

Draft Amendment No 6 to Camden LEP 2010 - Housekeeping Amendments

Proposal Title : **Draft Amendment No 6 to Camden LEP 2010 - Housekeeping Amendments**

Proposal Summary : **The Planning Proposal seeks to make minor housekeeping amendments to Camden LEP 2010. The proposed amendments are to rectify anomalies and errors in the LEP and associated maps that has occurred when the development controls existed in the previous LEPs/DCPs were transitioned to Camden LEP 2010. Some of these changes are to reflect the approved subdivision patterns, zoning of unzoned lands and changes to the land use tables.**

Details of the amendments are in the Council's Planning Proposal at Tag A in the "Documents" section of this report.

PP Number : **PP_2011_CAMDE_002_00** Dop File No : **11/15092-1**

Planning Team Recommendation

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

S.117 directions : **1.1 Business and Industrial Zones
1.2 Rural Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
5.1 Implementation of Regional Strategies
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

(1)the Director General's delegate agrees that any inconsistency with section 117 directions:

- . **1.1 Business and Industrial Zones;**
- . **1.2 Rural Zones;**
- . **6.2 Reserving land for public purposes; and**
- . **6.3 Site specific provisions**

are justified as minor matters.

(2)the Planning Proposal is to be revised based on the outcome received from the Legal Branch, as to the whether the land at Currans Hill (item 2 at Tag C) adjoins land zoned primarily for urban purpose, to be considered under the SEPP (Housing for Seniors or People with a Disability). If this is not a valid option, then the Planning Proposal is to remain as proposed by Council i.e.additional use option);

(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 must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).**

(4)consultation is not required with the public authorities under section 56(2) (d) of the EP&A Act:

(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; and

(6)the timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

In view of a number anomalies in the proposed Land Use Table, it would be appropriate for Council to review the proposed land uses and group terms with reference to the Department's Planning Circulars, in particular "PS 11-011 Amendment to Standard Instrument (Local Environmental Plans) Order 2006", to ensure existing land use terms do not overlap across definitions and cross referencing the group term/sub-term relationships.

Supporting Reasons : The Planning Proposal is supported as it will rectify anomalies occurred when transferring previous LEPs and provisions into Camden LEP 2010 and allow previous development controls and land uses to apply on the land.

The Planning Proposal will strengthen the Camden LEP 2010 by ensuring that it is up-to-date and consistent with the Standard Instrument LEP, and provide greater certainty for the community.

Panel Recommendation

Recommendation Date : 03-Nov-2011

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to variations as required by the following conditions:

1. In regards to item 1, Council is to review the proposed land use definitions and group terms with reference to the Department's Planning Circular "PS 11-011 Amendment to Standard Instrument (Local Environmental Plans) Order 2006". Council is to ensure existing land use terms do not overlap across definitions and should cross reference the group term/sub term relationships.
2. In regards to item 2, the use of Schedule 1 to include 'Seniors Housing' as an additional permitted use on the subject land is not supported. Given the subject site 'adjoins land zoned primarily for urban purposes' Council is to consider the application of SEPP (Housing for Seniors or People with a Disability) 2004 in order to progress the matter. Alternatively, Council should rezone the subject site to an appropriate zone in order to permit the use of the land for the purposes of 'seniors housing'.
3. Council is to amend the planning proposal as required by conditions 1 and 2 above for the purposes of public exhibition and provide the Department's regional team with a copy of the revised proposal.
4. 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 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
5. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act:
6. 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).

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7. 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: _____