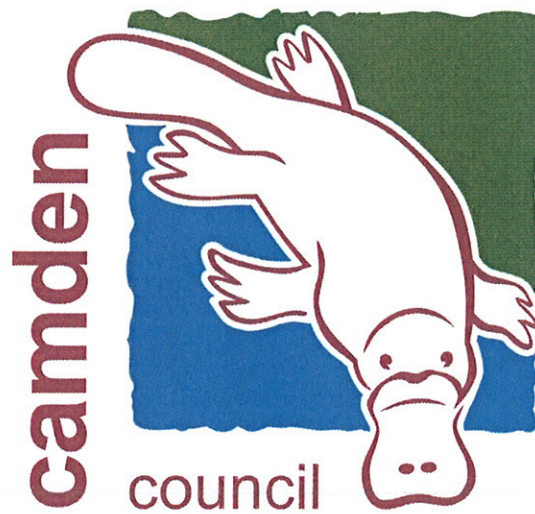




CAMDEN COUNCIL

PLANNING PROPOSAL

Various amendments to Camden LEP 2010

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Background

At the Ordinary Council Meeting of 24 November 2009 Camden Council considered a report on the exhibition of draft Camden LEP 2010 and resolved to forward the draft LEP, subject to amendments, to the Department of Planning and request that the LEP be gazetted. The draft LEP, maps and accompanying information was subsequently forwarded to the Department of Planning so that the gazettal process could commence.

The draft LEP contains clauses and maps that relate to minimum lot size. In the course of reviewing the draft LEP and maps prior to gazettal, the Department of Planning has provided advice regarding alternative clauses that may help to provide greater certainty and legibility regarding minimum lot sizes and lot yields/densities within urban release areas.

Council officers have also identified matters of a minor nature that should be reflected in the LEP. This includes the insertion of 'multi dwelling housing' as a permissible use on certain lands zoned B2 Local Centre at Mount Annan, and the amendment of the heritage map to reflect the recent subdivision which reduced the curtilage of the heritage item at 56 Hilder Street, Elderslie.

Given that the draft LEP has been exhibited and is pending gazettal (gazettal is expected by 30 June 2010), it is proposed that these clauses will be the subject of a planning proposal which will aim to amend the Camden LEP 2010 shortly after its gazettal.

This matter was reported to Council at its meeting held on 22 June 2010. The resolution of the meeting was as follows:

- (a) Adopt the planning proposal and map amendments.
- (b) Forward the planning proposal to the Department of Planning for Gateway Determination.
- (c) Pending a favourable response from the Department of Planning, proceed directly to gazettal.

Part 1 – Objectives or Intended Outcomes

The intended outcomes of the planning proposal are to be undertaken to the Camden LEP 2010 to ensure that controls that were in place in Camden, prior to the gazettal of the LEP, are maintained. Accordingly the following six minor amendments are proposed:

1. Camden Lakeside Urban Release Area

To amend the LEP Lot Size Map to reflect the minimum lot sizes for the Camden Lakeside development and to insert a new clause in the LEP which restricts the maximum number of dwellings to 380.

2. Spring Farm Urban Release Area

To insert a new clause in the LEP to ensure that not less than 3717 dwellings are produced in the Spring Farm Urban Release Area.

3. Elderslie Urban Release Area

To insert a new clause in the LEP to ensure that not less than 1978 dwellings are produced in the Elderslie Urban Release Area.

4. Manooka Valley Urban Release Area

To amend the Lot Size Map to reflect the minimum lot sizes for the Manooka Valley Urban Release Area.

5. B2 Zone at Mount Annan

To amend Camden LEP 2010 to permit Multi dwelling housing on three lots at Mount Annan. Mutli dwelling housing was a permissible use in the previous LEP however it was inadvertently omitted from the Camden LEP 2010.

6. Heritage Item “Hilsyde” – 56 Hilder Street Elderslie

To amend the Heritage map by reducing the heritage curtilage of the heritage item to reflect the current subdivision layout for which development consent has been granted.

Part 2 – Explanation of provisions

1. Camden Lakeside Urban Release Area

- (a) It is proposed to insert the following clause into Part 7 Additional local provisions of the Camden LEP 2010.

7.10 Residential density— Camden Lakeside Urban Release Area

- (1) The objective of this clause is to limit the density of future residential development at Camden Lakeside Urban Release Area
 - (2) Development consent must not be granted to the development of land intended to be used for residential purposes within the Camden Lakeside Urban Release Area unless the consent authority is satisfied that:
 - (a) a development control plan has been prepared providing for no greater than 380 dwellings within the Area and containing provisions to encourage a mix of dwelling types to be provided, and
 - (b) the granting of consent would not exceed that number of dwellings within the Area.
- (b) Camden LEP 2010 lot size map No. 016 has been amended by including minimum lot sizes for the residential sections of the Camden Lakeside Urban Release Area.

2. Spring Farm Urban Release Area

It is proposed to insert the following clause into Part 7 Additional local provisions of the Camden LEP 2010

7.11 Residential density— Spring Farm Urban Release Area

- (1) The objective of this clause is to make provision with respect to the delivery of 3,717 new dwellings in the Spring Farm Urban Release Area.
- (2) Development consent must not be granted to the subdivision of land intended to be used for residential purposes within the Spring Farm Urban Release Area unless the consent authority is satisfied that:
 - (a) a development control plan has been prepared providing for not less than 3,717 new dwellings within the Area and containing provisions to encourage a mix of dwelling types to be provided, and
 - (b) the granting of consent would not preclude or impede that number of dwellings within the Area.

3. Elderslie Urban Release Area

It is proposed to insert the following clause into Part 7 Additional local provisions of the Camden LEP 2010

7.12 Residential density— Elderslie Urban Release Area

- (1) The objective of this clause is to make provision with respect to the delivery of 1,978 new dwellings in the Elderslie Urban Release Area.
- (2) Development consent must not be granted to the subdivision of land intended to be used for residential purposes within the Elderslie Urban Release Area unless the consent authority is satisfied that:
 - (a) a development control plan has been prepared providing for not less than 1,978 new dwellings within the Area and containing provisions to encourage a mix of dwelling types to be provided, and
 - (b) the granting of consent would not preclude or impede that number of dwellings within the Area.

4. Manooka Valley Urban Release Area

Camden LEP 2010 lot size map No. 017 has been amended by including minimum lot sizes for the residential sections of the Manooka Valley Urban Release Area.

5. B2 Zone at Mount Annan

It is proposed to insert the following clause into Schedule 1 Additional permitted uses of the Camden LEP 2010.

26. Use of certain land at Mount Annan

- (1) This clause applies to land at Mount Annan, being lot 206 DP 1070297 Annanvale Circuit, Lot 5 DP 11239436 Waterworth Drive and Lot 1 DP 1129436 Holdsworth Drive.
- (2) Development for the purposes of multi dwelling housing is permitted with development consent.

6. Heritage Item No 108 'Hilsyde' - 56 Hilder Street Elderslie

- (a) Camden LEP 2010 heritage map No. 013 has been amended by reducing the curtilage area of the heritage item to now apply to land described as Lot 1 DP 1142209 to comply with the current subdivision layout.

- (b) In the property description for Heritage item No 108, in Schedule 5 of Camden LEP 2010, remove "Lot 2, DP 560048" and replace with "Lot 1 DP 1142209".

Part 3 – Justification

Section A – Need for the planning proposal.

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

The planning proposal is not a result of any strategic study or report. It is to address some minor anomalies that have become evident between the adoption of the draft exhibited Camden LEP on 24 November 2009 and the plans gazettal which is anticipated by end the of June 2010.

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

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

3. Is there a net community benefit?

Given the minor nature of the matters contained within this planning proposal it is not considered that a Net Community Benefit Test need be undertaken. It is a given that the matters addressed by this planning proposal will strengthen the Camden LEP 2010 by ensuring that existing controls are maintained which provides the community with greater certainty.

Section B – Relationship to strategic planning framework.

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

The planning proposal is consistent with both the draft South Western Regional strategy and the Sydney Metro Strategy.

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

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2025.

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

The planning proposal is consistent with applicable state planning policies.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable Ministerial Directions.

Section C – Environmental, social and economic impact.

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

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

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

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

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

Not applicable.

Section D – State and Commonwealth interests.

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

Not applicable.

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

Given the minor nature of the issues listed in this planning proposal no state or commonwealth public authorities have been consulted.

Part 4 – Community Consultation

The matters dealt with in this planning proposal are maintaining the 'status quo' with regard to planning controls applying in each of the proposed amendments. The reason for the need to undertake the amendments to the Camden LEP 2010 are more of a technical nature and it is not considered that community consultation is necessary. In fact it may even tend to confuse given the nature of the comprehensive LEP.

Council does not consider that any consultation with either state or commonwealth public authorities are required. Council has discussed and sought guidance from staff at the Parramatta Branch of the Department of Planning on all of the matters within this planning proposal.

Accordingly Council is proposing that given that the amendments are of a minor nature, it is proposed that the community consultation be dispensed with pursuant to Section 73A(1)(c) of the EPA Act.