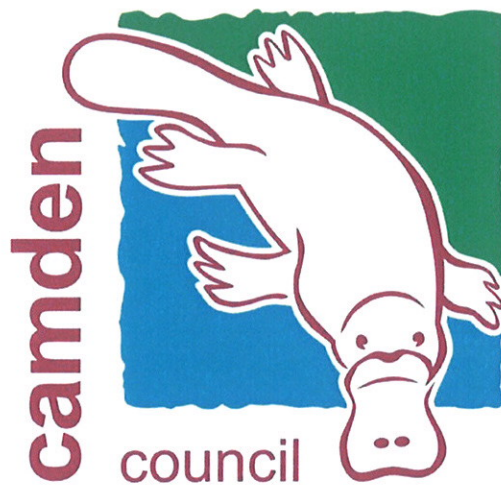




CAMDEN COUNCIL

PLANNING PROPOSAL

Amendment No. 20 – LEP Boundary Adjustment

February 2013

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BACKGROUND

At the 27 April 2010 Ordinary Council Meeting, Council resolved to support the Local Government boundary adjustment between Camden and Liverpool City Councils to transfer portions and lodged an application to the Geographical Names Board and the Division of Local Government. This Council Report is included in the planning proposal as **Attachment A**.

The proposed amendment to formalise the Council resolution was originally within Housekeeping Amendment No.3 to LEP 2010, however the Gateway determination conditioned the removal of this amendment from Housekeeping Amendment No.3 and requested the matter be progressed as a separate Planning Proposal.

Liverpool City Council have progressed the zoning of the land transferred to Liverpool City through draft Amendment No 27 to the Liverpool Local Environmental Plan 2008. Draft Amendment 27 has received a Gateway determination and Liverpool City Council will proceed with Public Exhibition shortly.

Following the resolution of Council, this Planning Proposal and associated maps will be sent to the Department of Planning and Infrastructure so that the matter may proceed to Gateway Determination.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to amend two Camden LEP 2010 maps to ensure the Camden LGA boundary is consistent with the 27 May 2011 Government Gazettal.

PART 2 – EXPLANATION OF PROVISIONS

Council was originally approached by a resident of Orient Road, Greendale, being the owner of land within both Camden and Liverpool City Councils, with a request to consider transferring the portion of land under Camden Council governance to that of Liverpool City Council in order to avoid having land split between two Councils.

Upon investigation, there were eight (8) properties that were split between LGA's based on the Bringelly Creek boundary lines, however only five (5) landowners agreed to the boundary adjustment.

At the 27 April 2010 Ordinary Council Meeting, Council resolved to support the Local Government boundary adjustment between Camden and Liverpool City Councils to transfer portions and lodged an application to the Geographical Names Board and the Division of Local Government. This Council Report is included in the Planning Proposal as **Attachment A**.

This Planning Proposal seeks to amend two Camden LEP 2010 maps to reflect the LGA boundary as shown in Figure 4 to be consistent with the 27 May 2011 Government Gazettal. The details of the five (5) properties to be transferred and their respective areas are shown in **Table 1** below.

Address details	Property details	Approx area removed from Camden LGA (hectares)
889D Cut Hill Road, Cobbitty	Part Lot 4 DP 776502	0.51
889C Cut Hill Road, Cobbitty	Part Lot 5 DP 776502	1.98
899 Cut Hill Road, Cobbitty	Part Lot 6 DP 1056890	6.2
850A Cut Hill Road, Cobbitty	Part Lot 7 DP 1056890	2.9
+905 Cut Hill Road, Cobbitty	Lot 2 DP 582023	8.1

Note: No properties are to be transferred to Camden Council.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

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

This planning proposal is not the result of any strategic study or report.

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 amendment in a relatively prompt and efficient manner.

3. Is there a net community benefit?

Given the minor nature of the matter contained within this planning proposal, it is not considered that a Net Community Benefit Test need be undertaken.

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 sub regional strategy and the Sydney Metropolitan 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 2040.

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 the applicable Ministerial Directions. Please refer to the assessment as **Attachment C** to this Planning Proposal.

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 will not be any other likely environmental effects due to the minor nature of the proposed boundary adjustment.

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

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

Section D – State and Commonwealth interests.

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

N/A

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

Given the minor nature of the planning proposal, no state or commonwealth public agencies are proposed to be consulted.

PART 4 – MAPS

A plan showing the location and properties concerned is shown in **Figure 1** below.

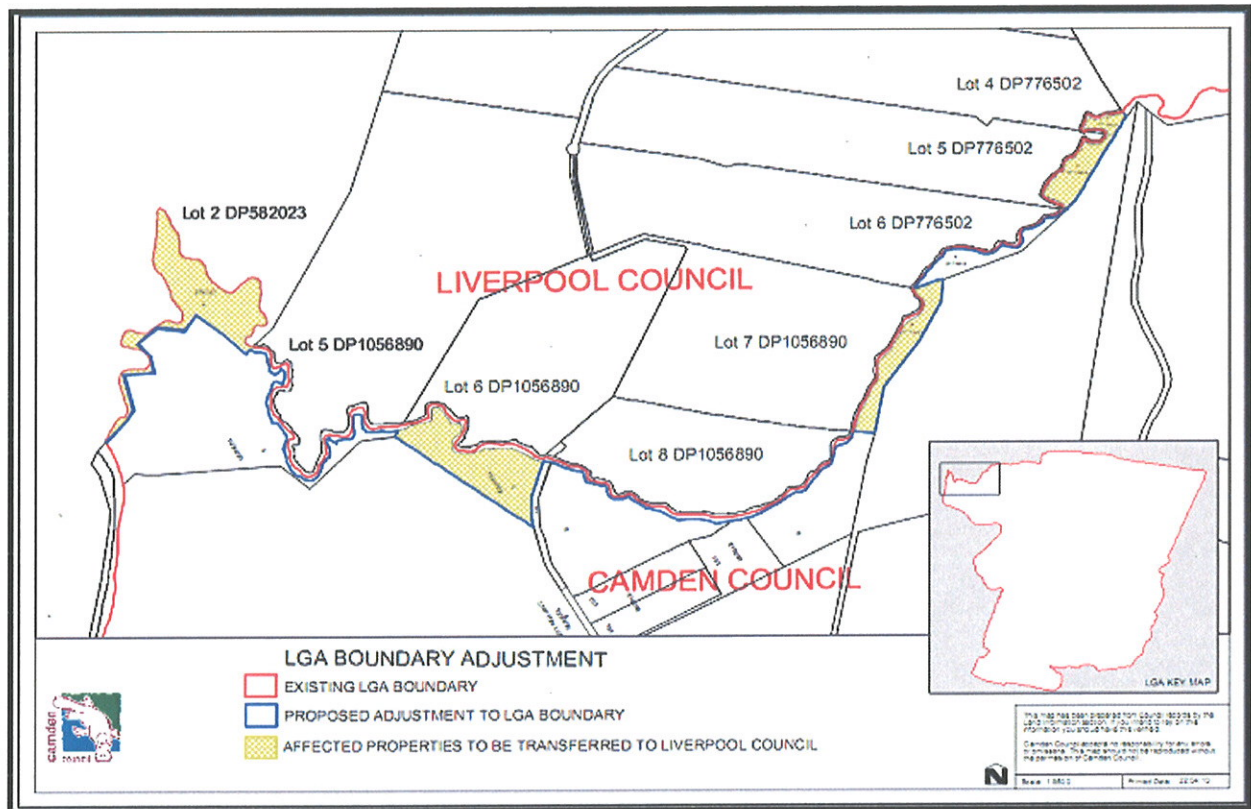


Figure 1: Map identifying LGA boundary adjustment. Source: Camden Council, 2012.

The following Camden LEP 2010 maps will need to be amended and are included in the list of map amendments in Attachment B.

- 1450_COM_HOB_001_020_20100705
- 1450_COM_LSZ_001_020_20111122

PART 5 – COMMUNITY CONSULTATION

Public exhibition is not warranted given the planning proposal simply seeks to amend the boundary line.

PART 6 – PROJECT TIMELINE

The Planning Proposal is yet to receive a Gateway determination and as such project timeframes and expected completion dates cannot be determined. The benchmark timeframe for the finalisation of the Planning Proposal is 6 months from when the Gateway determination is issued.

SCHEDULE OF ATTACHMENTS

- Attachment A - Council Report 27 April 2010**
- Attachment B - Proposed Map changes**
- Attachment C - Section 117 Directions**

Attachment A – Council Report 27 April 2010

ORDINARY COUNCIL

ORD03

SUBJECT: LOCAL GOVERNMENT BOUNDARY ADJUSTMENT - LIVERPOOL COUNCIL
FROM: Director Governance
FILE NO: Cnl Properties/Council Boundary Adjustment

PURPOSE OF REPORT

To obtain Council resolution in support of a proposal from five (5) residents to adjust part of the western Local Government boundary along Bringelly Creek with Liverpool City Council.

BACKGROUND

Council was originally approached by a resident of Orient Road, Greendale, being the owner of land adjoining the boundary of Camden and Liverpool City Councils, with a request that Council consider transferring the portion of their land to Liverpool City Council in order to eliminate the anomaly of having land split between two Councils.

Upon investigation, there are several additional properties (8 in all) also falling into this situation. The subject properties are located along Bringelly Creek which is the boundary line between Liverpool City and Camden Council Local Government Areas, with portions of each property overlapping into Camden Council area. **A Plan showing the location and the properties concerned is attached to this report.**

REPORT

Following these investigations, Council wrote to all affected landowners outlining the situation and sought a response to the request. Council also contacted Liverpool City Council seeking its views on the proposal. A community meeting was also held in Bringelly Community Hall in late 2009 which was attended by staff from Camden Council and Liverpool City Council together with 5 of the 7 landowners (note: 7 landowners own 8 properties in total). At the meeting, all aspects of the adjustment were fully discussed with the owners present and 3 of the owners agreed in writing to the proposal. Since the meeting, a further 2 landowners have now also agreed to the boundary adjustment.

A report was submitted to Liverpool City Council outlining the proposal and Liverpool City Council has supported the boundary adjustment.

The details of the five (5) properties to be transferred to Liverpool City Council are shown on the table below:

Address details	Property details	Approx Area in	Rates Payable to
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		Camden LGA (hectares)	Camden Council
889D Cut Hill Road, Cobbitty	Part Lot 4 DP 776502	0.51	\$654.03
889C Cut Hill Road, Cobbitty	Part Lot 5 DP 776502	1.98	\$705.54
899 Cut Hill Road, Cobbitty	Part Lot 6 DP 1056890	6.2	\$918.38
850A Cut Hill Road, Cobbitty	Part Lot 7 DP1056890	2.9	\$761.62
905 Cut Hill Road, Cobbitty	Lot 2 DP 582023	8.1	\$671.62

The total loss of rate income to Camden Council is \$3,711.19.

Following the community meeting, Liverpool City Council has undertaken to complete all the necessary administrative tasks associated with the proposal and has held discussions with the Geographical Names Board (GNB) concerning the changes. The GNB has given in principle approval to the proposal and is likely to approve such an application if both Councils agree to the boundary adjustment. The GNB has also reinforced a preference for all portions of a lot to be within one Local Government Area and Local Government Area boundaries to be based on a rational divide.

Liverpool City Council has now contacted Camden Council and is seeking support to proceed to the next stage of the boundary adjustment and lodge an application with the GNB and the DLG.

Notwithstanding the mixed response of landowners in the area, it is proposed to proceed with the boundary adjustment for the 5 lots where the approval of landowners has been obtained to adjust these lots entirely to within the Liverpool Local Government area. This would represent the first step towards having all the lots within the location moved to one Council area and be in concurrence with the GNB's preference. It is not considered practical to delay the application and attempt to obtain the agreement of the remaining landowners at this time. It is unlikely that any application would be supported by the GNB if all landowners did not agree to the proposal.

CONCLUSION

The owners of the land in the location have long been frustrated in dealing with two Councils and indeed, paying rates to two Councils and have approached both Councils on several occasions in the past in an endeavour to resolve the dilemma.

This is seen as the initial step in adjusting the Local Government boundary to rationalise all properties to within one Local Government area. The loss of property or rate income to Camden Council is not considered a significant factor and the adjustment of the boundary is both logical and in the public interest.

RECOMMENDED

That Council:

i. support the Local Government boundary adjustment between Camden and Liverpool City Councils for the 5 lots described in the report and the lodgement of an application to the Geographical Names Board and the Division of Local Government; and

ii. advise Liverpool City Council of Council's support for the proposal.

ATTACHMENTS



Location Plan LGA Boundary Adjustment March .pdf

RESOLUTION

Moved Councillor Campbell, Seconded Councillor Anderson that Council:

i. support the Local Government boundary adjustment between Camden and Liverpool City Councils for the 5 lots described in the report and the lodgement of an application to the Geographical Names Board and the Division of Local Government; and

ii. advise Liverpool City Council of Council's support for the proposal.

THE MOTION ON BEING PUT WAS CARRIED.

ORD75/10

ACTIONS

CRMS number , Finalised 29/04/2010 2:39:34 PM

Action: Finalised,

Completed

. Noted. Letter written to Liverpool Council.

Link to CRMS document

CRMS: 11300030 29/04/2010, 11:00:10 AM



Camden Local Environmental Plan 2010

Lot Size Map - Sheet LSZ_001

Minimum Lot Size (sq. m)

B	220
C	250
D	300
E	450
F	500
G	600
H	700
I	800
J	800
K	1500
L	2000
M	4000
N	6000
O	2 ha
P	40 ha
SRCC	SEPP Sydney Region Growth Centres

Cadastral

Cadastral 20/06/2012 © Camden Council



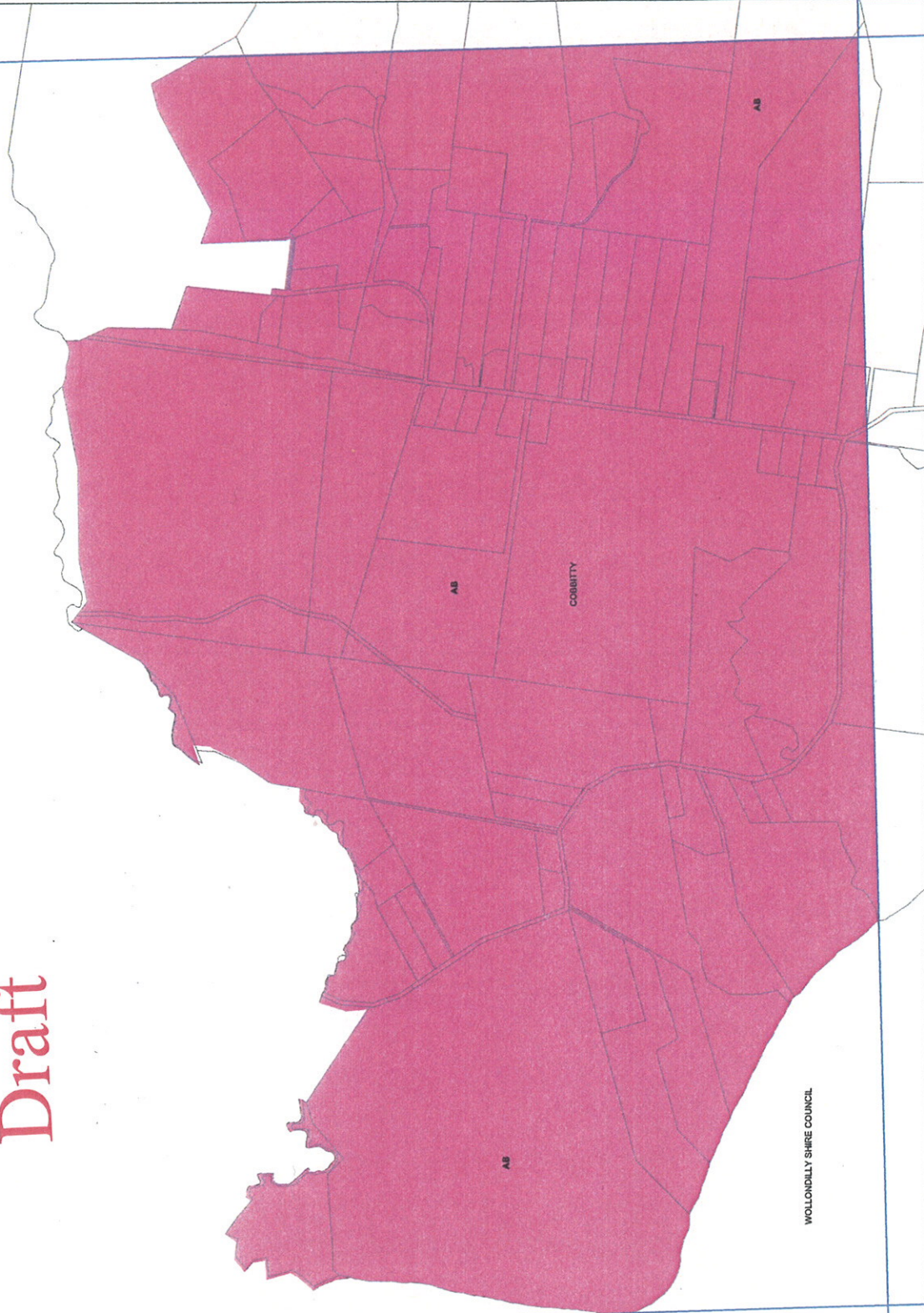
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Projection: GDA 1984
Map Date: 06/10/10

Map identification number: 1450_COM_LSZ_001_003_20100209

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WOLLONDILLY SHIRE COUNCIL





Camden Local Environmental Plan 2010

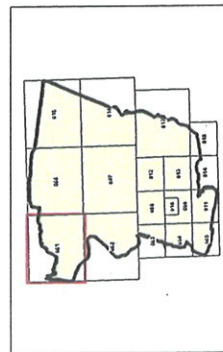
Height of Buildings Map - Sheet HOB_001

Maximum Building Height (m)

C	5
F	6.5
G	7
I	8.5
J	9.5
K	10
L	11
M	12.5
O	15.5
SRGC	SEPP Sydney Region Growth Centres
	Refer to Clause 4.3A
	Refer to Clause 4.3B
	Refer to Clause 4.3C

Cadastral

Cadastral 20/06/2012 © Camden Council



Scale: 1:20000 @ A3
Projection: GDA 1984
Meters

Map identification number: 1459_COUL_M09_001_002_2012M020

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LIVERPOOL CITY COUNCIL

COUNCIL

WOLLONDELLY SHIRE COUNCIL

Attachment B – Proposed Map Changes

Attachment C – Section 117 Directions

s.117 Direction	Objective	Response
3.1 Residential Zones	The objective of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource land.	The proposal is simply seeking a boundary adjustment and as such will not impact on residential development.
6.1 – Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The requested planning proposal does not include provisions that require the concurrence, consultation and referral of development applications to a minister or public authority.
7.1 – Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	The proposed rezoning is minor in the context of the Metropolitan Plan for Sydney 2036 and will have the same consistency with the objectives and actions contained in the above strategies as the current zoning.