

Camden - Local Environmental Plans - 2010 (Amendment No.25) - Wood Fire Heaters

Proposal Title : **Camden - Local Environmental Plans - 2010 (Amendment No.25) - Wood Fire Heaters**

Proposal Summary : **Implement an amendment to Camden Local Environmental Plan 2010 (CLEP 2010) which seeks to make domestic solid fuel burning appliances (wood fired heaters) exempt development**

PP Number : **PP_2013_CAMDE_013_00** Dop File No : **13/10291**

Planning Team Recommendation

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

S.117 directions : **2.1 Environment Protection Zones
2.3 Heritage Conservation
6.1 Approval and Referral Requirements
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **Advice to Council:**

It is recommended that should a favourable Gateway determination be issued:

(a) Council be requested to amend the planning proposal by including dates within the project timeline of the proposal and provide this information to the regional team, and

(b) amend the proposal to better illustrate how the criterion (see page 4 of the proposal) '...any structure within a 15m radius' will be interpreted and applied by Council.

Delegation:

Council has resolved to accept and exercise the Minister's plan making powers, however, the relevant form has not been submitted by council. It is recommended that delegation be issued to council and it be requested to complete and submit the form.

It is recommended that the Proposal proceeds subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 14 days;

2) Council consults with the Office of Environment and Heritage (EPA).

2) The time-frame for completing the local environmental plan is to be 6 months from the week following the date of the Gateway determination

Supporting Reasons : **There are no inconsistencies with SEPPs or section 117 directions.**

The implementation of the LEP amendments will assist Council to promote the types of wood fire heaters with low emissions and will provide an incentive to Camden residents to install wood fire heaters of a higher environmental standard by not requiring a development application.

Local matter and Council has requested the plan making delegation (see Council's letter)

Panel Recommendation

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Recommendation Date : **04-Jul-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to update the planning proposal to advise how the criteria listed for wood fire heaters as exempt development is to be interpreted and applied by Council.
2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect the 6 month timeframe allocated for completing the LEP. The project timeline is to include all relevant information consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. A copy of the timeline is to be forwarded to the regional office of the department.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).
4. Consultation is required with the Office of Environment and Heritage (OEH) under section 56(2)(d) of the EP&A Act. OEH is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:



Date:

