

Amendment No. 16 to Camden LEP 2010 - 'Carrington'

Proposal Title : **Amendment No. 16 to Camden LEP 2010 - 'Carrington'**

Proposal Summary : **To rezone land at Grasmere for seniors housing and related facilities (a medical centre, cafe/restaurant, shop and a child care centre).**

The proposed development will form an extension to the existing Carrington Centennial Care facility and the associated facilities will be available for use by the general public.

PP Number : **PP_2012_CAMDE_008_00** Dop File No : **12/08103**

Proposal Details

Date Planning : **14-May-2012** LGA covered : **Camden**

Proposal Received :

Region : **Sydney Region West** RPA : **Camden Council**

State Electorate : **CAMDEN** Section of the Act : **55 - Planning Proposal**

LEP Type : **Precinct**

Location Details

Street : **5**

Suburb : **Smalls Road** City : **Grasmere** Postcode : **2570**

Land Parcel : **Lot 201 , DP 734620**

DoP Planning Officer Contact Details

Contact Name : **Mato Prskalo**

Contact Number : **0298601534**

Contact Email : **mato.prskalo@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Tanya Uppal**

Contact Number : **0246547804**

Contact Email : **tanya.uppal@camden.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601149**

Contact Email : **terry.doran@planning.nsw.gov.au**

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub : **Metro South West subregion** Consistent with Strategy : **Yes**

Regional Strategy :

Amendment No. 16 to Camden LEP 2010 - 'Carrington'

MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots : 0	No. of Dwellings (where relevant) :	327
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : The Department's register of lobbyist contacts was examined on 11 May 2012, and there is no record of any contacts relating to this Planning Proposal.

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : To the best of the regional team's knowledge, there have been no meetings or communications with registered lobbyists.

Supporting notes

Internal Supporting Notes : The Proposal was received by the Sydney West Regional Branch on 1 May 2012. However, on 4 May 2012, Council was requested to clarify a statement contained in its covering letter, which indicated that the Proposal has been submitted in response to correspondence from the Minister for Planning and Infrastructure. Council has confirmed that this statement was made in error.

Subsequently, council officers were asked to reconsider the use of Schedule 1(Additional Permitted Uses)of the Camden LEP 2010. Council officers advised on 14 May, 2012, that they wished to discuss the matter.

This issue is discussed in this report and it is recommended that the Proposal be considered by the Gateway in its current form and this issue be resolved prior to community consultation stage by the regional team in consultation with council officers.

External Supporting Notes :

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : The objective is to enable expansion of the existing aged care facility ('the Werombi Road campus'), which is located across the road from the subject land (which is identified as Lot 201 in DP 734620).

The site forms part of a master plan for the combined lands, which was approved by Council in 2007. The consent was acted upon for the Werombi Road campus but not for the subject land itself ('the site').

The site was subsequently rezoned from a rural zone to Zone R5 Large Lot Residential under Camden LEP 2010, which resulted in seniors housing becoming prohibited.

In addition, since the lapsing of the consent, the masterplan has been revised and now proposes to include a medical centre, a child care centre and limited retail (cafe/restaurant and a neighbourhood shop) on the site. These facilities will support both

the existing and proposed aged care developments and will be available for use by the general public.

The scale of the Proposal is as follows:

- a residential aged care facility (approximately 120 beds),
- independent living units (ILUs) (approximately 112),
- 'apartment' style ILUs (approximately 95),
- a child care centre (30 places), and
- a cafe/restaurant and a neighbourhood shop (up to 1000 sqm*).

*The Proposal states that the neighbourhood shop will occupy an area of approximately 1,000sqm. However, the Council resolution specifies 'retail premises up to 500sqm of gross floor area'. Therefore, Council must amend the Proposal to satisfy the resolution prior to consultation.

It is noted that clause 5.4(7) of Camden LEP 2010 limits the retail floor area of a neighbourhood shop to 100 sqm.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The objectives are proposed to be facilitated by amending 'Schedule 1 - Additional permitted uses' of Camden LEP 2010 to include the following clause:

"Use of certain land at 5 Smalls Road, Grasmere

(1) This clause applies to land at 5 Smalls Road, Grasmere, being Lot 201, DP 734620.

(2) Development for the purposes of seniors living development, comprising residential aged care facilities, independent living units, and other associated uses including medical services, child care, neighbourhood shops, administration and cafe/restaurants".

Current development controls for building height and minimum lot size will not change.

COMMENT

Council has resolved to "support the proposal to allow 'seniors housing', 'health services facility' and 'retail premises' up to 500sqm of gross floor area' on..." (the site). These are Standard Instrument LEP group term definitions.

'Health services facility' is currently permissible in Zone R5 Large Lot Residential and, as such, does not need to be included in the proposed clause.

A limit on the gross floor space cannot be placed on development for retail premises under Camden LEP 2010 as it is a Standard Instrument LEP. However, it is noted that the Proposal does not seek to include this requirement in the proposed clause.

It will not be necessary to make 'administration' an additional permissible use as this is considered to be ancillary to seniors housing under SEPP (Housing for Seniors or People with a Disability) 2004.

Therefore, the resolution will effectively enable only 'seniors housing' and 'retail premises' as additional permissible uses.

ALTERNATIVE ZONING

The use of 'Schedule 1 - Additional permitted uses' to facilitate development is considered to be appropriate only where no other suitable zoning alternatives exist.

Seniors housing cannot be facilitated on the site under SEPP (Housing for Seniors or People with a Disability) 2004 as the requirements under the SEPP for a site compatibility

certificate are not met. For example, under the SEPP, the site is not considered to be zoned primarily for urban purposes or to adjoin land zoned for urban purposes.

Council has given consideration to the application of Zone R1 General Residential but does not support this because it would allow a range of other, inappropriate uses on the site (such as residential flat buildings).

Other options, which have not been considered by Council, include a Special Purpose zone and multiple zones as discussed below.

1. Special Purpose Zone

This option involves rezoning the site to a Special Purpose Zone, SP1 Special Activities (Seniors Housing), which would allow seniors housing and any other development that is ordinarily incidental or ancillary to that use.

The combined existing and proposed seniors housing complexes are extensive and the site is located 4kms from the nearest centre (Camden). Under these circumstances, it is considered that a Special Purpose zoning would be appropriate and that the proposed associated uses would reasonably be ordinarily incidental or ancillary. However, it is acknowledged that the Proposal clearly indicates that the proposed shop would serve the wider community.

It is noted that activities such as large hospitals (e.g. Liverpool) are zoned Special Purpose and include various associated uses. It is considered that seniors housing complexes may be viewed in a similar manner as they require access to a range of services.

The proposed associated uses, in particular the neighbourhood shop, will be accessible to the wider community. This will better integrate the seniors housing development into the general community and assist the viability of the associated uses. A Special Purpose zoning would ensure that the associated uses remain ancillary to the seniors housing development.

A Special Purpose zoning offers a more strategic approach than other rezoning options as it could also be applied to the Werombi Road campus. The campus is currently also zoned R5 Large Lot Residential, which prohibits the existing seniors housing development.

2. Multiple Zones

Multiple zones may be appropriate for the site in view of the range of proposed land use types, which include residential, retail and environmental.

Separate areas for residential, commercial and environmental zones could be defined (note: the site contains significant areas of bushland and a riparian corridor). Clause 5.3 - Development Near Zone Boundaries could be used at the development stage to provide greater flexibility in boundaries between certain zones, if necessary.

While the above approach may provide greater certainty for the associated uses, it would remove the requirement for their association with the seniors housing. This could result in inappropriate development. This approach would also not address the zoning anomaly at the Werombi Road campus.

However, a combination of the above two zoning options may also be possible, e.g. a Special Purpose zone and an Environmental Protection zone.

VIEWS OF COUNCIL

The above zoning options were raised with Council for its information. Council officers have requested a meeting to discuss the matter with the Department. It is considered that the meeting can be held after the Gateway Determination is made.

RECOMMENDATION

It is considered that Council should be required to give further consideration to alternatives to the use of Schedule 1 - Additional Permitted Uses.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.1 Environment Protection Zones

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

SREP No. 20 - Hawkesbury–Nepean River (No. 2 - 1997)

e) List any other matters that need to be considered :

Different Section 117 Directions may apply depending on the eventual rezoning.

SECTION 117 DIRECTIONS

DIRECTION 2.1 ENVIRONMENT PROTECTION ZONES

This Direction applies as the site contains environmentally sensitive areas. The Proposal is accompanied by various supporting documents that were prepared in 2005/6 as part of the masterplan.

These include:

- a Flora and Fauna Assessment,
- a Vegetation Management Plan,
- a Conservation and Land Use Management Plan, and
- an Offsetting Strategies report.

Council intends to update the above documents and it is considered that this should be made a Gateway condition.

The site is approximately 27 hectares in size and contains remnant vegetation, which occupies approximately half of the site. The Flora and Fauna Assessment ('the Assessment') considers that the vegetation represents Cumberland Plain Woodland, which is listed as an endangered ecological community under both State and Federal environmental legislation. However, the vegetation does not represent the more significant class of Cumberland Plain Woodland, known as 'Priority Conservation Lands'. The Assessment also found that the site contains different fauna species that are separately listed under the legislation as being threatened and vulnerable.

Part of the vegetation is proposed to be removed under an offsetting strategy that has been approved by Council but the bulk of the vegetation will be retained. The retained vegetation will provide linkages with adjoining flora and fauna corridors. An Environmental Protection zone should be considered for this land in view of its significance.

The site contains three small watercourses, which include a former creek that has been dammed. A 60m wide riparian corridor is proposed for the creek, while the other two watercourse run through a vegetation area and do not require the creation of riparian corridors. An Environmental Protection zone may also be appropriate for the riparian corridor.

It is considered that, in view of the above, Council should be required to:

- update the supporting environmental assessments,
- consult with the Federal Department of Sustainability, Environment, Water, Population and Communities,
- consult with the NSW Office of Environment and Heritage (Environment Branch) (and consider whether consultation with this agency is formally required under section 34A of the Environmental Planning and Assessment Act 1979 in relation to threatened species), and
- consider whether an environmental protection zone is necessary to protect the Cumberland Plain Woodland and riparian corridor.

After completing the above, and prior to undertaking community consultation, Council should be required to demonstrate the consistency of the Proposal with this Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

DIRECTION 2.3 HERITAGE CONSERVATION

This Direction applies as the site contains Aboriginal archaeological items. The items were identified by an Aboriginal Archaeological Survey & Assessment, which was conducted as part of the previous masterplan in 2005. Some of the items are located in parts of the site that are proposed for development and the Proposal does not indicate how these will be adequately addressed.

The site also contains some remnants of a former cottage, which is currently not listed as a heritage item but does have some relationship to heritage listed buildings (under Camden LEP 2010) in the Werombi Road campus. Council proposes to update the existing study.

In view of the above, it is considered that Council should be required to:

- update the Aboriginal Archaeological Survey & Assessment,
- undertake a non-Aboriginal heritage study of the site, and
- consult with the Office of Environment & Heritage (both the Heritage Branch and the Aboriginal Heritage Operations Branch) and the relevant Local Aboriginal Land Council(s). Note: the Sydney West Regional Branch referred the Proposal to the Heritage Branch of the Office of Environment and Heritage for its information.

After completing the above, and prior to undertaking community consultation, Council should demonstrate that the Proposal is consistent with the Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

DIRECTION 3.1 RESIDENTIAL ZONES

This Direction applies as the Proposal affects land within an existing residential zone.

The Proposal will broaden housing choice by providing different forms of seniors housing. However, the scale of development proposed may need to be reduced following further consideration of environmental constraints as discussed in this report.

The site is located on the fringe of urban release areas and the Proposal indicates that it can be serviced by town water and potentially connected to the sewerage system located within the immediate area. It is noted that the provision of town water to

elevated parts of the site (where independent living units appear to be proposed) will require amplification of the existing water main. It is considered that Council should consult with Sydney Water regarding costs and timing for the provision of reticulated water and sewer services.

The Proposal is accompanied by a current Traffic and Access Assessment (2011), which indicates that there will be minimal impact on the road system (Smalls and Werombi Roads are understood to be local roads). Nevertheless, it is considered that Council should consult with Roads and Maritime Services regarding potential impacts on classified roads in the vicinity.

After completing the above, and prior to undertaking community consultation, Council should demonstrate that the Proposal is consistent with the Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

This Direction applies as the site is zoned for urban purposes.

The Direction requires the Proposal to be consistent with:

- (a) Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and
- (b) The Right Place for Business and Services - Planning Policy (DUAP 2001).

The Proposal includes a neighbourhood shop as the nearest centre is at Camden. A bus service currently runs along Werombi Road, connecting the site to the Camden centre. As the Proposal will be integrated with the existing seniors development, this will increase the likelihood of future enhancements to the bus service. The Werombi Road campus is a significant development and includes hospital services. The expansion of the existing development onto the subject site is supported as it will improve services for seniors housing.

The neighbourhood shop (including the cafe and restaurant) will also provide convenient facilities for the residents of nearby development at The Oaks and Grasmere.

In view of the circumstances of the case, it is considered that the Proposal is generally consistent with the Direction.

DIRECTION 4.1 ACID SULFATE SOILS

This Direction applies because the site is affected by acid sulfate soils, as advised by Council.

Clause 6 of the Direction requires that Council must not prepare a planning proposal that will intensify development on land that may contain acid sulfate soils unless it has considered a study into the impacts. The clause requires Council to provide a copy of the study to the Director General prior to undertaking community consultation on the planning proposal. The Proposal is not accompanied by such a study.

Camden LEP 2010 does not contain provisions relating to acid sulfate soils. Clause 7 of the Direction requires planning proposals that will intensify development on land that may contain acid sulfate soils to include relevant provisions. The Proposal does not include such provisions.

After completing the above, and prior to undertaking community consultation, Council should demonstrate that the Proposal is consistent with the Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

DIRECTION 4.3 FLOOD PRONE LAND

This Direction will apply if the site is flood prone. The Proposal states that the site is not mapped as flood prone land but that further modelling of the watercourses will need to be undertaken. Therefore, Council should be required to prepare an assessment of the flooding situation and demonstrate the consistency of the Proposal with the Direction prior to undertaking community consultation.

After completing the above, and prior to undertaking community consultation, Council should demonstrate that the Proposal is consistent with the Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

It is noted that, if the land contains flood prone land and is rezoned to a Special Purpose zone, the Proposal will be inconsistent with the Direction.

DIRECTION 4.4 BUSHFIRE PRONE LAND

This Direction applies as the site contains bush fire prone land.

The Direction prescribes several matters requiring compliance, such as the provision of Asset Protection Zones (APZs). The Proposal identifies an APZ along only part of the development area and it is unclear why it does not extend to other such land. As discussed above, the APZ should also not be located within the Cumberland Plain Woodland.

The Direction also requires Council to, among other things, consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway Determination and prior to undertaking community consultation. A significant proportion of the site, including the proposed residential aged care facility, is identified as bush fire prone. As such, both the seniors housing and child care centre will require authorisation by the Commissioner of the NSW Rural Fire Service under section 100B of the Rural Fires Act 1997 at the development stage. Therefore, the above consultation under this Direction will be particularly important.

It is considered that, once Council addresses the concerns regarding the provision of APZs and consults with the Commissioner of the NSW Rural Fire Service, and prior to undertaking community consultation, it should demonstrate the consistency of the Proposal with the Direction.

After completing the above, and prior to undertaking community consultation, Council should demonstrate that the Proposal is consistent with the Direction and provide a copy of the revised Proposal to the Regional Director, Sydney West Region, for information.

DIRECTION 6.3 SITE SPECIFIC PROVISIONS

This Direction applies as the Proposal will allow a particular development to be carried out. The Proposal is consistent with the Direction as it will allow the proposed land use (i.e. seniors housing) on the site without imposing any development standards or requirements in addition to those that are already contained in the principal environmental planning instrument that is being amended.

DIRECTION 7.1 IMPLEMENTATION OF THE METROPOLITAN PLAN FOR SYDNEY 2036

This Direction applies to all planning proposals. The Proposal is considered to be consistent with the Metropolitan Plan for Sydney 2036, and thereby with the Direction, as it provides additional seniors housing on an appropriately located site.

SEPPs

SREP No.2 HAWKESBURY-NEPEAN RIVER (No.2 - 1997)

This deemed SEPP applies to the Proposal as the site is located within the catchment of the Nepean River and is proposed for urban development. The Proposal is consistent with the SEPP, though Council must take the matters in the SEPP into account.

SEPP 44 KOALA HABITAT PROTECTION

The Flora and Fauna Assessment notes that 10% of the trees on the site consist of a koala food tree species that is listed under SEPP 44. The Assessment notes that this figure is below the 15% threshold indicated by the SEPP for classification as 'Potential Koala Habitat' (and is also not considered to be 'Core Koala habitat').

However, further consideration needs to be given to the application of the SEPP once the Flora and Fauna Assessment is updated. The updated assessment should also have regard to recent Federal and State environmental planning changes (i.e. the NSW Government's koala recovery plan and the Federal Government's listing of the koala under national legislation.

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes a community consultation period of 28 days. This is considered to be an appropriate length of time.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Unknown**

If No, comment : **The above matters need to be satisfactory addressed and the Proposal resubmitted for endorsement by the Sydney West Regional Branch.**

Proposal Assessment

Principal LEP:

Due Date : **September 2010**

Comments in relation to Principal LEP : **Camden LEP 2010 came into force in September 2010.**

Assessment Criteria

Need for planning proposal :	The Proposal is required in order to enable development of the site for seniors housing. Seniors housing was permissible on the site under the previous LEP and had been approved by Council.
Consistency with strategic planning framework :	The Proposal is consistent with the Metropolitan Plan for Sydney 2036 and the draft South West Subregional Strategy through the Proposal's provision of additional seniors housing.
Environmental social economic impacts :	The range of studies to be updated will determine the existence of environmental, social and economic impacts. However, it would appear that any potential impacts can be adequately managed.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 Month	Delegation :	DG
Public Authority Consultation - s56(2)(d) :	Office of Environment and Heritage Integral Energy NSW Rural Fire Service Transport for NSW - Roads and Maritime Services Sydney Water Telstra Adjoining LGAs		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Heritage

Flooding

If Other, provide reasons :

The need for additional studies and updates to existing studies is discussed above.

It is understood that preliminary updates of several studies have been undertaken, including flora and fauna, bushfire and traffic. However, of these studies, only the updated traffic study was included with the Proposal.

The Proposal indicates that the site is located close to Camden Airport but is not within the noise affected area. The site is located within the Obstacle Limitation Surface for the Airport but the Proposal indicates that the current building height limit will not result in development that penetrates this restriction. Notwithstanding this, it is considered that Council should consult the Airport in relation to the Proposal. If necessary, an assessment of the potential impacts should be prepared.

Identify any internal consultations, if required :

No internal consultation required

Amendment No. 16 to Camden LEP 2010 - 'Carrington'

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **Council will need to consult with State agencies responsible for the provision of key infrastructure to establish servicing requirements.**

Council should also be required to consult with Wollondilly Shire Council as the site is located close to the boundary with its local government area.

Documents

Document File Name	DocumentType Name	Is Public
Planning_Proposal.pdf	Proposal	Yes
Aboriginal_Archaeological_Survey_and_Assessment.pdf	Study	Yes
Conservation_and_Land_Use_Management_Plan.pdf	Study	Yes
Conservation_Management_Strategy.pdf	Study	Yes
Flora_and_Fauna_Assessment.pdf	Study	Yes
Heritage_Curtilage_Assessment_Part_1.pdf	Study	Yes
Heritage_Curtilage_Assessment_Part_2.pdf	Study	Yes
Heritage_Curtilage_Assessment_Part_3.pdf	Study	Yes
Master_Plan_Revision.pdf	Study	Yes
Traffic_and_Access_Assessment.pdf	Study	Yes
Urban_Design_Statement.pdf	Study	Yes
Vegetation_Management_Plan.pdf	Study	Yes
Vegetation_Offsetting_Strategy.pdf	Study	Yes

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
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the Proposal proceed subject to the following conditions:**

1. Council must undertake community consultation under sections 56(2)(c) and 57 of the Environmental Planning & Assessment Act 1979 for a period of 28 days;

2. The timeframe for completing the local environmental plan is to be 12 months from the week following the date of the Gateway Determination. Council must submit the final Proposal to the Department no later than 6 weeks before the expiry this time frame;

3. Council is to consult with key infrastructure and service providers (i.e. Sydney Water, Telstra, TransGrid and Jemena (Gas)) in relation to servicing needs and with Wollondilly Shire Council and Camden Airport. Separate recommendations for Council to consult with other authorities and bodies are made below;

4. Council is to amend the Proposal to ensure that it is consistent with Council's resolution to support retail premises (i.e. combined) with a gross floor area of up to 500sqm;

5. Section 117 Directions

5.1. Council is to:

- update previous environmental studies (including consideration of whether SEPP 44

Koala Habitat Protection applies),

- consult with the Federal Department of Sustainability, Environment, Water, Population and Communities,
- consult with the NSW Office of Environment and Heritage (Environment Branch) (and consider whether consultation with that agency is required under section 34A of the Environmental Planning and Assessment Act 1979),
- consider the need for an Environmental Protection zone for the Cumberland Plain Woodland and proposed riparian corridor, and
- after completing the above, demonstrate the consistency of the Proposal with section 117 Direction 2.1 Environment Protection Zones;

5.2. Council is to:

- update the Aboriginal Archaeological Survey & Assessment,
- undertake a non-Aboriginal heritage study,
- consult with the Office of Environment and Heritage (both the Heritage Branch and the Aboriginal Heritage Operations Branch) and the relevant Local Aboriginal Land Council(s), and
- after completing the above, demonstrate the consistency of the Proposal with section 117 Direction 2.3 Heritage Conservation;

5.3. Council is to demonstrate the consistency of the Proposal with section 117 Direction 3.1 Residential Zones after considering the results of consultation with Sydney Water. Council should also seek the views of Roads and Maritime Services in relation to potential impacts on State roads in the area;

5.4. Council is to undertake prepare an acid sulfate soils assessment and, if necessary, amend the Proposal to include provisions to control acid sulfate soils. Council should subsequently demonstrate the consistency of the Proposal with section 117 Direction 4.1 Acid Sulfate Soils;

5.5. Council is to assess flooding issues and demonstrate the consistency of the Proposal with section 117 Direction 4.3 Flood Prone Land;

5.6. Council is to:

- update the Bushfire Assessment,
- consult with the Commissioner of the NSW Rural Fire Service,
- obtain in-principle authorisation from the Commissioner for the seniors housing and child care centre (as an indication that approval will be likely under section 100B of the Rural Fires Act 1997),
- ensure that Asset Protection Zones are appropriately provided and are not located in non-offset Cumberland Plain Woodland;
- after completing the above, demonstrate the consistency of the Proposal with section 117 Direction 4.4 Bushfire Prone Land;

6. Further, it is considered that Council be requested to give further consideration to alternatives to the use of 'Schedule 1 - Additional permitted uses'. These include rezoning the land to SP1 Seniors Housing or multiple zonings that include Zone R2 Low Density Residential. Council is to also give consideration to a zoning solution that can be extended to the Werombi Road campus;

7. Council should also note that the group land use 'Health services facility' is currently permissible in Zone R5 Large Lot Residential and does not need to be included as an additional permitted use if 'Schedule 1 - Additional permitted uses' is amended. Similarly, 'Administration' is considered to be ancillary to seniors housing and it is not necessary to include it as an additional permitted use. Consequently, 'seniors housing' and 'retail premises' would be the only additional permitted uses. However, it is unclear whether 'retail premises' can be required to be associated with 'seniors housing' if separately defined. As such, inappropriate retail premises could result if separately defined in Schedule 1. Should Council wish to amend the Proposal in this regard, Council shall discuss the matter with the Regional Director, Sydney West; and

Amendment No. 16 to Camden LEP 2010 - 'Carrington'

8. Council is to, where necessary, amend the Proposal to include any changes required as a result of implementation of the above recommendations and provide a copy to the Regional Director, Sydney West, for information.

Supporting Reasons : The Proposal will provide seniors housing and associated uses in an appropriate location and will help to meet the needs of the area.

Signature:



Printed Name:

T DORAN

Date:

14/5/12

