

Camden Local Environmental Plan (Amendment No. 28) – Minimum lot size provisions, El Caballo Blanco / Gledswood

Proposal Title : Camden Local Environmental Plan (Amendment No. 28) – Minimum lot size provisions, El Caballo Blanco / Gledswood

Proposal Summary : The proposal aims to enable subdivision of land zoned RE2 Private Recreation and SP3 Tourist in the urban release area known as "El Caballo Blanco / Gledswood" below the minimum allotment size, provided the subdivision is to facilitate development of land in adjoining zones.

PP Number : PP_2013_CAMDE_016_00 **Dop File No :** 13/12877

Proposal Details

Date Planning Proposal Received : 15-Aug-2013 **LGA covered :** Camden

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

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

LEP Type : Precinct

Location Details

Street :

Suburb : **City :** **Postcode :**

Land Parcel : Land zoned RE2 Private Recreation and SP2 Tourist within the urban release area shown as 'El Caballo Blanco/Gledswood' on the Urban Release Area Map.

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

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

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

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

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :
If No, comment :

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

If Yes, comment : The regional team is not aware of any meetings or communication with registered lobbyists concerning this Planning Proposal.

Supporting notes

Internal Supporting Notes : The planning proposal was received on 31 July 2013, however, further information was requested from Camden Council and this was provided on 15 August 2013.

External Supporting Notes : The planning proposal advises that the approach taken is similar to that implemented for land immediately to the north of the site, known as Lakeside, and resulted in clause 4.1B (similar to that proposed) being inserted into Camden LEP 2010.

However clause 4.1B refers to land zoned E2 Environmental Conservation and RE2 Private Recreation.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The site has been previously rezoned to be developed for a golf course with a number of connecting residential precincts. The future golf course land is zoned RE2 Private Recreation with an overall area of 166ha. As the land is held by various separate owners and there is to be a staged release of the development, a number of subdivisions will be required to achieve the final golf course layout. These subdivisions would result in the golf course components being under the 40ha minimum lot size.

The planning proposal seeks to enable residential subdivision to occur despite non-compliance with the minimum lot size of 40ha for that part of the subject site zoned RE2 Private Recreation and SP3 Tourist. The removal of this provision from the subject land is more efficient than seeking a Council resolution each time the standard is sought to be varied under clause 4.6 Exception to Development Standards.

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to insert proposed clause 4.1C Exception to minimum lot sizes (see page 4 of the planning proposal) for certain land within the EI Caballo Blanco/Gledswood Urban Release Area, into Camden LEP 2010.

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The proposed clause applies to land in zones RE2 Private Recreation and SP3 Tourist in the specified area. It provides that development consent for subdivision of the land can only be granted if the proposed subdivision facilitates the development of land in zones RU2 Rural Landscape, R1 General Residential, R2 Low Density Residential and R5 Large Lot Residential.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

2.1 Environment Protection Zones

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

6.1 Approval and Referral Requirements

Is the Director General's agreement required? Yes

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

d) Which SEPPs have the RPA identified?

N/A

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

In addition to the S.117 Directions identified by Council, the following Directions apply to the proposal:

7.1 Implementation of the Metropolitan Strategy - the proposal is not considered to be inconsistent with this Direction.

6.3 Site Specific Provisions - as the proposal does not involve rezoning the land, amending permissible uses or including additional development standards, it is not inconsistent with this Direction.

The planning proposal is generally consistent with SEPP's, deemed SEPP's and S117 Directions.

It is recommended that the Office of Environment and Heritage be consulted as the State heritage item "Gledswood" is located on the site.

Further, it is recommended that the Sydney Catchment Authority be consulted as a portion of the Sydney water supply system canal is located on the site.

Have inconsistencies with items a), b) and d) being adequately justified? N/A

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment :

The planning proposal seeks only to insert a new clause and will not amend any LEP maps. The subject land is identified by the existing Land Zoning and Urban Release Area maps. A map showing the subject site and existing zoning boundaries is included in the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment :

Given the minor nature of the planning proposal it is intended that the public exhibition period be 14 days.

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? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The Standard Instrument LEP, Camden LEP 2010, was published in 2010.

Assessment Criteria

Need for planning
proposal :

There are two alternatives to the planning proposal:

1. Clause 4.6 Exception to Development Standards would enable subdivision below the 40ha minimum lot size (Note that this was not possible in the adjoining Lakeside area because 4.6(6) limits flexibility of subdivision in the E2 zone). However, the planning proposal states that this would be unnecessarily time consuming and it is not the intention of the clause to be used for the same purpose continually.

2. Removal of the 40ha minimum lot size provision from the RE2 and SP3 zones would also enable the objectives of the planning proposal to be achieved.

Although alternative approaches exist, there is no distinct advantage of any particular approach and that suggested by Council is considered to be adequate to achieve the stated objectives.

Consistency with
strategic planning
framework :

Draft Metropolitan Strategy for Sydney to 2031

The planning proposal is consistent with this Strategy.

Draft North West Subregional Strategy

The planning proposal is consistent with this draft Strategy.

Camden 2040

The Planning Proposal is consistent with Council's strategic plan.

Environmental social
economic impacts :

When the site was rezoned for residential purposes, consultation was undertaken with the Office of Environmental Heritage and a Conservation Management Strategy was prepared to ensure the protection of the sites' natural values.

This planning proposal will improve the operation of Camden LEP 2010 and therefore provide social and economic outcomes for the future residents of the site through timely provision of residential lots.

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Assessment Process

Proposal type : **Consistent** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **Sydney Catchment Authority
Office of Environment and Heritage**

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. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
01.Cover Letter.pdf	Proposal Covering Letter	Yes
Amendment 28 - El Caballo Blanco Gledswood .pdf	Proposal	Yes
Delegation checklist.pdf	Study	Yes
Council Report ECB - MLS clause .pdf	Proposal	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
6.1 Approval and Referral Requirements**

Additional Information : **Delegation to Council**

The matter is of local significance and it is recommended that the making of the LEP be delegated to Council, as requested.

It is recommended that the Planning Proposal proceed subject to the following

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conditions:

1. The Planning Proposal is to be exhibited for 14 days;
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - Sydney Catchment Authority
3. 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;
4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination; and
5. Delegation is to be given to Council to exercise the Minister's plan making powers.

Supporting Reasons : The Planning Proposal is supported as it seeks to promote the orderly and efficient development of the site. It is similar to the approach used for the adjacent site known as "Lakeside."

Signature:

T DORAN

Printed Name:

T Doran

Date:

20/8/13