9 and BH21) were drilled to a maximum 12 to 15.5 metres. The underlying geology observed during the drilling mainly consisted of a soft light to dark brown shale with a hard compacted layer experienced before groundwater was intercepted at each borehole.

Location, design and construction of on-site wells

On the 28 September 2005, three groundwater wells (BH5, BH9 and BH21) were constructed for monitoring purposes. Graphical representation of the well construction is detailed on the borehole logs BH5, BH9 and BH21 contained in Appendix B. A description of the construction is as follows:

- Class 9 PVC casing to depths of 12 metres (BH5), 15 metres (BH9) and 15 metres (BH21). Five to six metres of casing was screened in the base of each well;
- The annulus surrounding and above the screened casing was filled with graded 2-3 mm washed sand;
- Directly above the sand a 1 metre layer of bentonite was emplaced; and
- The remainder of the annulus overlying the bentonite was filled in with soil cuttings with a gatic cover at the surface to protect the wall and minimise surface water intrusion.

Field measurements at groundwater

The groundwater standing level was measured approximately 2 hours after the wells were remeasured two weeks later to allow for time to recover. There were evident variations between the two measured depths. Based on the nature of the shale geology the second measurements were considered to a better representation groundwater depth as there had been an adequate period for the depth to recover to its natural level. These groundwater standing levels have been plotted on Figure 4 with inferred groundwater Contours and flow direction based on the data from 15 October 2005.

The pH measurements indicate the water is generally considered neutral. The ORP was slightly positive and the EC was considered moderately saline as expected in Wianamatta shale.

Conclusions and Recommendations

Summary of findings

The laboratory analysis found that concentrations of the chemicals of concern within the soil were well below the NEPM Schedule B (7a) Health-based soil investigation levels for residential landuse (Reference 13).

A petroleum hydrocarbon, impact was identified in the groundwater analysis of BH9, which will require further characterisation. The impact is not currently considered to be a significant risk to the general public or the environment given the local groundwater contained in the shale is of non potable quality and as there are no site criteria for the substances detected. Nevertheless the levels are significantly elevated and are likely to indicate a substantial spill or leak has occurred nearby in the past.

Slightly elevated zinc and nickel levels in the groundwater were not considered of concern and are likely to be naturally derived from the shale environment which is known to often contain elevated levels of various heavy metals along with high salts.

Recommendations

As part of the proposed development of the site to include changing of the site's zoning from industrial to either low or medium density residential; it is recommended that the following remnant infrastructure be decommissioned:

- Three UST's located in the previous service area at the front of the site;
- Four AGST's located across the site;
- Service pits and sumps associated service area located in the workshop area; and
- Any bowzers and piping associated with the UST's, AST's and workshop area.

Once these structures are removed the remaining soils in these locations should be validated in accordance with relevant site validation criteria and SEPP55 requirements.

Due to the large number of potential sources to be removed it is recommended that a site specific remedial action plan (RAP) be drafted in accordance with the requirements of the NSW EPA (1997) *Contaminated sites: Guidelines for consultants reporting on contaminated sites* and SEPP 55 requirements. The RAP will outline the preferred approach to remediation of this site, the site validation criteria for soil and groundwater and the necessary procedures to ensure the protection of site workers and the environment during remedial works.

An outline of the likely process to bring the site to a suitable condition for residential development is as follows; decommission and offsite removal of the remnant infrastructure and onsite treatment of backfill sands and any contaminated soil followed by validation sampling from the base and walls of all tank excavations, bowser locations, and from the excavated soil stockpiles. All validation soil samples would be compared with the validation site criteria to verify their suitability to remain onsite under the proposed use. In addition any imported backfill material used to fill in the excavation pits would likewise require validation. This detail will however be more thoroughly dealt with in the RAP.

Based on the groundwater findings in borehole BH9 it is recommended that additional groundwater wells be constructed in the vicinity of this location, during the remedial works, to better delineate the nature, extent and source of the groundwater contamination.

Assumption used in reaching the conclusions

In reaching these conclusions Environmental & Earth Sciences NSW have assumed the following:

- The soil and groundwater investigation (including analysis) completed was representative of the sub surface conditions.
- The suite of analytes chosen was representative of chemicals of concern on the site.
- Any persons reading this report has reviewed the limitations included.
- The sites proposed landuse is for standard residential housing.

Remediation site works would be undertaken as part of the redevelopment of the land for medium density residential purposes in accordance with the recommendations of the report by Environmental & Earth Sciences.

The following Regional Environmental Plans apply to the planning proposal”

- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)

5.3.3.4 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY-NEPEAN RIVER

Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 1997) applies to the site. The Plan aims “to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future landuses are considered in a regional context”.

The Plan lists several objectives and policy directions for matters such as water quality, catchment management, flora and fauna management and riverine quality. The Planning Proposal is not likely to affect matters detailed for further policy and strategic planning under the SREP. The planning proposal is consistent with the general aims of the Plan.

5.3.4 IS THE PLANNING CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S 117 DIRECTIONS)?

Attached as **Annexure A** is a compliance table addressing these Directions.

5.4 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.4.1 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?

The subject site is devoid of vegetation and therefore it is unlikely that there will be an impact of critical habitat. The planning proposal is for a modification to the type of commercial and residential accommodation approved by Council.

5.4.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Contamination issues were addressed in Section 5.3.3.2 above.

5.4.3 HOW HAS THE PLANNING ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The proposal has positive social and economic contributions above and beyond the former bus depot development given the proposed medium density use will provide additional diversity and supply of a much needed form of housing choice for the LGA. The benefits of the development are that the site will be remediated by new development and the current unsightly buildings will be replaced by modern residential development. Given that the style of development is changing in the proposed precinct, social needs will need to be assessed as part of further analysis later in the process.

5.5 SECTION D – STATE AND COMMONWEALTH INTERESTS

5.5.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

No additional infrastructure is required to accommodate the planning proposal. All services are readily available to the site. The site also has good road access.

5.5.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

The draft Camden LEP 2009 was part of an extensive consultation process with a number of agencies. Whilst the subject site was not specifically identified, it was part of this process. Additional consultation is envisaged as part of the process at the relevant stage.

6 Part 4 – Community Consultation

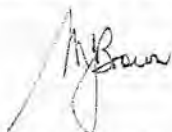
It is noted that as part of the town planning review conducted by an independent firm, neighbours were interviewed as to any issues relating to redevelopment scenarios. It is envisaged that further community consultation would occur through the public exhibition of detailed documents lodged with the development application for the development proposal.

This further consultation will, at a minimum include, advertising in local papers, exhibition material provided at Camden Council administration buildings and libraries and Camden Councils webpage and the required written notifications that would ordinarily be required.

7 Conclusion

The preceeding commentary and background material referenced has clearly established a case for the limited review the planning provisions as they pertain to the subject land. Council is accordingly requested to take the necessary steps to commence the process of rezoning the subject lands as detailed in this submission.

SINCERELY YOURS,



M J BROWN
DIRECTOR
MICHAEL BROWN PLANNING STRATEGIES

Annexure “A”
Section 117 Direction – Compliance Checklist

Section 117 Directions – Compliance Checklist

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
1 Employment and Resources			
1.1 Business and Industrial Zones	(4) A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or	The planning proposal does reduce business zones and potentially removes the land from being zoned for industrial purposes as proposed by the DoP LEP Review Panel. However, the land adjoins residential development and the matters raised in this submission regarding land use conflicts and restrictions on operations if the land was developed for industrial purposes in a concern to the owners. The owners have considered the industrial zone suggested by Council through the Panel and are of the opinion that the best development

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	scenario is for a medium density residential development. This will involve remediating the land to a higher standard than for industrial purposes.
1.2 Rural Zones	(4) A planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (e) justified by a strategy which: (i) gives consideration to the objectives of this direction, (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		(iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) is of minor significance.	
1.3 Mining, Petroleum Production and Extractive Industries	(4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and (ii) existing mines, petroleum production operations or extractive industries occurring in	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	the area subject to the planning proposal, and (b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: (i) development of resources identified under (4)(a)(i), or (ii) existing development identified under (4)(a)(ii). (5) Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must: (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.		
1.4 Oyster Aquaculture	(4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) identify any Priority Oyster Aquaculture Areas and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply, (b) identify any proposed land uses which could result in any adverse impact on a Priority Oyster Aquaculture Area or oyster aquaculture leases outside such an area, (c) identify and take into consideration any issues likely to lead to an incompatible use of land between	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	N/A

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use incompatibility, (d) consult with the Director-General of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and (e) ensure the planning proposal is consistent with the Strategy. (5) Where a planning proposal proposes land uses that may result in adverse impacts identified under (4)(b) and (c), relevant planning authority must: (d) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions, (e) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (f) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning before undertaking		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	community consultation in satisfaction of section 57 of the Act.		
1.5 Rural Lands	(4) A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>. (5) A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>. Note: <i>State Environmental Planning Policy (Rural Lands) 2008</i> does not require a relevant planning authority to review or change its minimum lot size(s) in an existing LEP. A relevant planning authority can transfer the existing minimum lot size(s) into a new LEP. However, where a relevant planning authority seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites, and iii. is approved by the Director-General of the Department of Planning and is in force, or (b) is of minor significance.	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
2 Environment and Heritage			
2.1 Environmental Protection Zones	(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: b. justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or (c) in accordance with the	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) is of minor significance.	
2.2 Coastal Protection	(4) A planning proposal must include provisions that give effect to and are consistent with: (a) the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast</i> 1997, and (b) the <i>Coastal Design Guidelines</i> 2003, and (c) the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993</i> (the <i>NSW Coastline Management Manual</i> 1990).	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
2.3 Heritage Conservation	(4) A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	proposal that are inconsistent are of minor significance	
2.4 Recreation Vehicle Areas	(4) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>): (a) where the land is within an environmental protection zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration: (i) the provisions of the guidelines entitled <i>Guidelines for Selection</i>,	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<i>Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</i> (ii) the provisions of the guidelines entitled <i>Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</i>	particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
Housing, Infrastructure and Urban Development			
3.1 Residential Zones	(4) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:	The proposal will provide housing choice for the LGA and within an established residential area of Camden. The town planning review has provided guidelines for the development of the land and these can be incorporated within

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	(a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	future development of the site or within a planning document (DCP) that will provide guidance as to the form of development.
3.2 Caravan Parks and Manufactured Home Estates	(4) In identifying suitable zones, locations and provisions for caravan parks in a	(6) A planning proposal may be inconsistent with the terms of this	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	planning proposal, the relevant planning authority must: (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park. (5) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must: (a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located, (b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and	direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the	

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.	objective of this direction, or (d) of minor significance.	
3.3 Home Occupations	(4) Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.	Can be incorporated as part of the LEP.
3.4 Integrating Land Use and Transport	(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which:	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		(i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
3.5 Development Near Licensed Aerodromes	(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: (a) consult with the Department of the	(7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Commonwealth responsible for aerodromes and the lessee of the aerodrome, (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, (c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act. (5) A planning proposal must not rezone land:	Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objectives of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or (b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or (c) for hotels, serviced apartments, offices or public buildings where the ANEF exceeds 30. (6) A planning proposal that rezones land: (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or (b) for hotels, serviced apartments, offices or public buildings where the ANEF is between 25 and 30, or (c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
4 Hazard and Risk			
4.1 Acid Sulfate Soils	(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. (5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines. (6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless	(8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (b) of minor significance.	The proposal is not known to be affected by acid sulfate soils.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act. (7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).		
4.2 Mines Subsidence and Unstable Land	(4) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must: (a) consult the Mine Subsidence Board to ascertain: (i) if the Mine Subsidence Board has any objection to the draft Local	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are	The lands are not within a declared Mines Subsidence District.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Environmental Plan, and the reason for such an objection, and (ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and (b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and (c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act. (5) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).	inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
4.3 Flood Prone Land	(4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone	(9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>). (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. (6) A planning proposal must not contain provisions that apply to the flood planning areas which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried	satisfy the Director-General (or an officer of the Department nominated by the Director-General) that: (d) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or (e) the provisions of the planning proposal that are inconsistent are of minor significance.	

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Director-General (or an officer of the Department nominated by the Director-General).		
4.4 Planning for Bushfire Protection	(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, (2) A planning proposal must: (a) have regard to <i>Planning for Bushfire Protection 2006</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. (3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:	(4) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(a) provide an Asset Protection Zone (APZ) incorporating at a minimum: (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area.		
5 Regional Planning			
5.1 Implementation of Regional Strategies	(4) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy: (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the	The planning proposal is consistent with regional strategies. Refer to comments above.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	
5.2 Sydney Drinking Water Catchments	(4) A planning proposal must be prepared in accordance with the general principle that water quality within the hydrological catchment must be protected, and in accordance with the following specific principles: (c) new development within the hydrological catchment must have a neutral or beneficial effect on water quality, and (d) new development within the hydrological catchment must not compromise the achievement of the water quality objectives set out in the Drinking Water Catchments Regional Environmental Plan No.1, and (e) future land use in the hydrological catchment should be matched to land and water capability, and (f) the ecological values of land within a Special Area that is: (i) reserved as national park, nature reserve or state recreation area	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	under the <i>National Parks and Wildlife Act 1974</i>, or (ii) declared as a wilderness area under the <i>Wilderness Act 1987</i>, or (iii) owned or under the care control and management of the Sydney Catchment Authority, should be maintained. (5)When preparing a planning proposal that applies to land within the hydrological catchment, the relevant planning authority must: (g) include provisions which will achieve or give effect to the principles in paragraph (4), and (h) give consideration to the outcomes of any strategic land and water capability assessment prepared by the SCA, or if such an assessment has not yet been prepared may give consideration to: (i) the outcomes of an assessment, prepared in consultation with the Sydney Catchment Authority, which is equivalent to a strategic land and water capability assessment, or (ii) a site-specific assessment prepared in consultation with the Sydney		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Catchment Authority which takes into account the likely impact of rezoning on water quality, or (iii) a current settlement strategy or rural residential strategy that has been approved by the Director-General of the Department of Planning, and zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the following: and (i) consult with the Sydney Catchment Authority, describing the means by which the planning proposal gives effect to the water quality protection principles set out in paragraph 4 of this direction, and (j) include a copy of any information received from the Sydney Catchment Authority as a result of the consultation process, in its planning proposal prior to the issuing of a gateway determination under section 56 of the Act.		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
5.3 Farmland of State and Regional Significance of the NSW Far North Coast	(4) A planning proposal must not: (a) rezone land identified as “State Significant Farmland” for urban or rural residential purposes. (b) rezone land identified as “Regionally Significant Farmland” for urban or rural residential purposes. (c) rezone land identified as “significant non-contiguous farmland” for urban or rural residential purposes.	(7) A planning proposal may be inconsistent with the terms of this direction only if council can satisfy the Director-General of the Department of Planning or (an officer of the Department nominated by the Director-General) that the planning proposal is consistent with: (a) the Far North Coast Regional Strategy, and (b) Section 4 of the report titled <i>Northern Rivers Farmland Protection Project - Final Recommendations, February 2005</i>, held by the Department of Planning.	N/A.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	(4) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that: (c) new commercial or retail development must be concentrated within distinct centres rather than spread along the highway, (d) development with frontage to the	(9) A planning proposal may be inconsistent with the terms of this Direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	Pacific Highway must consider impact the development has on the safety and efficiency of the highway. (e) For the purposes of this paragraph, “within town” means areas which, prior to the draft local environmental plan, have an urban zone (eg: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc) and where the Pacific Highway speed limit is less than 80km/hour. (5)A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that: (f) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction. (g) development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway. (h) For the purposes of this	significance.	

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (eg: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater. (8) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that the Roads and Traffic Authority is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the purposes of this paragraph, a highway service centre has the same meaning as is contained in the Standard Instrument (Local Environmental Plans) Order 2006.		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	(4) A relevant planning authority must not prepare a planning proposal for the life of the Lower Hunter Regional Strategy that is inconsistent with:	(5) A planning proposal may be inconsistent with the terms of this direction only if The relevant planning authority can satisfy the Director-General of the Department of Planning (or	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(a) The Agreement signed between the Minister for Planning, the Minister for the Environment and Hardie Holdings (and associated companies) on 22 December 2006, or (b) Cessnock City Wide Settlement Strategy as endorsed by the Department of Planning and amended from time to time.	an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	
5.6 Second Sydney Airport: Badgerys Creek	(2) Planning proposals must not contain provisions that enable the carrying out of development, either with or without development consent, which at the date of this direction, could hinder the potential for development of a Second Sydney Airport.	(3) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are: (a) justified by a strategy which: (i) gives consideration to the objectives of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
6 Local Plan Making	(4) A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public	(5) A planning proposal must be substantially consistent with the terms of this direction.	It is not proposed to introduce concurrence provisions within the draft LEP.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	community consultation in satisfaction of section 57 of the Act.		
6.1 Approval and Referral Requirements	(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and	(5) A planning proposal must be substantially consistent with the terms of this direction. Note: In this direction “public authority” has the same meaning as section 4 of the Environmental Planning and Assessment Act 1979.	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	(c) identify the relevant acquiring authority for the land. (5) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (a) include the requested provisions, or (b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. (6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant		

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	reservation in accordance with the request.		
6.2 Reserving Land for Public Purpose	(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). (5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-	(8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: (e) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or (f) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance. Note: Clause 12 of the EP&A Reg 2000 provides that a planning proposal for a proposed local environmental plan:	N/A.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	General of the Department of Planning (or an officer of the Department nominated by the Director-General), and (c) identify the relevant acquiring authority for the land. (6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (c) include the requested provisions, or (d) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. (7) When a Minister or public authority requests a relevant planning authority to include	(a) may not contain a provision reserving land for a purpose referred to in section 26 (1) (c) of the EP&A Act, and (b) may not contain a provision in respect of that reservation as required by section 27 of the EP&A Act, unless the public authority responsible for the acquisition of the land has notified the relevant planning authority of its concurrence to the inclusion of such a provision in the planning proposal. In this direction: “public authority” has the same meaning as section 4 of the EP&A Act. The use or reservation of land for a public purpose has the same meaning as in section 26(1)(c) of the EP&A Act.	

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.		
6.3 Site Specific Provisions	(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any	(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	The planning proposal will not introduce new standards other than that which currently apply in Council documents, including DCP 2006.

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.		
7 Metropolitan Planning			
7.1 Implementation of the Metropolitan Strategy	(4) Planning proposals shall be consistent with: (a) the NSW Government's Metropolitan Strategy: <i>City of Cities, A Plan for Sydney's Future</i>, published in December 2005 ('the Metropolitan Strategy').	(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Strategy: (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the Strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	The subject land is not identified in the Metropolitan Strategy, but is located on the fringe of the Camden CBD. This proposal is generally consistent with this Strategy (refer to comments above).

IRONBARK AVENUE MIXED USE PRECINCT

Planning Review



Prepared For:
Camden Council

Prepared By:



October 2009

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- A: Unique Definitions Camden LEP No. 46
- B: Select “Mixed Use” Zones from Standard Instrument
- C: Design Principles for Redevelopment of No.’s 5 – 13 Ironbark Avenue
 - (a) Service Industrial Park
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1 Introduction

The Ironbark Avenue precinct has evolved as a mixed use precinct over recent decades. From early automotive focused origins, it provides a diverse range of current day services. The precinct has many positive locational attributes, significant exposure, controlled access and a sensitive residential interface.

As Council seeks to adopt a comprehensive Local Environmental Plan stylised on the "Standard Instrument", it has questioned the most appropriate zoning for the subject precinct. This question inherently raises issues of:

- Strategic planning context;
- Owner aspirations;
- Neighbour expectations;
- Future vision; and
- Prevailing planning controls.

Council has accordingly issued a limited brief to review the proposed IN2 zone in the light of the prevailing planning provisions and to review the proposed planning provisions generally as they pertain to the subject Ironbark Avenue precinct.

In doing so, Council also expressly requires overview analysis of the preferred land use planning scenario for No's 5 – 13 Ironbark Avenue (the former bus depot site).

Given the limited nature of the Brief, a traditional underpinning market analysis is not required to support the general planning conclusions. Further, the review work is to constitute a Planning overview and not involve detailed research and design work generally, but is to be sufficiently robust to allow informed decision making by Council and the Department of Planning.

2 Subject Precinct and its Location/Context

The subject precinct comprises 17 allotments of variable size distributed on both the eastern and western sides of Ironbark Avenue, comprising a total land area of 25,540m² (plus road reserve).

The mixed nature of the precinct can be established from the aerial photograph extract produced over and the following portfolio of photographs.



☐ 3(d) Business Automotive



**Residential development abutting No. 5 - 13
Ironbark Avenue**



**Precinct viewed from Camden By-Pass/Old
Hume Highway Intersection**



**Automotive use Cnr Ironbark Avenue/
Belar Road**



View to north along Ironbark Avenue



**View to south along Ironbark Avenue
(Eastern side)**



**Childcare/residential character
Cnr Dobroyd Avenue/Ironbark Avenue**

The location and immediate context of the subject precinct is shown in the plan below.



The Plan highlights the proximity of the precinct to the broader Old Hume Highway/Camden By-Pass/Burragorang Road (offset) intersection and the overwhelming nature of surrounding residential land uses.

The broader relationship of the precinct to the Camden Town Centre is depicted in the plan extract provided over the page.



All activities are understood to be operating with current approvals or are capable of being granted conditional approval. A limited number may be operating pursuant to "existing use right" provisions.

3 History/Recent Evolution of the Precinct

Urban development of Camden township, prior to the 1960s, tended to be restricted to the Camden Town Centre and the ribbon of residential development south to the Hospital.

In the 1960s, urban development continued along the peninsula from the Town Centre, either side of the then Hume Highway.

The late 1960s/early 1970s saw the decommissioning of the Hume Highway between the Township and the new Macarthur Bridge. Residential development in turn continued south of such "terminus" toward the Municipal Boundary over the ensuing decades, before tapering off in the 1990s and with only incidental development since the turn of the century (2000).

The former Highway frontage of the Ironbark Avenue precinct, which attracted a limited range of remote automotive uses, is understood to have been declassified as a Main Road and to have taken on a cul-de-sac nature in the early 1970s.

The period of the 1970s and 1980s saw the development of some isolated transitional uses focusing around a nucleus of automotive uses and transitioning into the residential areas of Dobroyd Avenue and Belair Road.

The precinct was assigned a 3(b) zoning, pursuant to Camden Interim Development Order No. 3 in 1977. This zoning transitioned into a 3(d) business automotive zoning under Camden Local Environmental Plan No. 46 in 1989.

Incremental development/redevelopment has occurred over the last several decades, with diverse uses such as recreational facilities, automotive activities, veterinarians, lawnmower and marine outlets, trailer outlets, service infrastructure and fringing child care activities being evidenced. More recently, caravan sales outlets have gained prominence. The bus depot activity declined in the 1970s/1980s and was relocated to more appropriate premises in the 1990s, with the site being devoted to a series of interim storage focused activities.

The precinct is at a point in its development where a step should be taken back and a future vision development, which does not imperil Council's general strategic directions for the Camden Township. Owners' aspirations with planning merit should inform the development of such a vision, which should also have regard to the overwhelmingly residential nature of the locality and the need to strategically manage the evolution of business and fringe business centres.

4 Prevailing Planning Controls

The subject precinct is currently zoned 3(d) Business Automotive, pursuant to Camden Local Environmental Plan No. 46 (CLEP 46). The objectives of the zone are noted to be:

- a) to provide opportunities for the development of automotive orientated activities and activities generating numerous short duration vehicle movements in positions with exposure and controlled access, and
- b) to ensure that such development fulfils a transitional land use role.

The only development permissible under the prevailing zoning is that listed below, with such being permissible only with Council consent.

Auto electricians' workshops; automotive spare parts sales; bus depots; bus stations; car battery supplies and repairs; car repair stations; motor showrooms; service stations; agricultural machinery sales and repairs; motels; refreshment rooms; transport terminals; utility installations (other than gas holders or generating works).

All other uses are prohibited under the zoning.

It should be noted in the subject context that:

the Environmental Planning and Assessment Model Provisions 1980 (except the definitions of agriculture, home industry, home occupation, map, professional consulting rooms, recreation facility, residential flat building, retail plant nursery and tourist facilities in clause 4 (1) and clauses 8, 15, 35 (C) and 36) are adopted for the purposes of this plan.

Further, unique definitions adopted by CLEP46 are produced in Annexure "A".

Other salient controls of general relevance in CLEP 46 include:

Subdivision (Clause 11)

Council consent is required for the purposes of subdivision.

Services (Clause 14)

Adequate service provision in respect of water, sewer, drainage, public transport and electricity infrastructure is a development prerequisite.

Industrial Development (Clause 15)

Appropriate noise control measures are required for industrial development. Such requirement would apply to many of the permissible land uses, notwithstanding they may not constitute industrial development per se.

Height (Clause 20A)

Buildings shall not exceed 9.5 metres in general.

Protection of Trees (Clause 24)

Tree preservation provisions must be complied with.

Development near Zone Boundaries (Clause 27)

Limited flexibility is provided in respect of adjoining zones generally.

Development for Additional Purposes (Clause 25 and Schedule 5)

Provision is also made for development for the purposes of an "exhibition village" on Lots 3 and 9 DP243156 Old Hume Highway and Ironbark Avenue, subject to Council consent.

Development near Zone Boundaries (Clause 27)

Limited flexibility is provided in respect of development having regard to adjoining land use zones.

Exempt and Complying Development (Clause 29)

Provision is made for exempt and complying development, subject to meeting certain criterion.

5 Owner/Neighbour Aspirations

Council, as part of the preparatory work for the review of prevailing planning controls, conducted limited interviews with the property owners and/or representatives and some neighbouring residents.

The aspirations vary depending in large upon the owners' immediate business interests and longer term asset management and realisation planning.

Many wished to be able to conduct their current businesses, but to optimise the value of their asset at some future point. Some wished to see the range of complementary uses (their interpretation) expanded. Mixed messages were communicated in respect of the appropriateness of fast food outlets.

The owner of the former bus depot site No.'s 5 – 13 Ironbark Avenue, clearly wished to pursue a medium density residential outcome and has previously submitted a rezoning application to such effect; an application supported by Council to date, but delayed by the Department of Planning pending a more holistic investigation of the concept in the broader Ironbark Avenue context.

The limited neighbourhood feedback obtained focused upon the preeminent objective of retaining residential amenity.

Clearly, the mixed nature of aspirations needs to be tempered having regard to planning appropriateness and future strategic planning aspirations.

6 Strategic Planning Context

There exists a raft of planning strategies and policies developed at state and regional level which integrate with local planning to establish future urban "blueprints".

Camden Council has sought to respond to the evolving metropolitan and subregional planning context, participating in the planning for new urban growth areas and identifying strategies for the evolution of its town centres in particular. There is little detail at the subregional level, however, to inform consideration of a small precinct, such as Ironbark Avenue. The Little Street, Camden precinct is mentioned "in passing" but has significant inherent development constraints.

Past structure planning has taken place at a Local Government Area wide scale and/or town centre masterplanning scale. There is little documented to guide the evolution of the broader Camden Township (beyond the town centre). There exist disparate policies and policy positions

which commence to underpin the evolution of a Camden Township Structure Plan and future vision which have potentially strategic implications for the subject precinct.

Key elements informing a potential vision and structure plan include:

- the Old Hume Highway forms a major spine road along the ridge;
- the floodplains of Matahill Creek and the Nepean River flank the ribbon of urban development focused on the spine road;
- a major local intersection and focal point occurs at the intersection of the Old Hume Highway, Camden By-Pass and Burragorang Road;
- pedestrian/cycle connections flank the urban community linking the extended Camden Township with the Camden Town Centre;
- a public school and recreation and community facilities occur in the immediate neighbourhood;
- a "satellite" support service industry philosophy.

Council has no detailed strategy for the evolution of business centres and managing the tenuous balance of centre viability. Camden and Narellan Town Centres are noted to be complementary Centres providing different offers in many instances and not directly competing for the same disposable income (Camden Strategic Plan – 2025).

Neighbourhood centres have evolved to cater for lower order goods and services and as community focus points. They tend, however, generally to struggle to be vibrant vital centres.

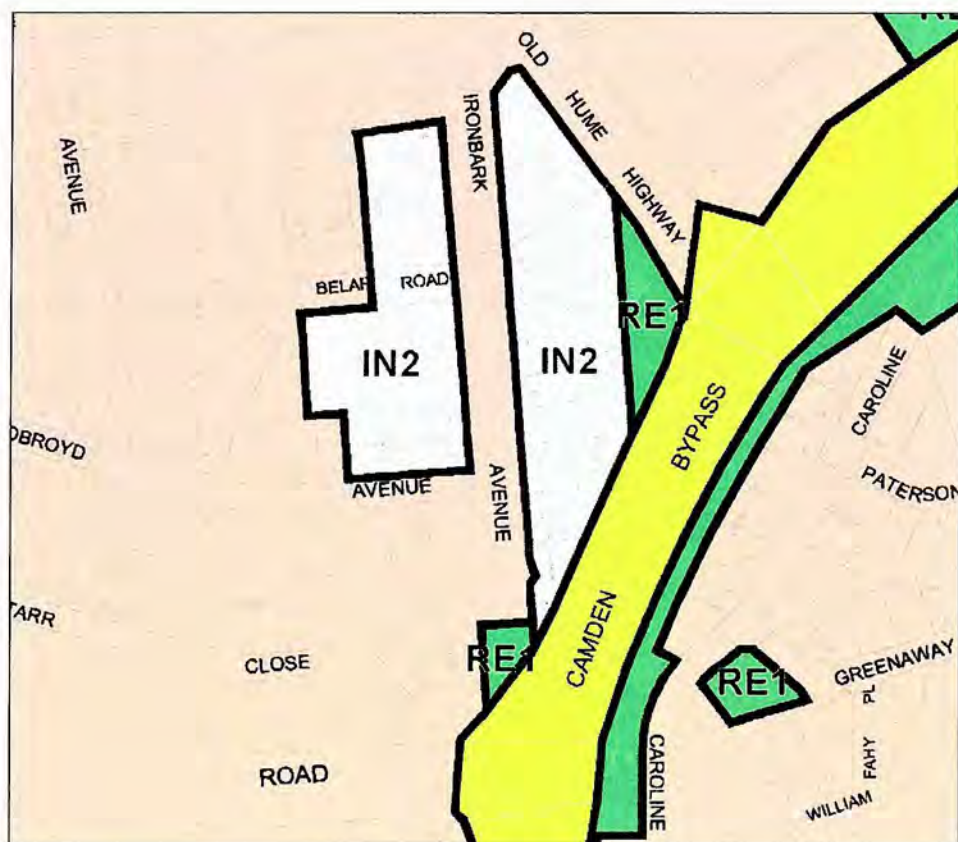
Major industrial activities are focused in Smeaton Grange and Narellan. Isolated service industrial estates have evolved in Little Street, Cawdor Road, part of Edward Street and Ironbark Avenue.

The evolution of these latter service industrial precincts has been a response to business wishing to have a Camden identity and leveraging off some positive locational attributes in particular. Accessibility, visibility and flood free qualities have been some of the drivers in the evolution of the Ironbark Avenue precinct. It should continue to leverage off these attributes and evolve.

Broader business/retail diversification of the precinct, as proposed by some owners, is, however, likely to detract from the trade of the delicately balanced Camden Town Centre and promote pressure for a small centre of marginal sustainability and should be resisted.

7 Proposed Local Planning Controls

Council has assigned an IN2 Light Industrial zoning to the subject precinct. (Refer to the Map Extract and overview of planning provisions over the page.)



The proposed zonal objectives are noted as follows:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

The proposed land use provisions are summarised as follows:

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Helipads; Heliports; Light industries; Neighbourhood shops; Roads; Sawmill or log processing works; Sewage reticulation systems; Take-away food and drink premises; Warehouse or distribution centres; Any other development not specified in items 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Amusement Centres; Biosolid waste applications; Boat sheds; Bulky goods premises; Business premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoriums; Educational establishments; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Function centres; Funeral chapels; Funeral homes; Hazardous industries; Hazardous storage establishments; Health services facilities; Industrial retail outlets; Information and

education facilities; Mortuaries; Moveable dwellings; Nightclubs; Offensive industries; offensive storage establishments; Office premises; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Vehicle showrooms; Veterinary hospitals; Water recreation structures; Wholesale supplies.

There are no Floor Space Ratio, Minimum Lot Size or Height of Building Restrictions applying to the land. It should, however, be noted that a 9.5 metre height restriction is proposed to apply to surrounding lands.

The Draft Plan also includes at Clause 7.9 certain additional land use restrictions to ensure the prevailing “business automotive” character of the precinct is maintained. These restrictions are reinforced in Subclause (3) of Clause 7.9 and reproduced below.

- (3) Despite any other provision of this Plan, consent must not be granted for development on land to which this clause applies for the purposes of boat repair facilities, car parks, child care centres, community facilities, crematoriums, environmental facilities, helipads, heliports, home industries, industrial retail outlets, landscape and garden supplies, liquid fuel depots, mortuaries, neighbourhood shops, places of public worship, recreation areas, recreation facilities (indoor), sawmill or log processing industries, self storage units, timber and building supplies, warehouse or distribution centres, waste or resource management facilities or wholesale supplies.

It is understood that these additional controls are aimed at facilitating a “like for like” LEP migration and restricting inappropriate land uses.

8 Development Vision

The preceding discourse has identified the appropriateness for the subject precinct to continue to evolve as a mixed use precinct, subject to certain limitations.

The limitations pertain in particular to:

- Ensuring minimum outright competition with the Camden Town Centre (via range of permissible business focused land uses)
- Access denial to the Old Hume Highway/Camden By-Pass (only controlled access at current intersection of Old Hume Highway/Ironbark Avenue)
- Traffic generation (modest traffic generating land uses)
- Residential amenity and in particular integration with an overwhelmingly surrounding residential context (appropriate interface management in respect of overlooking, overshadowing, building bulk and articulation, access, street parking and streetscape)
- Public realm interface (attractive streetscape)

Market limitations are likely to include:

- Limitations to range of automotive uses given limited public exposure and accessibility to main roads
- Limitations to satisfactory parking outcomes from habitual high demand generators

- Limited capacity to fund public realm upgrades

The precinct comprises two distinct areas, either side of Ironbark Avenue. The land on the western side involves issues of greater sensitivity in respect of integration with adjoining land uses, particularly given the overwhelming nature of fringing residential development.

The redevelopment of the western side could occur as a contemporary service industrial area or a medium density residential infill (small lot integrated housing or townhouses/villas). A residential redevelopment may be capable of being more readily integrated, but reduces the “natural mass” as a service industrial precinct.

The level of capital investment on the eastern side is variable. Redevelopment as service industrial facilities over time should be controlled by some simple design guidelines and supplemented by street tree and reserve planting and potentially enhanced street parking opportunities and traffic calming.

A relevant Statement of Desired Future Character may be fashioned from the following:

“The Ironbark Avenue precinct will continue to evolve as a mixed land use precinct dominated by automotive related activities. It will provide for a range of transitional land uses but not assume a business park or retail outlet role. Business focused activities shall be limited accordingly.

High volume traffic generators with inherent high parking demands shall be generally discouraged, unless capable of satisfactorily addressing vehicle related impacts. Expanded public parking shall utilise residue public lands in an integrated landscape context.

The streetscape shall be enhanced with further plantings of the character forming narrow leaved ironbarks.

The former “bus depot site” shall be developed as a small cell of medium density housing, sensitively integrating with surrounding residential development and ensuring reasonable amenity where interfacing with non-residential activities or small “service industry business park” with similar sensitivities. Similar opportunities shall be explored over time with the redevelopment of other lands directly interfacing with residential development.

Provision shall be made for a limited shop facility to service the convenience needs of the neighbourhood, including the local workforce, whilst major traffic generating fast food outlets shall be discouraged.”

9 An Appropriate Planning Regime

The range of available planning provisions in the Standard Instrument are somewhat limiting with largely generic outcomes. Some limited capacity to vary them to achieve local outcomes does, however, exist (refer to Annexure “B”).

Given the mixed use nature underpinning the future vision, it is critical that a land use zone be selected that is most accommodating and yet does not prejudice Council’s strategic planning outcomes, particularly those associated with reinforcing the Camden Town Centre and limiting fragmented, “energy sapping”, disparate “business” centres/commercial interests.

Zones potentially under consideration from the Standard Instrument are reproduced in Annexure "B", with a summary of their appropriateness produced below.

Zone B4 – Mixed Use

Provides for too broad a range of land uses which may contribute to negative impact on the Camden Town Centre and may not be compatible with prevailing residential amenity and contribute to unacceptable traffic management issues.

Zone B5 – Business Development

Provides for a de facto retail bulky good zone, which is not desirable having regard to Council's general retailing principles and its potential competition with the Camden Town Centre in a remote location. It would potentially be in contravention to the standard objective "... in locations close to and that support the viability of centres".

The precinct is not suited for warehousing or distribution centres and the major vehicle movements associated with the same. Further, it is no longer suitable for a passenger transport facility.

Zone B6 – Enterprise Corridors

High exposure retailing is understood to not be a Council aim in this locality. The range of uses, notwithstanding the standard objective of "maintaining the strength of centres by limiting retail activity" is considered too broad in a commercial/retail sense. Further, the concerns expressed in respect of warehousing or distribution centres and passenger transport facilities in the B5 zone are mirrored. Residential uses in a mixed development context are also considered inappropriate in the subject context.

Zone B7 – Business Park

The standard objectives of the zone are considered relevant but for "providing for a range of office uses".

The range of standard uses is considered appropriate, but for office premises and passenger transport facilities and warehouse and distribution centres, the latter for the reasons previously cited.

Zone IN2 – Light Industrial

The subject zone is considered to present the "best fit" in respect of the range and style of existing land uses and present least opportunity for impacting adversely upon the performance of the Camden Town Centre. Despite some reservations about the appropriateness of warehousing and distribution centres, particularly in terms of traffic generation, merit based assessment will finally establish whether consent is forthcoming in respect of such type of activity. Similarly, depots have little merit in the subject context, but will also be potentially filtered through the development assessment process.

The former bus depot site (No.'s 5 – 13 Ironbark Avenue) has potential to be developed as a small masterplanned service industrial precinct, adding "mass" to the existing service industrial uses. In doing so, it provides an opportunity for the Ironbark Avenue precinct to emerge as a service industrial precinct in support of the Camden Township, which is currently deficient in such opportunities, due to flooding and/or other redevelopment constraints.

Particular sensitivity would, however, need to be pursued given its relationship to adjoining residential development in respect of the interface treatment comprising appearance, acoustic treatment, controlled access and onsite parking in particular. A sustainable integration scenario is likely to be somewhat challenging where highly dependant upon maintenance of key landscape areas and uniform management practices generally.

Equally, the former bus depot site has the potential to be redeveloped as a medium density residential sub-

precinct. Development of such nature has the potential to more readily integrate with the surrounding residential development, but potentially reduces the dynamics of the light industrial precinct in such process.

Similarly, No.'s 1a to 3 on the western side of Ironbark Avenue could evolve over time in such manner also.

To facilitate the prospect of a medium density residential outcome (as described), it is recommended that the land retain the proposed IN2 Light Industrial zone as with the balance of the precinct and that medium density residential development in the form of "multi dwelling housing" be provided for as an additional permissible use on land comprising the western side of the subject sub-precinct, pursuant to Clause 2.5 and Schedule 1 of the Draft LEP.

The proposed 9.5 metre height limitation in the adjoining residential areas should be adopted for any development immediately abutting a residential area including the redevelopment of No.'s 5 - 13 and 1a - 3 Ironbark Avenue. Further, it should be explored for the precinct generally, as part of a future design exercise, underpinning a precinct specific DCP chapter.

Annotated plans addressing design principles in both the "service industrial park" and "multi-unit housing" development options in respect of the former bus depot site (No.'s 5 - 13 and No.'s 1a - 3) are presented as Annexure "C".¹

10 Review of Proposed Planning Controls

The proposed planning controls in respect of the IN2 Light Industrial zone are considered appropriate for the precinct for the reasons previously espoused.

Additionally, the former "bus depot site" (No. 5 - 13 Ironbark Avenue) and other lands on the western side of Ironbark Avenue comprising No.'s 1a - 3 should be the subject of the additional use provisions contained in Clause 2.5 and Schedule 1 of the Draft LEP, facilitating its development also for "multi-unit housing" purposes, in accordance with adopted design principles depicted in Annexure "C".

It may be that given Council's "like for like" LEP conversion philosophy that additional residential usage is flagged in Council's consideration of the Public Exhibition/Submission review process and is pursued as part of a future LEP review.

Further, it is also understood that the adoption of an IN2 zone will negate the need for Clause 7.9 as currently proposed in the Draft LEP and as such, the Clause should accordingly be deleted.

The proposed IN2 Land Use Table should be reviewed as follows:

Car parks would appear to be appropriate uses in all IN2 precincts, not just Ironbark Avenue, providing opportunities to address car parking demands in a holistic manner, particularly on residue lands.

¹ These plans denote opportunities to potentially optimise car parking in the precinct, by rationalisation of existing public lands and/or wide road reservations and should be explored, given the significant vehicle movements and kerbside parking in the "am" and "pm" peaks.

Vehicle showrooms² and veterinary hospitals, similarly would appear to be appropriate uses in the IN2 zone generally and should be considered for inclusion in the Land Use Table as a permissible use, subject to Council consent. As a minimum, however, these uses should be permissible in the Ironbark Avenue precinct, pursuant to Clause 2.5 and Schedule 1.

11 Outline Design Principles

The evolution of the subject precinct in accordance with the draft Vision should be guided by a series of design principles.

A series of broad design principles should be developed to assist in realising the draft Vision. These principles should focus upon:

Public Realm

- Reinforcing framework planting involving narrow leaved ironbark (eucalypt) species
- Retaining all mature trees where possible
- Integrating expanded kerbside public parking where possible
- Formalising footpaths where required
- Consideration of traffic calming

Private Property (Generally)

- Restricting building bulk
- Articulation/modulation of buildings, particularly where interfacing with residential development
- Optimising onsite deep root plant areas
- Restricted integrated advertising
- Adequate accessible parking
- Limited rationalised ingress/egress
- Integrated acoustic treatments
- Optimum energy efficiency and water harvesting
- Implementation of water sensitive urban design principles
- An integrated approach to materials and colour to new walls
- Adequate setbacks to residential buildings

Private Property (No.'s 1a - 3 and No.'s 5 - 13 Ironbark Avenue)

Annotated plans addressing design principles in both the "service industrial park" and "multi-unit housing" development options in respect of the former bus depot site (No.'s 5 - 13) are presented as Annexure "C".

12 Conclusion

The Ironbark Avenue precinct has evolved over time in response changed circumstances. Its continued evolution as a "mixed use" (light/service industrial) precinct should be fostered by an appropriate framework planning regime that has regard to both its strategic context relative to the Camden Town Centre (competition limitations) and its local context (exposure, traffic

² This potentially should be a reference to "vehicle sales or hire premises"

generation/accessibility and neighbourhood amenity considerations).

The most appropriate zoning for the precinct is considered to be IN2 Light Industrial, subject to the land use provisions detailed in the Report.

Council should earnestly consider legitimising existing facilities such as veterinary hospitals and motor showrooms, rather than facilitating their ongoing existence via "existing use" provisions.

The former "bus depot site" (No.'s 5 – 13 Ironbark Avenue and No.'s 1a – 3 Ironbark Avenue) should be capable of being redeveloped as either a "service industrial park" or "multi-unit housing estate", in accordance with basic design parameters as appended to the Report.

Council should also explore the prospect of developing general design principles for the broader precinct.

Annexure "A"

Unique Definitions Camden LEP No. 46

6 Definitions

(1) In this plan:

advertisement means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not it includes the erection of an advertising structure.

advertising sign means an advertisement that is painted directly onto an existing part of a building (such as a fascia, wall or shop window) and requires no other supporting structure for its display.

advertising structure means a structure used or principally used for the display of an advertisement (such as a pole sign, flagpole, under awning, flash-mounted or projecting wall sign) and is affixed to a building or premises.

agriculture means horticulture and land husbandry, which includes the keeping or breeding of livestock or bees, and the growing of fruit and vegetables and the like, but does not include intensive animal husbandry, the use of feed lots, piggeries, poultry farming establishments or intensive stables, mushroom growing and other agricultural activities undertaken in large sheds.

alter, in respect of a heritage item or a building, work or relic within a heritage conservation area, means:

- (a) the making of structural changes to its exterior, or
- (b) the making of non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance.

animal boarding establishment means a building or place where cats, dogs, horses or other animals are bred, trained, accommodated or nurtured for gain or reward, and includes a riding school.

appointed day means the day on which this plan takes effect.

bed and breakfast establishment means a dwelling-house operated by its permanent residents to provide short term paid accommodation (which may include meals) and includes ancillary buildings within the curtilage of the dwelling-house.

brothel means a building or place used for the purpose of prostitution by one or more prostitutes or a building that is designed for that purpose.

building height (or *height of building*) means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

bulky goods shop means a building or place used primarily for the sale by retail or auction, or the hire or display, of items (whether goods or materials) which are of such a size, shape, range or weight as to require:

- (a) a large area for handling, storage and display, and
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading items into their vehicles after purchase or hire.

child care centre means fixed premises at which a child care service is provided by a person for the purpose of educating, minding or caring (but without providing residential care) for 4 or more children (disregarding any children who are related to the person providing the service) who are under 6 years of age and who do not ordinarily attend school.

conservation plan means a document establishing the heritage significance of a heritage item or heritage conservation area and identifying conservation policies and management mechanisms that are appropriate to enable that significance to be retained in the future use and development of the item or area.

Council means the Council of the Municipality of Camden.

demolish, in respect of a heritage item or a building, work, relic, tree or place within a heritage conservation area, means wholly or partly destroying, damaging or dismantling that item, building, work, relic, tree or place.

health care practice means the use of a room or a number of rooms forming part of, attached to, or within the curtilage of a dwelling-house, by not more than 2 legally qualified medical practitioners, dentists or health care professionals to practise their profession, but only if they do not employ more than 1 employee in connection with the practice.

heritage assessment report means an assessment of the impact of proposed development on the heritage significance of a heritage item and its setting and any heritage conservation area within which it is situated which may or may not include a management strategy for the ongoing conservation of the item or area.

heritage conservation area means land shown edged heavy black on Sheet 2 of the map marked "Camden Local Environmental Plan No 98 – Heritage" and described in Schedule 1 and includes buildings, works, relics, trees and places situated on or within that land.

heritage item means a building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) described in Schedule 1.

heritage significance means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

home business means an industry or occupation, carried on in a dwelling or in a building the use of which is ancillary to a dwelling where the dwelling and the land on which the dwelling is located are primarily used for residential purposes and where the industry or occupation:

- (a) is carried on by the permanent residents of the dwelling and not more than one non-resident, if any, and
- (b) does not take up floorspace of more than 50 square metres in the whole dwelling or ancillary building, and
- (c) does not interfere with the amenity of the locality because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and
- (d) does not involve exposure to view from any adjacent premises or from any public place of any unsightly matter, goods or products, and
- (e) does not give rise to traffic levels out of keeping with those of the surrounding locality,

and

- (f) does not include acts of prostitution between persons of different sexes or of the same sex, such as:
 - (i) sexual intercourse, as defined in section 61H of the Crimes Act 1900, for payment, and
 - (ii) masturbation of one person by another, for payment.

intensive animal husbandry means a building, a place or land used for the purposes of nurturing livestock either wholly or partially by a feeding method other than natural grazing, but does not include the keeping of livestock or poultry intended solely for personal consumption or enjoyment of the owner or occupier of the land.

motor vehicle depot means a building or place used principally for the purpose of parking, and used incidentally for the servicing of motor vehicles, which may include trucks, trailers and buses.

multi-unit housing development means residential development (not being two-dwelling development) resulting in two or more dwellings on one lot, whether the dwellings are attached or detached, and includes town-houses and the like.

professional consulting room means a room or number of rooms forming part of, attached to, or within the curtilage of, a dwelling-house, and used by one legally qualified medical practitioner, by one dentist (within the meaning of the Dentists Act 1934) or by one health care professional who practices his or her profession therein as a sole practitioner, or in partnership with not more than one other practitioner practising the same profession, being premises in which he or she or the partners, as the case may be, employs or employ not more than one employee in connection with the practice, and in which he or she or his or her partner permanently resides.

recreation area means:

- (a) a children's playground, or
 - (b) an area used for sporting activities or sport facilities, or
 - (c) an area used by the Council to provide recreation facilities for the physical, cultural or intellectual welfare of the community, or
 - (d) an area used by a body of persons associated for the purposes of the physical, cultural or intellectual welfare of the community to provide recreation facilities for those purposes,
- but does not include a racecourse or a showground.

recreation facility means a building or place used for the purpose of or consisting of:

- (a) a swimming pool (longer than 20 metres),
- (b) a bowling green,
- (c) 2 or more tennis courts, or
- (d) a table tennis centre, squash court, gymnasium, health studio, bowling alley, or any other similar recreational facility, whether used for the purpose of gain or not,

but does not include a place of assembly or a club licensed under the Registered Clubs Act 1976.

relic means any deposit, object or material evidence (which may consist of human remains), relating to:

- (a) the use or settlement of the area of Camden, not being Aboriginal habitation, which is

more than 50 years old, or

- (b) Aboriginal habitation of the area of Camden whether before or after its occupation by persons of European extraction.

renovation, in relation to a building or work, means:

- (a) the making of structural changes to the inside or outside of the building or work, or
- (b) the making of non-structural changes to the fabric or appearance of the outside of the building or work.

retail plant nursery means a building or place primarily used for growing plants and for selling, exposing or offering for sale by retail, plants, landscape supplies, landscape products, horticultural products and as an ancillary purpose only, for selling or offering for sale by retail items associated with outdoor gardening and food for consumption on the premises only.

service industry means an industry offering facilities for the repair, manufacture or maintenance of goods, articles or installations and which requires a high level of access by the general public, and includes the sale by retail of items related to the housing industry.

shop-top housing means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as one or more separate domiciles attached to a building within which a retail or commercial activity is undertaken.

the map means the map marked "Camden Local Environmental Plan No 46", as amended by the maps (or specified sheets of the maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Camden Local Environmental Plan No 50

Camden Local Environmental Plan No 52

Camden Local Environmental Plan No 54

Camden Local Environmental Plan No 55

Camden Local Environmental Plan No 60

Camden Local Environmental Plan No 68

Camden Local Environmental Plan No 71

Camden Local Environmental Plan No 87

Camden Local Environmental Plan No 96

Camden Local Environmental Plan No 101

Camden Local Environmental Plan No 102—Sheet 1

Camden Local Environmental Plan No 105

Camden Local Environmental Plan No 106

Camden Local Environmental Plan No 123

Camden Local Environmental Plan No 124

Camden Local Environmental Plan No 130

Camden Local Environmental Plan No 136—Sheet 2 (but only to the extent to which it relates to the land to which this plan applied immediately before the commencement of *Camden Local Environmental Plan No 136*)

tourist facility means an establishment providing holiday accommodation or recreation facilities, or both, on a short-term use basis, and may consist of or include:

- (a) motels, bed and breakfast establishments, serviced apartments, holiday cabins, caravan parks, camping grounds, and associated swimming pools, golf courses and tennis courts, and
- (b) restaurants, and
- (c) souvenir shops, arts and craft galleries and exhibition centres.

tree means any tree, sapling or shrub which:

- (a) is 3 metres or more in height,
- (b) has a girth of 300mm or more at a height of 1 metre above natural ground surface, or
- (c) has a branch span of 3 metres or more.

two-dwelling development means residential development resulting in two dwellings (but no more) on one lot, where:

- (a) the development involves an addition or alteration to an existing dwelling-house, the erection of a single building containing two dwellings on a vacant lot or the conversion into a dwelling of a building situated on the same lot as a dwelling-house, and
- (b) both dwellings are attached and under the one roof in one building which has the appearance of a single dwelling-house, except where:
 - (i) one of the dwellings was a dwelling-house situated on the lot when *Camden Local Environmental Plan No 72* commenced and the other dwelling results from the conversion of a second building that (when that plan commenced) was situated on the lot and used for a purpose ancillary to the use of that dwelling-house, and
 - (ii) the conversion will not result in any extension to the second building, and
- (c) the total amount of the site area occupied by buildings does not exceed two thirds of the site area, and
- (d) the lot has an area of not less than 400 square metres and is not further subdivided (whether or not under the *Strata Titles Act 1973* or the *Community Land Development Act 1989*), and
- (e) in the case of the erection of a single building containing two dwellings, the building is of no more than single storey construction, but may be of two storey construction if:
 - (i) adjacent land is occupied by two storey dwellings or is vacant (but is not public land), and
 - (ii) the Council is satisfied that the proposed building will suit the streetscape and have no adverse effect in terms of character, design, scale, bulk, privacy and overshadowing.

veterinary establishment means a building or place used for the purpose of medical or surgical treatment of animals.

(2) In this plan:

- (a) a reference to a map is a reference to a map deposited in the office of the Council,

- (b) a reference to land within a zone specified in the Table to clause 10 is a reference to land shown on the map in the manner indicated in clause 9 as the means of identifying land of the zone so specified, and
 - (c) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.
- (3) Notes included in this plan do not form part of this plan.

Annexure “B”

Select “Mixed Use” Zones from Standard Instrument

Zone B4 Mixed Use

Direction.

The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

Roads

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Seniors housing; Shop top housing

4 Prohibited

Zone B5 Business Development

Direction.

The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

Roads

1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail uses that require a large floor area, in locations that are close to, and that support the viability of, centres.

2 Permitted without consent

3 Permitted with consent

Child care centres; Passenger transport facilities; Warehouse or distribution centres

4 Prohibited

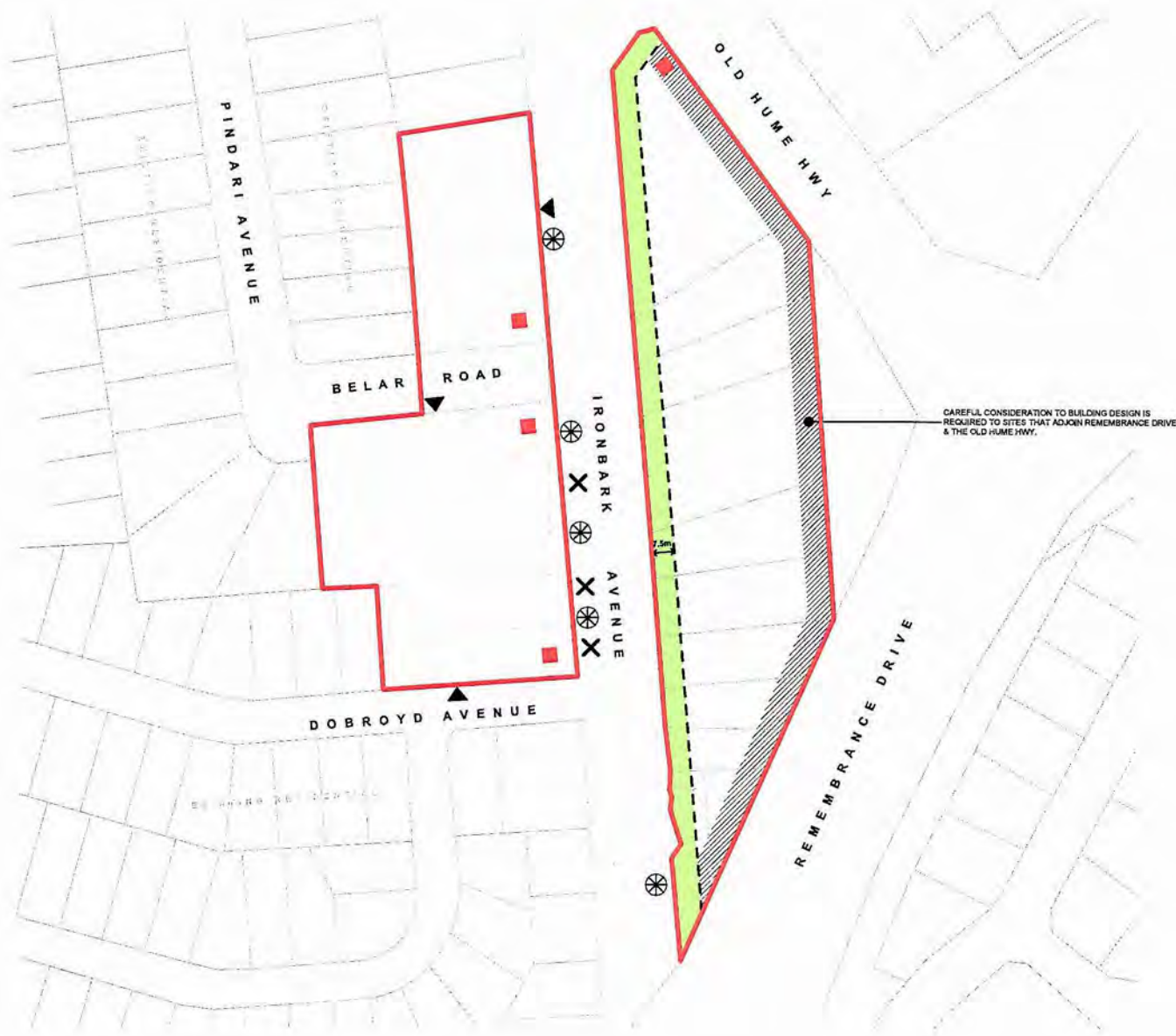
Annexure “C”

Design Principles for Redevelopment of No’s 5 – 13 Ironbark Avenue

(a) Service Industrial Park



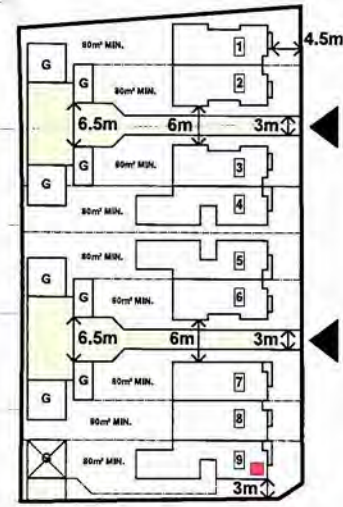
LEGEND	
	ACCENTUATE (ARTICULATE) BUILDING CORNER
	WALL ARTICULATION REQUIRED THROUGH BUILDING FORM & COLOUR
	3m SETBACK REQUIRED TO EXISTING CHILDCARE CENTRE
	EXPLORE PROSPECT OF IMPROVING ROAD KERB SIDE CAR PARKING
	BUILDINGS ARE REQUIRED TO ADDRESS THE STREET WITH GLAZING & ARTICULATED BUILDING FORM WITH COMPLEMENTARY MATERIAL/COLOUR SELECTION
	MIN. 3m LANDSCAPE STRIP REQUIRED WITHIN FRONT BUILDING SETBACK TO COMPLY WITH CAMDEN COUNCIL'S LANDSCAPING POLICIES



LEGEND

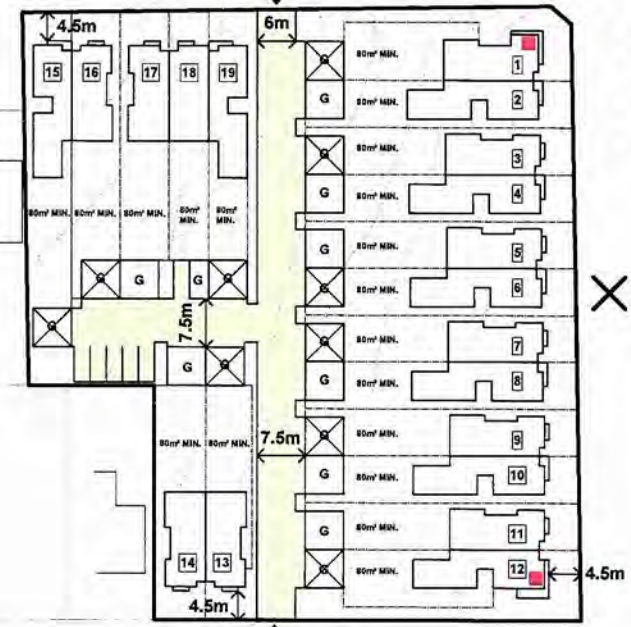
- ACCENTUATE (ARTICULATE) BUILDING CORNER
- VEHICULAR DRIVEWAY ACCESS
- EXPLORE PROSPECT OF IMPROVED ROAD KERBS SIDE CAR PARKING
- VEHICULAR DRIVEWAY ACCESS DENIED
- BUILDINGS ARE REQUIRED TO ADDRESS THE STREET WITH GLAZING & ARTICULATED BUILDING FORM WITH COMPLEMENTARY MATERIAL/COLOUR SELECTION
- MIN. 3m LANDSCAPE STRIP REQUIRED WITHIN FRONT BUILDING SETBACK TO COMPLY WITH CAMDEN COUNCIL'S LANDSCAPING POLICIES

(b) Multi-Unit Housing



LEGEND	
■	ACCENTUATE (ARTICULATE) BUILDING CORNER
▲	VEHICULAR DRIVEWAY ACCESS
✕	VEHICULAR DRIVEWAY ACCESS DENIED
⊠	TWO STOREY STUDIO GARAGE

BELAR ROAD



AVENUE

IRONBARK

DOBROYD AVENUE

ORDINARY COUNCIL

ORD02

SUBJECT: PROPOSAL TO REZONE LAND AT 11 IRONBARK AVENUE,
CAMDEN (OLD CAMDEN BUS DEPOT SITE)
FROM: Director Governance
FILE NO: Binder: Old Camden Bus Depot

PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to rezone the subject land to permit multi dwelling housing.

A Planning Proposal to support this rezoning is **provided in Supporting Documents of the Business Paper**

BACKGROUND

Council initially resolved to prepare a draft LEP to permit medium density residential development on the subject land on 9 October 2006. The Department of Planning (DoP) LEP Review panel subsequently advised Council on 2 January 2007 it would not support the rezoning at that stage as it considered the land to be in isolation from the adjoining land in Ironbark Avenue which is also zoned 3(d) Business Automotive.

Council was, during that time, commencing the preparation of the draft Camden LEP. Council on 25 September 2007 resolved to defer the Ironbark Avenue precinct from the draft LEP due to the difficulty in finding a compatible template zone to the current 3(d) Business Automotive zone. Following lengthy discussions with the DoP it was agreed that the closest "template" zone to the 3(d) was IN2 Light Industrial. Accordingly, the IN2 zoning was applied to the Ironbark Avenue precinct when the draft Camden LEP was placed on public exhibition during September and October 2009.

Council also commenced further investigations into the entire 3(d) zone in Ironbark Avenue and engaged external planning expertise to undertake a Planning Review which was completed in October 2009. A copy of the review **is provided in Supporting Documents of the Business Paper**. The findings of that review are outlined in this report.

The owners of the subject property made a submission during the exhibition of draft Camden LEP 2009 requesting that Council proceed with rezoning the land to permit medium density development. Council, in its consideration of submissions to the exhibition at its meeting held on 24 November 2009 resolved in relation to this matter to;

"reaffirm its resolution of 9 October 2006 to rezone the former bus depot site at Ironbark Avenue, South Camden to permit medium density development and to now include the land to the north being lot 48 DP 31406 and Lots 1&2 DP 516829 subject to the requirements outlined in this report including all costs associated with the proposal being borne by the applicant."

The owners have subsequently prepared a planning proposal in accordance with the new "Gateway" process requesting Council to rezone the land to R3 Medium Density.

MAIN REPORT

Subject property

The subject property is described as Lot B DP 409715 and Lots A & B DP 399965 being Nos 5 - 13 Ironbark Avenue, South Camden. The land has an area of 7430m² and has three street frontages. The site was formerly used as a bus depot and a contamination report has been provided and will be discussed further in this report. **A copy of the site plan is attached at the end of this report.**

Findings of the Planning Review for Ironbark Avenue, South Camden

The purpose of this Review was to ascertain the most appropriate template zone for the current 3(d) Business Automotive zone that applied to land at Ironbark Avenue, South Camden and to also analyse the preferred land use scenario for the former bus depot site.

The review recommended that the IN2 light industrial zone was the most appropriate 'template' zone. It further recommended that the land on the western side of Ironbark Avenue, which included the former bus depot site, has potential to be redeveloped for medium density housing.

The Review also established design principles for multi-unit housing. These address issues such as on-site parking, landscaping, building articulation and driveway access. These would need to form the basis of a development control plan which would also address interface issues with the adjoining residential area and the existing mixed use area opposite.

There are two other properties on the western side of Ironbark Avenue currently zoned 3(d) in addition to the former bus depot site. These are 1A Ironbark Avenue - owned by Adet Pty Ltd which currently contains a preschool and 1 - 3 Ironbark Avenue - owned by Safajach Pty Ltd and currently contains a truck servicing business. Both these owners were contacted and advised that Council was exploring the suitability of their properties as having potential for future multi dwelling housing. Both owners indicated that in the long term they may be interested however they have no intention of moving their businesses in the short to medium term.

Given the above, it is proposed to proceed with only the rezoning of the former bus depot site at this stage. There will still be an option, at some time in the future, to revisit the rezoning of the other two properties should circumstances change.

Detail of the Planning Proposal

The Planning Proposal has been prepared to comply with the guidelines of the DoP's Gateway process. The purpose of a planning proposal is to explain the intended effect of the proposed LEP and to provide justification for making it. This includes:

1. Statement of intended outcomes
2. Explanation of provisions
3. Justification
4. Proposed community consultation.

The intended outcome is to rezone the subject land to R3 - Medium Density Residential. The submission states that while there are no development plans at this stage they have acknowledged the design principles espoused in the Planning Review for both the public realm and private lands and that these will provide development criteria. It is proposed that such criteria should be developed into a development control plan (DCP) which would accompany the rezoning.

Site Contamination

Given the previous landuse of the site a detailed analysis of the contamination will need to be undertaken. A desktop analysis was undertaken by Environmental & Earth Sciences and submitted by the proponent when they lodged their previous rezoning application in 2006. As reported to Council on 9 October 2006 the key outcomes of the initial desktop analysis included:

- *Identification of asbestos cement sheeting and asbestos in electrical backing boards and vinyl tiles.*
- *Aluminium cases electrical capacitors containing PCBs*
- *Possible lead paint due to building age*
- *The remnant infrastructure from the historical site usage identified three underground storage tanks and four above ground storage tanks, two walk in service pits and three fuel dispensing bowsers.*
- *A petroleum hydrocarbon impact has been identified in the ground-water analysis.*

Given the large number of potential sources that need to be removed the consultants have recommended that a site specific Remediation Action Plan (RAP) will need to be prepared.

Prior to rezoning occurring Council will require a Phase 2 contamination report to be conducted which may require a RAP to be developed. In addition, Council will only agree to the rezoning proceeding if the site can be made suitable for residential development without the need for any ongoing management of the site.

DCP

Council will require the proponent to fund the preparation of a DCP which will be placed on exhibition with the Planning Proposal. The DCP is to address all of the existing Ironbark Avenue precinct and is to incorporate the design principles espoused in the Planning Review for both the public realm and private lands.

Process from here

Should Council resolve to proceed with the rezoning then the Planning Proposal will be forwarded to the DoP Gateway for determination. Further reports will be submitted to Council prior to and following the community consultation stages. It is not envisaged that the proposal will be placed on public exhibition until after the gazettal of Camden LEP 2010.

CONCLUSION

The Planning Proposal to rezone the former bus depot site in Ironbark Avenue, South Camden provides an opportunity to enable appropriate infill development, generally in keeping with the surrounding landuses. It also will provide a buffer between the

current light industrial uses on the eastern side of Ironbark Avenue and the adjoining residential development.

RECOMMENDED

That Council:

- i. **not proceed with the rezoning of lot 48 DP 31406 (1A) Ironbark Avenue and Lots 1 and 2 DP 516829 (1-3) Ironbark Avenue to R3 Medium Density Residential, at this stage;**
- ii. **support the Planning Proposal for land at 11 Ironbark Avenue, South Camden known as lot B DP 409715 and Lots A & B DP 399965 to be rezoned to R3 Medium Density Residential;**
- iii. **advise the applicant that before agreeing to the gazettal of the LEP Council must be satisfied that the land can be remediated to make the site suitable for residential development without the need for any ongoing management of the site.**
- iv. **forward the Planning Proposal to the Department of Planning for Gateway determination and**
- v. **prepare a DCP, funded by the proponent for the land to provide appropriate development controls.**

ATTACHMENTS

Attachment - site plan



Supporting Doc Ironbark Ave Planning Reviewpdf.pdf Attachment 1 site plan Ironbark Avenue.doc

RESOLUTION

Moved Councillor Dewbery, Seconded Councillor Funnell that Council:

- i. not proceed with the rezoning of lot 48 DP 31406 (1A) Ironbark Avenue and Lots 1 and 2 DP 516829 (1-3) Ironbark Avenue to R3 Medium Density Residential, at this stage;
- ii. support the Planning Proposal for land at 11 Ironbark Avenue, South Camden known as lot B DP 409715 and Lots A & B DP 399965 to be rezoned to R3 Medium Density Residential;
- iii. advise the applicant that before agreeing to the gazettal of the LEP Council must be satisfied that the land can be remediated to make the site suitable for residential development without the need for any ongoing management of the site.
- iv. forward the Planning Proposal to the Department of Planning for Gateway determination and
- v. prepare a DCP, funded by the proponent for the land to provide appropriate development controls.

THE MOTION ON BEING PUT WAS CARRIED.

(Councillors Cagney, Cottrell, Campbell, Dewbery, Funnell, Patterson and Warren voted in favour of the Motion.

No Councillor voted against the Motion).

ORD85/10

ACTIONS

CRMS number , Finalised 14/05/2010 8:33:47 AM

Action: Finalised,

Completed

Submission will now be made to the DoP gateway.

Link to CRMS document CRMS: 11395180 12/05/2010, 01:39:26 PM