



CAMDEN COUNCIL PLANNING PROPOSAL

Amendment No. 14 - Housekeeping Amendments to Camden LEP 2010

July 2012

June 2013 (Version 3)

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Background

Camden LEP 2010 was gazetted on 3 September 2010 and became the principal planning instrument covering land use and zoning in the Camden LGA. Council staff has now had the opportunity to use and interpret the LEP and the associated maps, and several issues and anomalies of a minor nature have been identified. This includes some anomalies within Clause 5.4 of Camden LEP 2010 that relate to secondary dwellings and industrial retail outlets, the amendment of the minimum lot size map for Spring Farm and Mt Annan, and the amendment of the heritage maps to reflect recent subdivisions around heritage properties.

Gateway Determination was received by the Department of Planning and Infrastructure on the 9th September 2012 to proceed with the public exhibition of this Planning Proposal subject to conditions (see Appendix C). In accordance with the gateway determination, Council undertook public exhibition for a period of 28 days. All submissions received have been suitably addressed in the Planning Proposal.

Part 1 – Objectives or Intended Outcomes

The amendments proposed to the Camden LEP 2010 by this Planning Proposal are to correct a number of minor mapping and land use table anomalies as well as address inconsistencies in local planning provisions to ensure Council's intent in relation to these planning controls are achieved. Accordingly, the following 14 minor amendments are proposed:

Item No	Name of item	Proposal	Map changes
1	Exhibition homes in the E4 zone	To permit with consent, the use of 'exhibition homes' and 'exhibition villages' on land zoned E4 Environmental Living.	No amendments to Camden LEP 2010 Maps required.
2	Wivenhoe	The heritage item as described currently does not incorporate some key elements, such as the stables. This planning proposal seeks to amend the heritage map to better define the elements that comprise Heritage Item No. 99.	Heritage maps • 1450_COM_HER_007_020_20100705 • 1450_COM_HER_008_010_20100705
3	State Heritage Items within the Camden LGA	This planning proposal seeks to make minor amendments to the heritage maps for the Camden LEP 2010 to ensure consistency with plans under the heritage database. As a result, the planning proposal also seeks to amend the property descriptions in Schedule 5 - Environmental Heritage, Part 1.	Heritage Maps • 1450_COM_HER_007_020_20100705 • 1450_COM_HER_008_010_20100705 • 1450_COM_HER_012_010_20100705 • 1450_COM_HER_013_010_20120820 • 1450_COM_HER_016_010_20100705 • 1450_COM_HER_017_020_20100705 • 1450_COM_HER_018_010_20120620

4	Camden Heritage Items	Two local heritage items have been further subdivided, creating new legal property descriptions. This planning proposal seeks to update Schedule 5 to reflect these changes. Further, it is proposed to amend the heritage map to reflect the above changes.	Heritage Maps • 1450_COM_HER_012_010_20100705 • 1450_COM_HER_009_010_20120820
5	Spring Farm Neighbourhood Centre	This item seeks to amend the B1 zone boundary within the Spring Farm Neighbourhood Centre on the western side of the precinct. This zone boundary currently conflicts with the masterplan in Camden DCP 2011 as part of the land that is to be a residential precinct is incorrectly zoned B1.	Land Zoning Map • 1450_COM_LZN_013_010_20120919 Lot Size Map • 1450_COM_LSZ_013_010_20120919 Additional Permitted Uses Map • 1450_COM_APU_013_010_20120202
6	Spring Farm minimum lot sizes	Min Lot Size map No. 012 and No. 013 to be altered to reflect the amended Clause 4.1A which will read as follows: 4.1A Exceptions to minimum lot sizes for certain residential development use: (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity. (2) This clause applies to land in Area 1 at	Lot size Map • 1450_COM_LSZ_013_010_20120919 • 1450_COM_LSZ_014_010_20121211

		<i>Spring Farm and Area 2 at Elderslie, as shown edged heavy blue on the <u>Lot Size Map</u>.</i> <i>(3) Despite clause 4.1, development consent may be granted to the subdivision of a lot on land to which this clause applies on which development for any of the following purposes is proposed to be carried out if the area of each resulting lot is equal to or greater than the area specified for that purpose:</i> <i>(a) attached dwelling—180 square metres,</i> <i>(b) semi-detached dwelling on land in Area 1 at Spring Farm or Area 2 at Elderslie —200 square metres.</i>	
7	Recreation facilities (indoor)	This planning proposal seeks to amend the reference of “recreation areas (indoor)” to “recreation facility (indoor)” for consistency with the terms in the Camden LEP definitions.	No amendments to Camden LEP 2010 Maps required.

8	Recreation areas in the B1, B2, B4 and B5 zones	Amend the land use tables for the B1, B2, B4 and B5 zones by removing 'recreation areas' from Item 4 – Prohibited uses and adding 'recreation areas' to Item 3 – Permitted with Consent.	No amendments to Camden LEP 2010 Maps required.
9	Restricted premises	This planning proposal seeks to amend Camden LEP by adding the term "restricted premises" to Item 4 – Prohibited uses in the land use tables for the B1 and B5 zones only.	No amendments to Camden LEP 2010 Maps required.
10	Referencing of Camden Lakeside	Amend the references of "Camden Lakeside" in the Camden LEP 2010 to "Lakeside".	No amendments to Camden LEP 2010 Maps required.
11	Elderslie release area boundary	As part of the LEP conversion to the Standard Instrument, a small number of maps have not been amended and therefore do not reflect the true Elderslie Masterplan. This item seeks to amend a series of maps to include the Masterplan that applies to Elderslie	Land Zoning Map 1450_COM_LZN_013_010_20120919 Lot Size Map 1450_COM_LSZ_013_010_20120919 Urban Release Area Map 1450_COM_URA_013_010_20120820
12	Special Events	This planning proposal seeks to insert a new clause under Camden LEP 2010 to allow the erection of temporary structures specifically for public or private special events to	No amendments to Camden LEP 2010 Maps

		be carried out on land without development consent.	required.
13	Benwerrin Crescent boundary alignment	Two lots are currently partly zoned R5 Large Lot Residential and unzoned under the Camden LEP 2010. This item seeks to amend the corresponding maps to reflect the true LGA boundary and the land zoning.	Lot Size Map • 1450_COM_LSZ_004_010_20111222 Height of Buildings Map • 1450_COM_HOB_004_010_20100705 Heritage Map • 1450_COM_HER_004_010_20100705
14	Mt Annan minimum lot size provisions	The existing minimum lot size in Mt Annan is 450sqm. This item seeks to increase the minimum lot size of certain residential land adjoining APZ to 2000sqm and 6000sqm to reflect the restriction as to user.	Lot Size Map • 1450_COM_LSZ_017_020_20121211 • 1450_COM_LSZ_013_010_20120919

Part 2 – Explanation of provisions

Copies of proposed map amendments are provided as Appendix A to this Proposal.

Item 1 – RU4 zone; Development Permissible with consent

It is proposed that the following be inserted into Section 3 of the Land Use table to the RU4 zone in the Camden LEP 2010:

“Any other development not specified in item 2 or 4.”

An amendment to the Camden LEP 2010 was made on the 25th June 2011 which omitted the above sentence from Section 3 - Permitted with Consent.

Note: No amendments to Camden LEP 2010 Maps required.

- **DPI has since amended the land use table for RU4 – Primary Production zone to include the abovementioned, dated 16 November 2012. As such, Council is no longer pursuing this amendment**

Item 2: Exhibition homes and Exhibition villages in the E4 zone

‘Exhibition homes’ or ‘Exhibition Villages’ are currently prohibited within the E4– Environmental Living zone.

‘Exhibition Home’ and ‘Exhibition Village’ is defined in the Dictionary to the Camden LEP 2010 as follows:

*‘**exhibition home**’ means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.’*

*‘**exhibition village**’ means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.’*

It is the intention of this item to amend Item 3 of the Land Use Table to the E4 – Environmental Living zoned to allow development for the purpose of an ‘exhibition home’ or ‘exhibition village’.

The E4 Zone exists in suburbs such as Harrington Grove, Kirkham and Manooka Valley. Use of land in E4 Zone for the purpose of ‘exhibition homes’ and ‘exhibition villages’ would allow potential land owners to appraise potential house designs tailored to Environmental Living Zones. Such development will encourage occupation of existing residential areas and new urban release areas in the Camden LGA such as the Kirkham Rise Estate.

Note: No amendments to Camden LEP 2010 Maps required.

No. 3: Wivenhoe

The subject site is identified as Part Lot 1 in DP 217570, No 229 Macquarie Grove Road and is identified as having local heritage significance. The site is known as 'Mater Dei' at Kirkham. The heritage item as described currently does not incorporate some key elements, such as the stables. The site contains heritage item No. 99, (as identified in Part 1 of Schedule 5 of the Camden LEP 2010) which applies to the building known as 'Wivenhoe' along with the gardens, outbuildings, stables, servants quarters and coach house. However, the boundary shown on the current map does not include the heritage item in its entirety. This error has resulted from the LEP maps being prepared in accordance with a previous heritage Conservation Management Plan (CMP), rather than reflecting the most current version that defines an updated level of protection for the heritage item. This was an oversight at the time of rezoning which saw the stables area inadvertently omitted.

Wivenhoe Conservation Management Plan (Revised 2008) prepared by Design 5 Architects, provided a plan detailing areas of heritage significance and based on the topography of the landscape. Figure 1 below shows the current and proposed boundaries of the Wivenhoe heritage item.

This planning proposal seeks to amend the heritage map to better define the elements that comprise Heritage Item No. 99. The following maps will need to be amended and is included in the list of map amendments in Appendix B.

- 1450_COM_HER_007_020_20100705
- 1450_COM_HER_008_010_20100705

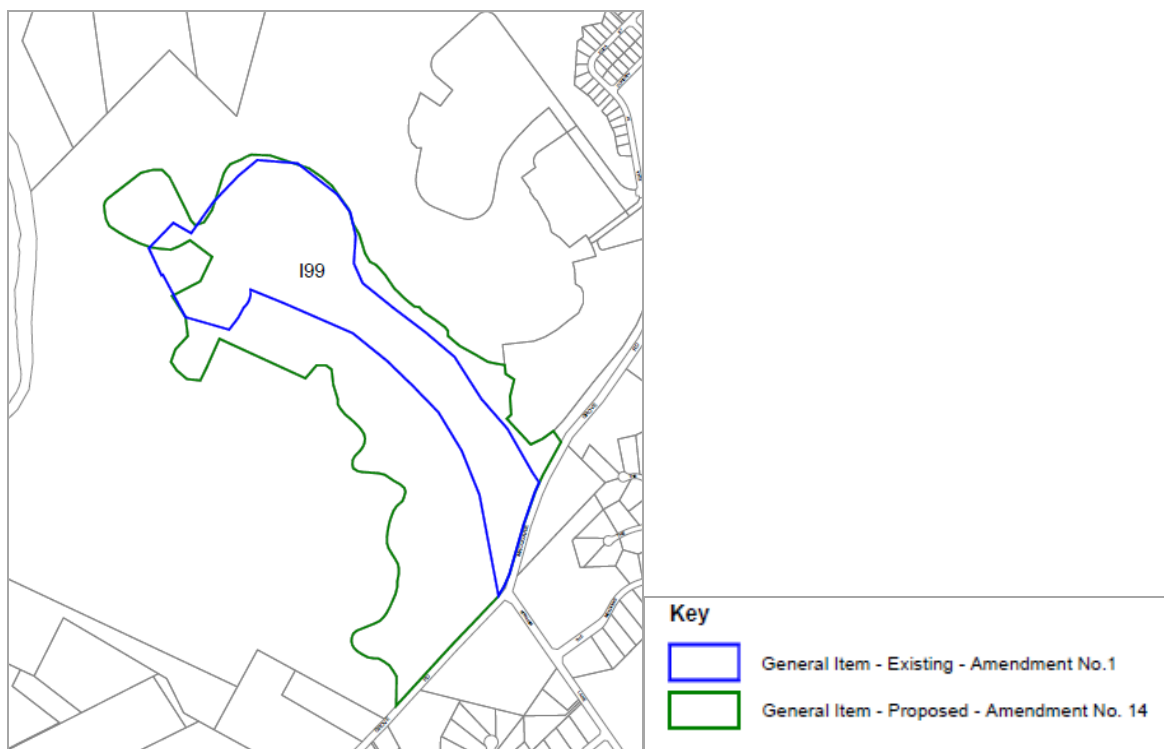


Figure 1: Current and proposed boundaries of the Wivenhoe Heritage Item. (Source: Camden Council, 2012).

The planning proposal also seeks to amend heritage item No. 99 within Schedule 5 - Environmental Heritage, Part 1 as follows:

- by deleting the existing property description (i.e. Part Lot 1, DP 217570) and replacing it with Part Lot 100, DP 1159926.

Item No. 4: State Heritage Items within the Camden LGA

The State Heritage Inventory contains heritage items on statutory lists within New South Wales. Items listed under the *Heritage Act 1977* (NSW) that are located within the Camden LGA are listed as follows:

Item Name	Address
Camelot (Item 124)	Kirkham Lane, Narellan
Harrington Park (Item 119)	1 Hickson Circuit, Harrington Park
Kirkham Stables and Precinct (Item 123)	Kirkham Lane, Narellan
Macquarie Grove Cottage (Item 97)	Macquarie Grove Road, Camden
Orielton (Item 135)	179 Northern Road, Narellan
Raby (Item 82)	1025 Camden Valley Way, Catherine Field
Studley Park (Item 133)	Camden Valley Way, Narellan
Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) (Item 122)	Canal Reserve

Table 1: State heritage items within Camden LGA. (Source: Camden Council, 2013).

Council has undertaken a detailed comparison of both the plans under the Heritage Act 1977, which are available for each of the heritage items listed on the State Heritage Inventory, and the heritage maps contained in Camden LEP 2010. Comparison maps indicating current and proposed boundary changes of the above state heritage items are included within Appendix D of this Planning Proposal.

This planning proposal seeks to make minor amendments to the heritage maps for the Camden LEP 2010 to ensure consistency with plans under the *Heritage Act 1977*.

The following maps will need to be amended and are included in the list of map amendments in Appendix B.

- 1450_COM_HER_007_020_20100705
- 1450_COM_HER_008_010_20100705
- 1450_COM_HER_012_010_20100705

- 1450_COM_HER_013_010_20120820
- 1450_COM_HER_016_020_20100705
- 1450_COM_HER_017_020_20100705

An addition to the series of heritage maps (Heritage boundary map No.018) is also included as part of this planning proposal to indicate the state heritage item No.122 – Upper Canal System which runs parallel to the eastern side of Mount Annan.

The planning proposal also seeks to amend the property descriptions in Schedule 5 - Environmental Heritage, Part 1 as follows:

- Heritage Item No. 119 - by deleting the existing property description (being Part Lot 4, DP 1132348 and replacing it with Lot 2001, DP 1035209).
- Heritage Item No. 97 – by deleting the existing property description (being Lot 2, DP 747446 and replacing it with Lot 101 DP 1121442).
- Heritage Item No. 135 –by deleting the existing property description (being Lot 101, DP 100365 and replacing it with Lot 7 DP 270613).
- Heritage Item No. 133 – by deleting the existing property description (being Lot 1, DP 859872 and replacing it with Part Lot 1 DP 859872 and Part Lot 5 DP 859872).

Following a submission from Sydney Catchment Authority (refer to Part 5), the listing of the Upper Canal in Schedule 5 - Environmental Heritage is amended to read as following:

Suburb	Item Name	Address	Property Description	Significance	Item No
Catherine Field Leppington Gregory Hills Gledswood Hills Currans Hill Mount Annan	Upper Canal	Upper Canal corridor	Upper Canal	State	1122

Table 2: Proposed Upper Canal listing. (Source: Camden Council, 2013).

Item No. 5: Camden Heritage items

Two local heritage items have been further subdivided, creating new legal property descriptions. This planning proposal seeks to update Schedule 5 to reflect these changes as outlined below.

Item No. 105 – Yamba

“Yamba” is a heritage item located at No. 181 Camden Valley Way, Elderslie.

This planning proposal seeks to amend the current property details from Lot 10, DP 11038895 to Lot 101 DP 1143373.

Further, it is proposed to amend the heritage map to reflect the above changes. The following map will need to be amended and is included in the list of map amendments in Appendix B:

- 1450_COM_HER_012_010_20100705

Item No. 110 – St Mark's Church

St Mark's Church located at 33 Luker St, Elderslie was approved for a subdivision (DA 136/2008) in 2008. As a result of the subdivision, the heritage item (being the church building) is now located on Lot 10 DP 1151174.

This planning proposal seeks to amend the current property details from Lot 1 DP 921962 to Lot 10 DP 1151174.

Further, it is proposed to amend the heritage map to reflect the above changes. The following map will need to be amended and is included in the list of map amendments in Appendix B:

- 1450_COM_HER_009_010_20120820

Item No.108 - Hilsyde

"Hilsyde" is a heritage item located at No. 56 Hilder Street, Elderslie. It is proposed to amend the heritage map to reflect a recent subdivision. The following map will need to be amended and is included in the list of map amendments in Appendix B:

- 1450_COM_HER_013_010_20120820

No changes to the current property details are required.

- **Item No.108 Hilsyde was approved for a subdivision in late 2010 with Council anticipating registration of the lots early this year. Due to unforeseen circumstances, the lots have yet to be registered and as such this item as it stands requires no changes to the heritage boundary map. As such, Council will no longer be pursuing this amendment.**

Item No. 6 Spring Farm Neighbourhood Centre

The Spring Farm neighbourhood centre is located within the Spring Farm Urban Release Area. The neighbourhood centre, known as Lot 1 DP 1135124, Lot 20 DP 632825 and Lot 99 DP 1121639 is illustrated in Figure 4:

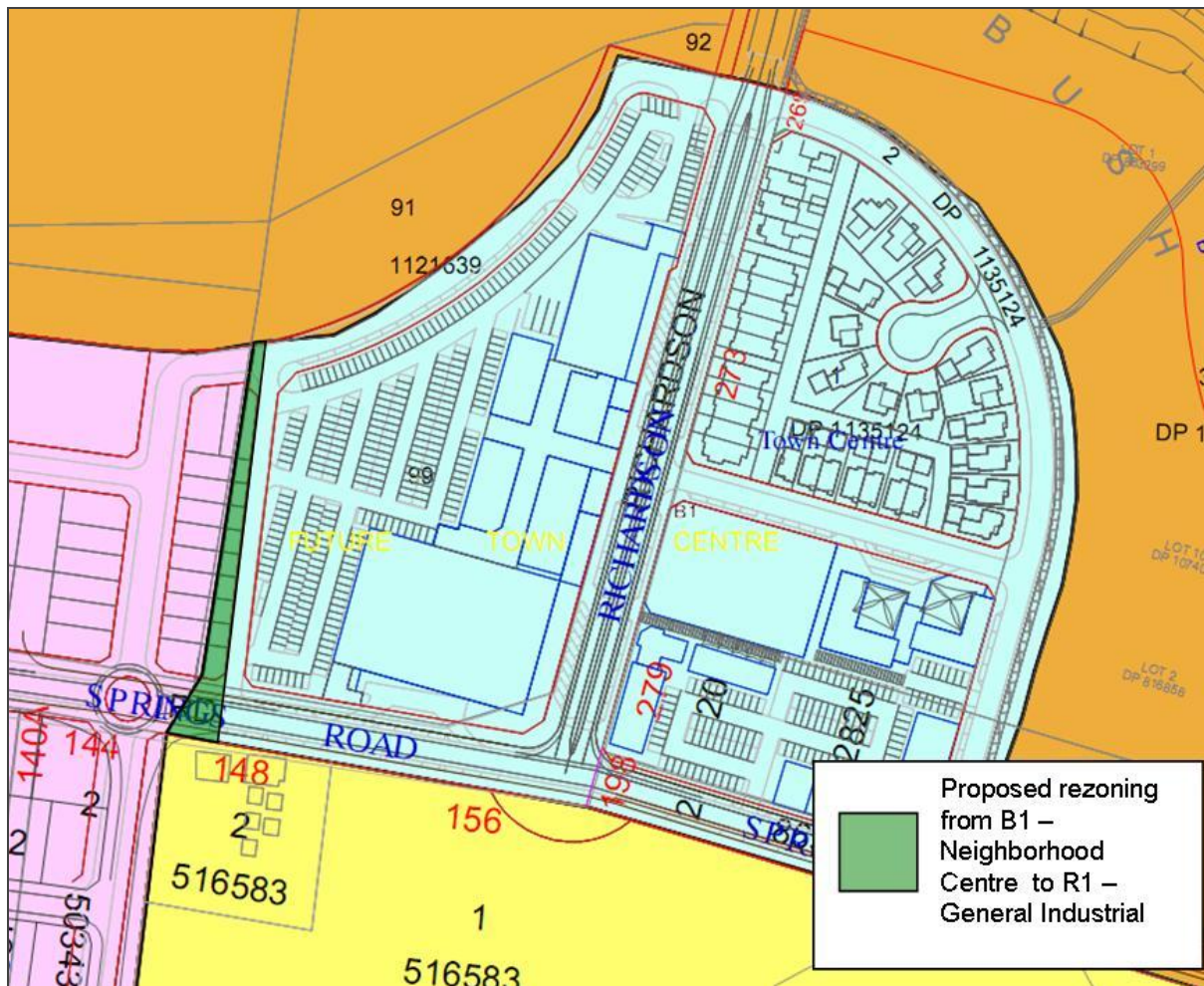


Figure 2: Proposed partial rezoning of the Spring Farm neighborhood centre. (Source: Camden Council, 2012).

This item seeks to amend the B1 zone boundary within the Spring Farm Neighbourhood Centre on the western side of the precinct. This zone boundary currently conflicts with Figure C18 – Spring Farm Masterplan in Camden DCP 2011 as part of the land that is to be a residential precinct is incorrectly zoned B1. This Planning Proposal seeks to adjust the zoning boundary accordingly.

The following maps will need to be amended and are included in the list of map amendments in Appendix B:

- 1450_COM_LZN_013_010_20120919
- 1450_COM_LSZ_013_010_20120919
- 1450_COM_APU_013_010_20120202

Item No. 7 Spring Farm minimum lot sizes

The Camden LEP 2010 Minimum Lot Size map No.013 and No.014 to be altered to reflect the amended Clause 4.1A which will read as follows:

4.1A Exceptions to minimum lot sizes for certain residential development use

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) This clause applies to land in Area 1 at Spring Farm and Area 2 at Elderslie, as shown edged heavy blue on the Lot Size Map.
- (3) Despite clause 4.1, development consent may be granted to the subdivision of a lot on land to which this clause applies on which development for any of the following purposes is proposed to be carried out if the area of each resulting lot is equal to or greater than the area specified for that purpose:
 - (a) attached dwelling—180 square metres,
 - (b) semi-detached dwelling on land in Area 1 at Spring Farm or Area 2 at Elderslie —200 square metres.

The following maps will need to be amended and are included in the list of map amendments in Appendix B:

- 1450_COM_LSZ_013_010_20120919 (Labeling of Area 3 at Spring Farm to be changed to Area 1)
- 1450_COM_LSZ_014_010_20121211 (Labeling of Area 3 at Spring Farm to be changed to Area 1)

Item No. 8 Recreation facilities (indoor)

Schedule 1 Clause 25 – Use of certain land at Richardson Road, Spring Farm of the Camden LEP 2010 applies to land zoned B1 Neighbourhood Centre at Spring Farm.

Pursuant to Clause 25(2) additional uses of the above land zoned B1 Neighbourhood Centre at Spring Farm, is permitted with development consent. These additional uses are listed as follows:

*“Development for the purposes of attached dwellings, dual occupancies, dwelling houses, exhibition homes, exhibition villages, multi dwelling housing and **recreation areas (indoor)** is permitted with development consent.”*

Our emphasis added.

This planning proposal seeks to amend the reference of “recreation **areas** (indoor)” to “recreation **facility** (indoor)” for consistency with the terms in the Camden LEP definitions.

Note: No amendments to Camden LEP 2010 Maps required.

Item No. 9 Recreation areas in the B1, B2, B4 and B5 zones

The Camden LEP currently prohibits ‘recreation areas’ within the B1, B2, B4 and B5 zones. However, there are instances where Council intends to provide local parks and civic spaces that will include children’s’ playgrounds within neighbourhood and local centres.

Given that most recreation areas would be provided by Council, there does not appear to be a valid justification for their prohibition in commercial centres. This planning proposal seeks to amend the land use tables for the B1, B2, B4 and B5 zones by removing 'recreation areas' from Item 4 – Prohibited uses and adding 'recreation areas' to Item 3 – Permitted with Consent.

Note: No amendments to Camden LEP 2010 Maps required.

Item No. 10: Restricted premises

"Restricted premises" are currently permitted with consent in the B1 and B5 zones as they are not specifically listed as prohibited uses in the land use tables for these zones. Council intends for these uses to be prohibited in the B1 and B5 zones. Under the Standard Instrument (Local Environment Plans) Order 2006, it is mandatory to include 'restricted premises' within the B2 - Local Centre and B4 – Mixed Use zones.

As such, this planning proposal seeks to amend Camden LEP by adding the term "restricted premises" to Item 4 – Prohibited uses in the land use tables for the B1 and B5 zones only.

Note: No amendments to Camden LEP 2010 Maps required.

Item No. 11: Referencing of Camden Lakeside

This planning proposal seeks to amend the references of "Camden Lakeside" in the Camden LEP 2010 to "Lakeside". These references are used interchangeably throughout the Camden LEP 2010 and require amending to ensure consistency between both the Camden LEP 2010 and the corresponding urban release area maps.

Listed in Table 3 below are the sections of the Camden LEP 2010 that require amending.

Reference in LEP 2010	Proposed amendment
Table of Contents (p. 4 of 110) <i>Part 7.8 Road widening of Camden Valley Way, Catherine Field (Camden Lakeside)</i>	 <i>Part 7.8 Road widening of Camden Valley Way, Catherine Field (Lakeside)</i>
Section 7.8 (p. 53 of 110) <i>Road widening of Camden Valley Way, Catherine Field (Camden Lakeside)</i>	 <i>Road widening of Camden Valley Way, Catherine Field (Lakeside)</i>

Schedule 1 Additional permitted uses (p. 54 of 110) 3 Use of certain land at <i>Camden Lakeside</i> (1) <i>This clause applies to land zoned RE2 Private Recreation at Camden Lakeside, as shown edged heavy blue on sheet 016 of the Additional Permitted Uses Map.</i> (2) <i>Development for the purposes of a sewage treatment plant is permitted with development consent if the sewage treatment plan is only to be used in conjunction with development at Camden Lakeside.</i>	3 Use of certain land at <i>Lakeside</i> (1) <i>This clause applies to land zoned RE2 Private Recreation at Lakeside, as shown edged heavy blue on sheet 016 of the Additional Permitted Uses Map.</i> (2) <i>Development for the purposes of a sewage treatment plant is permitted with development consent if the sewage treatment plan is only to be used in conjunction with development at Lakeside.</i>
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Table 3: Location of proposed amendments. (Source: Camden Council, 2012)

Note: No amendments to Camden LEP 2010 Maps required.

Item No. 12 Elderslie release area boundary

The Elderslie Masterplan was developed from LEP 117. As part of the LEP conversion to the Standard Instrument, a small number of maps have not been amended and therefore do not reflect the true Elderslie Masterplan.

The following maps will need to be amended and are included in the list of map amendments in Appendix B:

- 1450_COM_LZN_013_010_20120919 (subject land to be changed from R1 to R2)
- 1450_COM_LSZ_013_010_20120919 (part of subject land to be coloured green to indicate Precinct M 600 sqm and part of subject land to be left uncoloured).
- 1450_COM_URA_013_010_20120820 (subject land to be uncoloured).

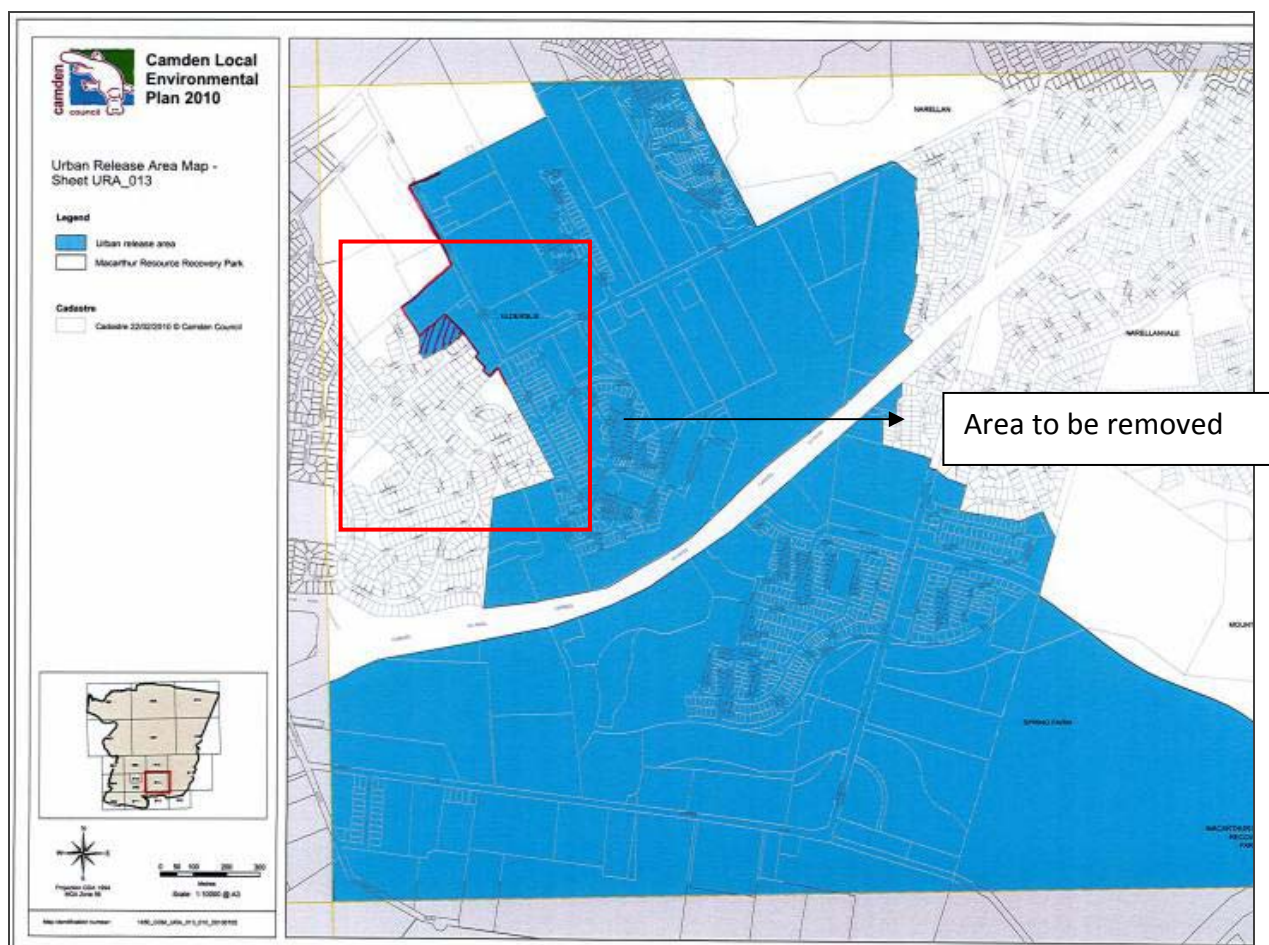


Figure 3: Urban Release Area Map. (Source: Camden Council, 2012).

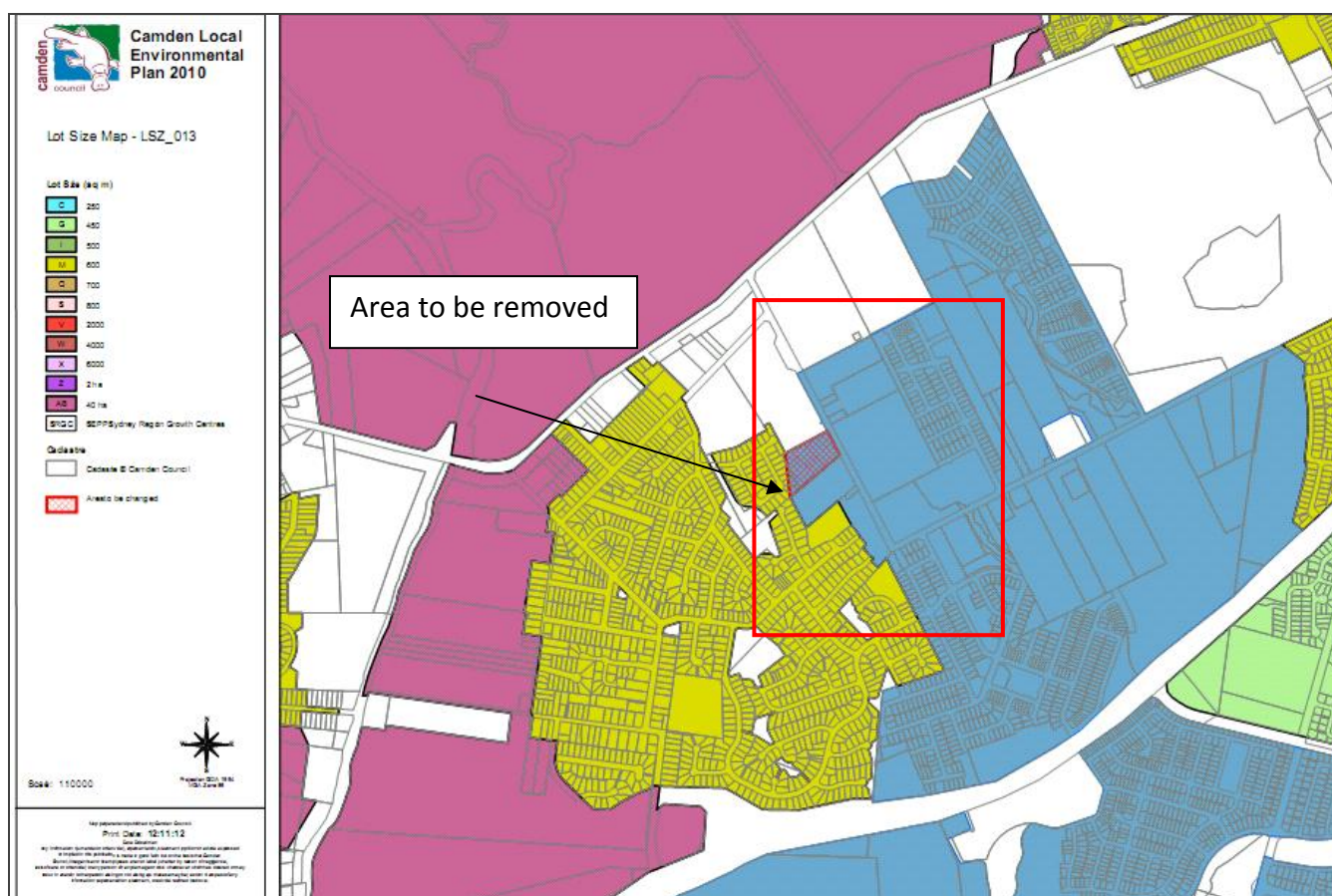


Figure 4: Minimum Lot Size Map. (Source: Camden Council, 2012).

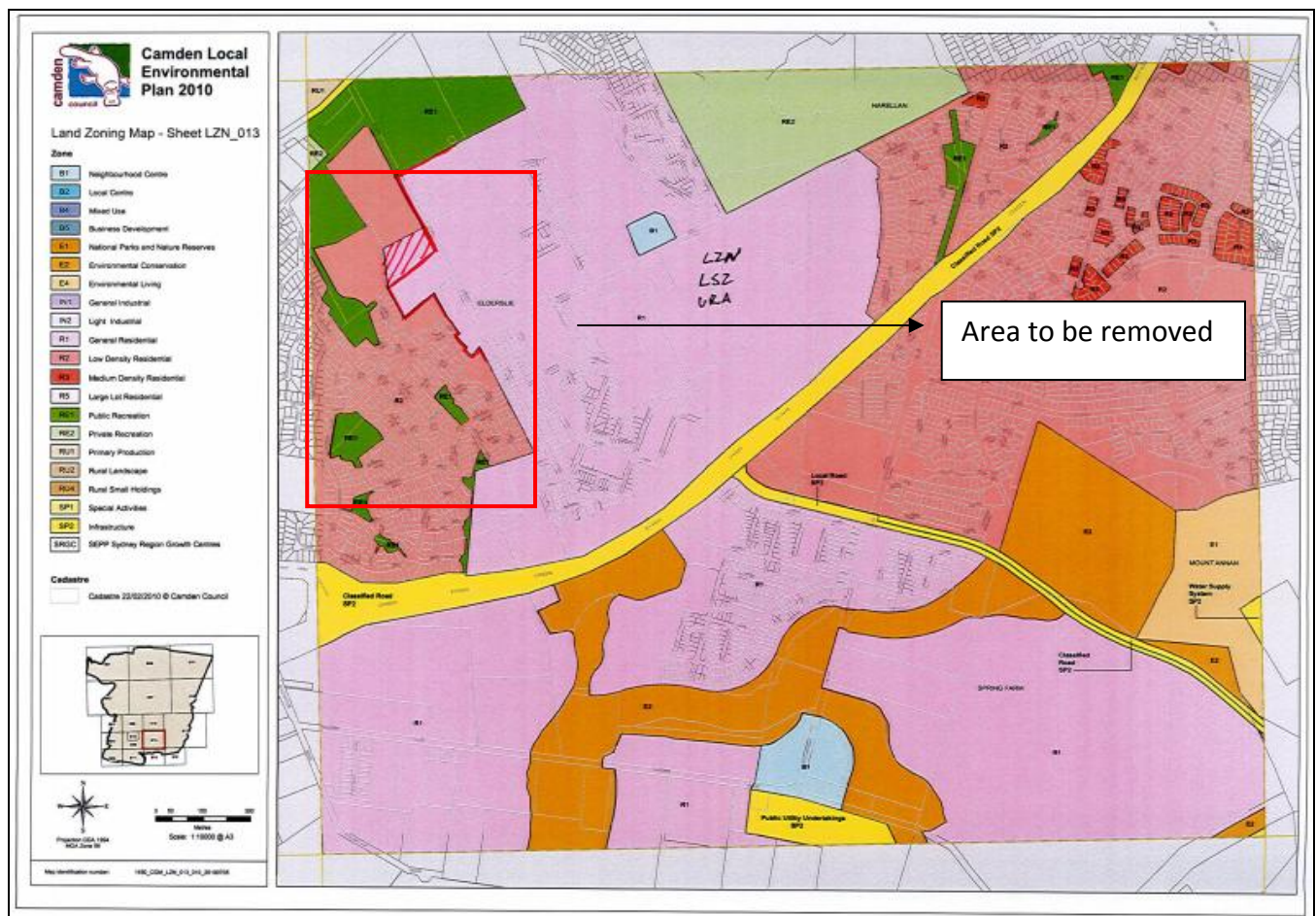


Figure 5: Land Zoning Map. (Source: Camden Council, 2012).

Item No. 13 Special Events

A permit for the use of land for small community events currently requires the lodgement of a Development Application in accordance with Clause 2.8 of the Camden LEP. Council views this as an undesirable and over-complex requirement for such an event that will have no adverse impact on the natural and built environments. Whilst the temporary structures (marquees, tents, etc.) may be covered within SEPP (Temporary Structures) 2007, other ancillary structures (jumping castles, barbeques etc.) are not covered within this SEPP.

This planning proposal seeks to insert a new clause under Camden LEP 2010 to allow the erection of temporary structures specifically for public or private special events to be carried out on land without development consent. This will ensure that the exemption for the use and erection of temporary structures are contained within the one document for ease of reference and practicality.

During the public exhibition period, an opportunity has been taken to strengthen the Clause and address Heritage Council of NSW concerns. Part 5 of the Planning Proposal will discuss in detail Heritage Council of NSW submission and how it has been suitably addressed.

The clause is to read as following:

1.9 Special Events

- (1) The objective of this clause is to provide for temporary private or public special events to be carried out on land without development consent where they will not have an adverse impact upon the site or the amenity of the surrounding area.*
- (2) Consent under this clause is not required if once the applicant has notified the consent authority of the proposed event and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that:*
 - (a) the event will not have an adverse impact on any adjoining land or the amenity of the neighbourhood, and*
 - (b) the event and location of any structures related to the event will not adversely impact on the built environment, environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and*
 - (c) once the event has ended the land will be restored to the condition in which it was before the commencement of the event.*

Note: No amendments to Camden LEP 2010 Maps required.

Item No. 14: Benwerrin Crescent boundary alignment

As part of the continual review of the Camden LEP 2010 and the relevant cadastre and land zoning maps, a number of cadastre and boundary alignment issues have been identified. These require amendment to reflect the actual LGA boundary and land zoning to reflect the desired land zoning of R5 Large Lot Residential. The lots affected by the proposed amendments are identified as:

No. 19 Benwerrin Crescent, Grasmere, Lot 110 in DP 1017460

No. 11A Benwerrin Crescent, Grasmere, Lot 831 in DP 1025821

No. 13A Benwerrin Crescent, Grasmere Lot 111 in DP 1017460

The abovementioned lots are currently partly zoned R5 Large Lot Residential and unzoned under the Camden LEP 2010. A plan showing the location and properties concerned is shown in Figure 8 below.

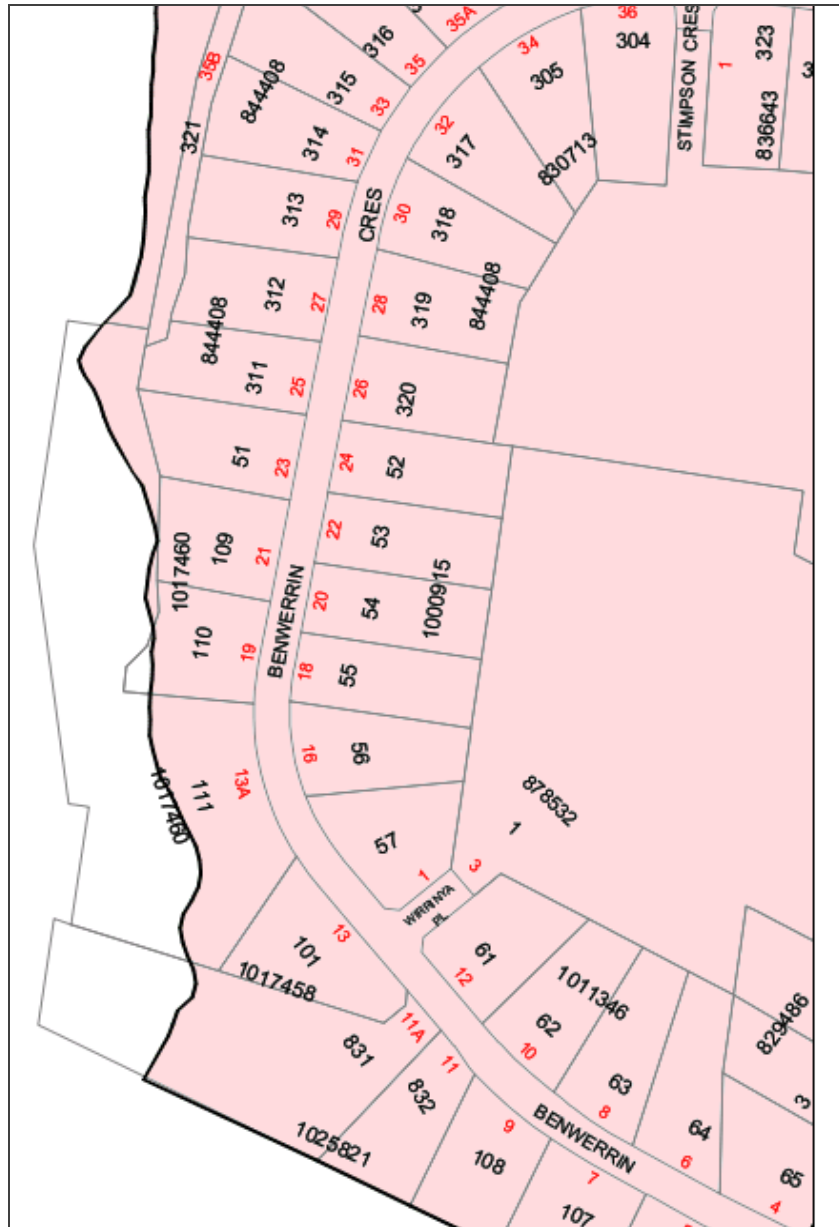


Figure 6: Lot Boundary Map. (Source: Camden Council, 2012).

This planning proposal seeks to amend the following height of buildings map, heritage map and lot size map to reflect the LGA boundary:

- 1450_COM_LSZ_004_010_20111222
- 1450_COM_HOB_004_010_20100705
- 1450_COM_HER_004_010_20100705

Item No. 15: Mt Annan minimum lot size provisions

The existing minimum lot size in Mt Annan is 450sqm. This item seeks to increase the minimum lot size of certain residential land (See Figure 8) adjoining Gundungarra Reserve and William Howe Reserve to 2000sqm and 6000sqm to reflect the existing subdivision pattern. The Section 88b Instrument applicable to the subject properties has various restrictions imposed on the land. This includes a restriction which does not allow any future subdivision of the lots so burdened. The intent of this proposal is to formalise the restriction on the use of land.

Following a submission from UrbanGrowth NSW (refer to Part 5), the residential land subject to this item has been reduced as per the maps below.

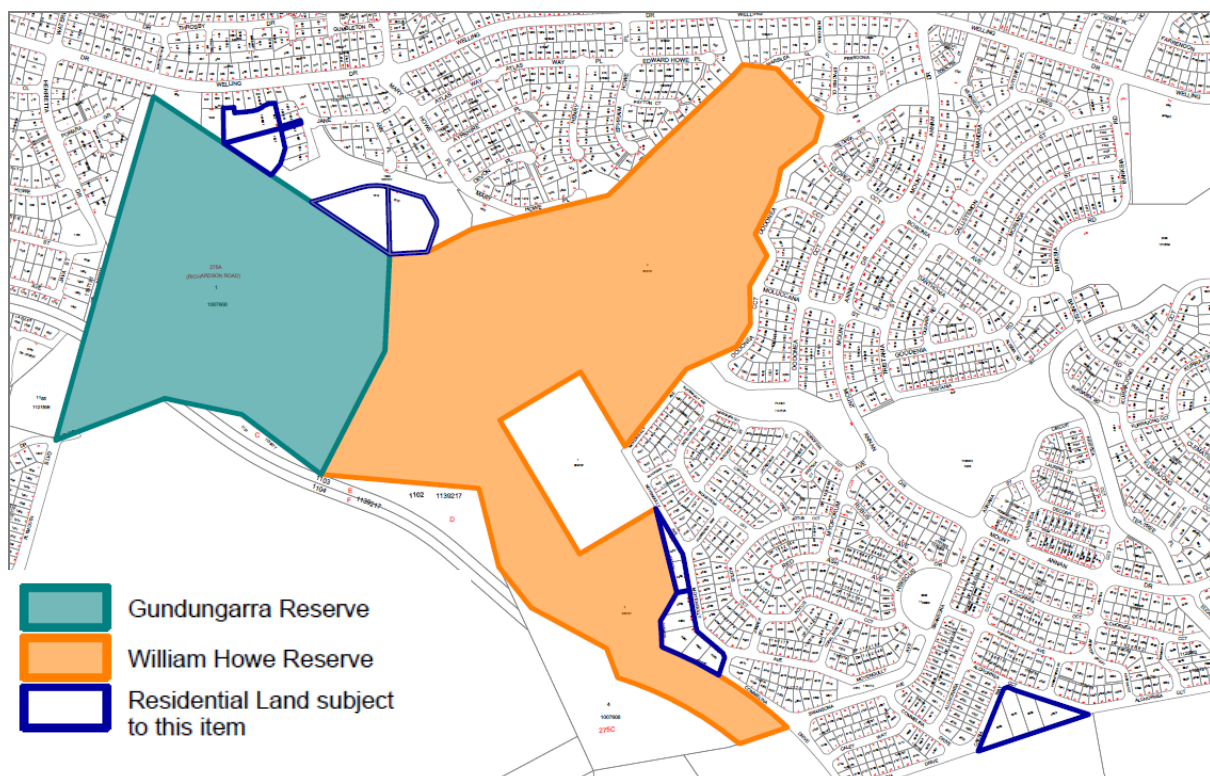


Figure 7: Residential land subject to this item. (Source: Camden Council, 2013).

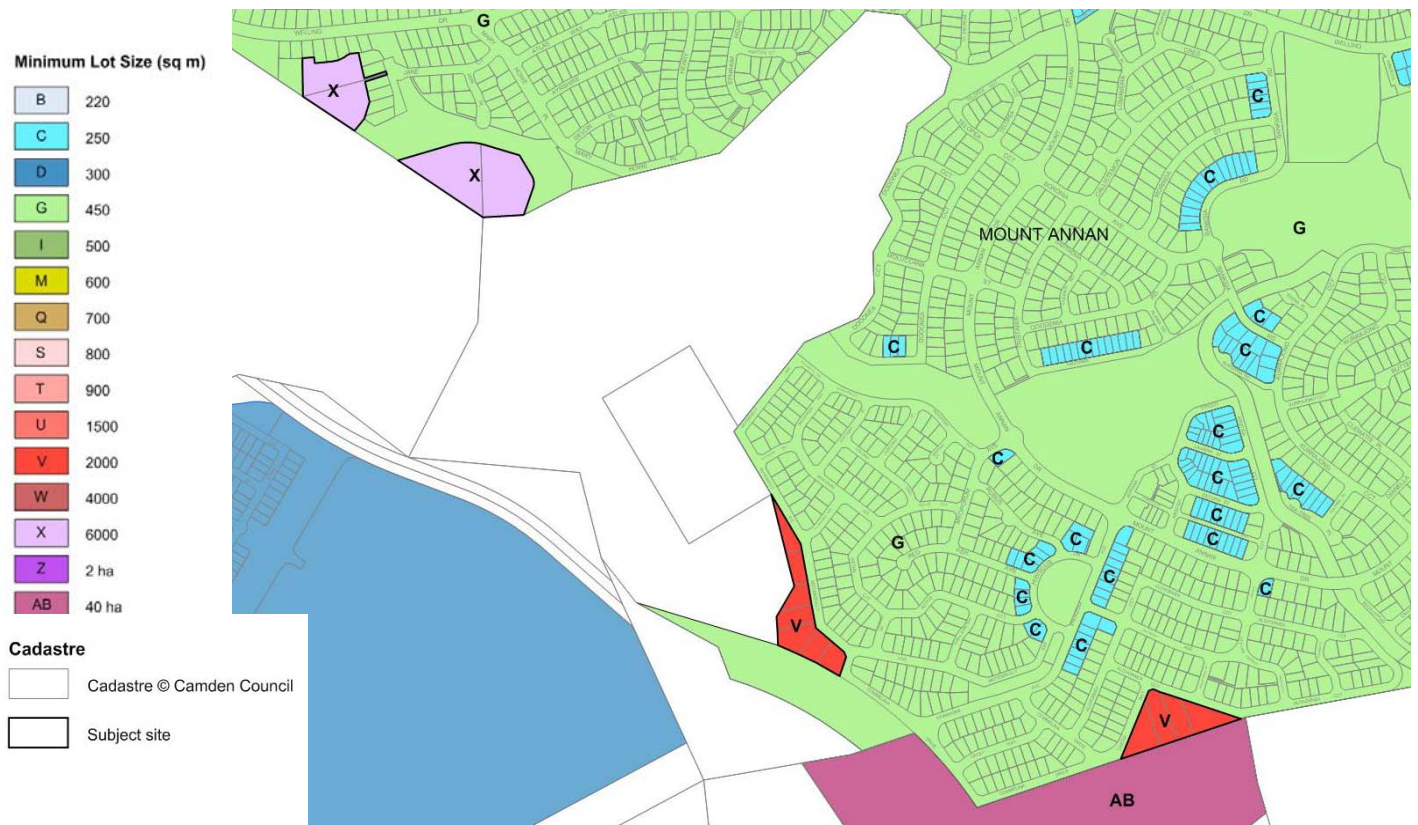


Figure 8: Subject land and proposed amendments to the minimum lot size maps. (Source: Camden Council, 2013).

The following maps will need to be amended and are included in the list of map amendments in Appendix B:

- 1450_COM_LSZ_017_020_20121211
- 1450_COM_LSZ_013_010_20120919

Item No. 16 Controls relating to miscellaneous permissible uses

During the conversion to the Standard template, an anomaly within Camden LEP 2010 that related to secondary dwellings and industrial retail outlets was identified. This item seeks to reinstate the original controls to ensure consistency between Camden LEP 2010 and the LEPs which were in force prior.

Note: Council is not proceeding with this item as it needs further investigation. Accordingly, this matter will be reconsidered at a later stage.

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. The planning proposal addresses matters which are of a housekeeping nature.

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 anomalies and amendments in a relatively prompt and efficient manner.

3. Is there a net community benefit?

Given the minor housekeeping nature of the matters contained within this planning proposal, it is not considered that a Net Community Benefit Test need be undertaken. The matters addressed by this planning proposal will strengthen the Camden LEP 2010 by ensuring that it is up-to-date and robust, thereby providing 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 sub 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 2040.

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

State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
Standard Instrument—Principal Local Environmental Plan	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
State Environmental Planning Policy No 1—Development Standards	☒		

State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	☒		
State Environmental Planning Policy No 6—Number of Storeys in a Building	☒		
State Environmental Planning Policy No 14—Coastal Wetlands	☒		
State Environmental Planning Policy No 15—Rural Land sharing Communities	☒		
State Environmental Planning Policy No 19—Bushland in Urban Areas	☒		
State Environmental Planning Policy No 21—Caravan Parks	☒		
State Environmental Planning Policy No 22—Shops and Commercial Premises	☒		
State Environmental Planning Policy No 26—Littoral Rainforests	☒		
State Environmental Planning Policy No 29—Western Sydney Recreation Area	☒		
State Environmental Planning Policy No 30—Intensive Agriculture	☒		
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	☒		
State Environmental Planning Policy No 33—Hazardous and Offensive Development	☒		
State Environmental Planning Policy No 36—Manufactured Home Estates	☒		
State Environmental Planning Policy No 39—Spit Island Bird Habitat	☒		
State Environmental Planning Policy No 44—Koala Habitat Protection	☒		
State Environmental Planning Policy No 47—Moore Park Showground	☒		

State Environmental Planning Policy No 50—Canal Estate Development	☒		
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	☒		
State Environmental Planning Policy No 55—Remediation of Land	☒		
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	☒		
State Environmental Planning Policy No 60—Exempt and Complying Development	☒		
State Environmental Planning Policy No 62—Sustainable Aquaculture	☒		
State Environmental Planning Policy No 64—Advertising and Signage	☒		
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	☒		
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	☒		
State Environmental Planning Policy No 71—Coastal Protection	☒		
State Environmental Planning Policy (Affordable Rental Housing) 2009	☒		
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	☒		
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	☒		
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	☒		
State Environmental Planning Policy (Infrastructure) 2007	☒		
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	☒		

State Environmental Planning Policy (Kurnell Peninsula) 1989	☒		
State Environmental Planning Policy (Major Development) 2005	☒		
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	☒		
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	☒		
State Environmental Planning Policy (Rural Lands) 2008	☒		
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	☒		
State Environmental Planning Policy (State and Regional Development) 2011	☒		
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	☒		
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	☒		
State Environmental Planning Policy (Temporary Structures) 2007	☒		
State Environmental Planning Policy (Urban Renewal) 2010	☒		
State Environmental Planning Policy (Western Sydney Employment Area) 2009	☒		
State Environmental Planning Policy (Western Sydney Parklands) 2009	☒		
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	☒		
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	☒		
Sydney Regional Environmental Plan No 16—Walsh Bay	☒		
Sydney Regional Environmental Plan No 18—Public Transport Corridors	☒		
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	☒		

Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	☒		
Sydney Regional Environmental Plan No 24—Homebush Bay Area	☒		
Sydney Regional Environmental Plan No 25—Orchard Hills	☒		
Sydney Regional Environmental Plan No 26—City West	☒		
Sydney Regional Environmental Plan No 28—Parramatta	☒		
Sydney Regional Environmental Plan No 30—St Marys	☒		
Sydney Regional Environmental Plan No 33—Cooks Cove	☒		
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	☒		

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

The planning proposal is consistent with applicable Ministerial Directions as outlined in Appendix A.

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 effect 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?

In accordance with the gateway determination, the following public authorities were notified and given a period of 28 days to respond:

- Sydney Catchment Authority
- Office of Environment and Heritage
- NSW Rural Fire Service
- Heritage Council of NSW

The submissions received are discussed in Part 5 – Community Consultation.

Part 4 – Maps

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

Heritage Maps

- 1450_COM_HER_004_010_20100705
- 1450_COM_HER_007_020_20100705
- 1450_COM_HER_008_010_20100705
- 1450_COM_HER_009_010_20120820
- 1450_COM_HER_012_010_20100705
- 1450_COM_HER_013_010_20120820
- 1450_COM_HER_016_010_20100705
- 1450_COM_HER_017_020_20100705
- 1450_COM_HER_018_010_20120620

Land Zoning Map

- 1450_COM_LZN_013_010_20120919

Lot Size Map

- 1450_COM_LSZ_013_010_20120919
- 1450_COM_LSZ_014_010_20121211
- 1450_COM_LSZ_004_010_20111222
- 1450_COM_LSZ_017_020_20121211

Urban Release Area Map

- 1450_COM_URA_013_010_20120820

Additional Permitted Uses Map

- 1450_COM_APU_013_010_20120202

Height of Buildings Map

- 1450_COM_HOB_004_010_20100705

Part 5 – Community Consultation

A Gateway Determination was made on 9 September 2012, which detailed the requirements of consultation with the public authorities and the community. In accordance with the gateway determination, Council undertook the following public authority consultation prior to the public exhibition taking place:

- NSW Rural Fire Service
- Liverpool City Council

Comments from the above public authorities were supportive of the Planning Proposal and required no amendment to the Planning Proposal. Copies of the Public Authority submissions are provided as Appendix E.

Following the initial public authority consultation period, Council placed the Planning Proposal on public exhibition for a 28 day period from 14 November 2012 to 12 December 2012.

The exhibition material consisted of:

- Council Report and Resolution;
- Gateway Determination; and
- Planning Proposal and associated attachments.

The above material was exhibited as an electronic source on Council's website and as hard copies at the Camden Customer Service Centre and Library and also at Narellan's Customer Service Centre and Library. Notification of the exhibition was also placed in the Camden-Narellan Advertiser during this period.

Furthermore, the Planning Proposal was also forwarded to the following public authorities in accordance with Gateway Determination:

- NSW Rural Fire Service
- Sydney Catchment Authority
- Office of Environment and Heritage
- Heritage Council of NSW
- Liverpool City Council
- Wollondilly Council
- Campbelltown Council

The following table is a summary of the submissions received and Council's response. Two submissions were received from the general public in relation to the Mt Annan Minimum lot size item.

Submission	Issue	Assessment	Action
Liverpool City Council	<u>Item No. 4: State Heritage Items within the Camden LGA</u> To exclude 'Denbigh' from the local heritage list denies its local significance and does not allow the local heritage list to fully represent the variety of heritage places in the locality. It is recommended that if the place cannot be considered for listing on the LEP, serious consideration must be given to incorporating a notation on the heritage schedule of the LEP to refer users to other pertinent planning instruments for heritage purposes, e.g. SEPP (Sydney Region Growth Centres) 2006.	Council originally sought to list 'Denbigh' within Schedule 5 - Environmental Heritage, however the gateway determination conditioned the matter be removed from the Planning Proposal to avoid any inconsistency with the <i>SEPP (Sydney Region Growth Centres) 2006</i>. Any listing of Denbigh in Camden LEP 2010 would require the complete application of LEP to the site, i.e. zoning and any associated development controls. Similarly, this would necessitate the complete removal of the site from the SEPP. To include this item within the LEP and SEPP will essentially be 'double dipping' and will also require an amendment to the Growth Centres SEPP, which Council views as undesirable. Incorporating a notation on the heritage schedule of the LEP to refer to SEPP's has been considered, however provisions are in place to ensure heritage items and conservation areas are considered when purchasing and/or developing a property. Heritage information and other planning information such as the application of SEPP's are incorporated within S149 Planning Certificates and Council's property enquiry system. Council is satisfied that the provisions in place ensure heritage items are identifiable.	No action

Office of Environment and Heritage	<u>Item 2: Exhibition homes and Exhibition villages in the E4 zone</u> OEH supports 'exhibition homes' and 'exhibition villages' restricted to Kirkham Rise and not being undertaken in a manner that would broadly affect land zones E4 Environmental Living across the local government area.	Council originally sought to permit 'exhibition homes' and 'exhibition villages' within Precinct C of Kirkham Rise. The gateway determination requested Council to amend the Planning Proposal to include the proposed land uses as permissible with development consent on all land within the subject zone. 'Exhibition homes' and 'exhibition villages' are limited to a temporary use in order to reflect the long term residential expectations and character of the zone. All 'exhibition homes' and 'exhibition villages' need to ensure that the intended site of an exhibition home or village is consistent with the desired character of the locality. In this respect, a wide range of development issues are required to be addressed at the development application stage to ensure an acceptable planning outcome. These include, but are not limited to, the nature and type of exhibition homes and villages, car parking provisions, provision of public amenities, appropriate signage and accessibility issues. Within the Camden LGA, the E4 Zone is present in suburbs such as Harrington Grove, Kirkham and Manooka Valley. Use of land in E4 Zone for the purpose of 'exhibition homes' and 'exhibition villages' would allow potential land owners to view and evaluate potential house designs specifically tailored to Environmental Living Zones. In light of this, Council is satisfied amending Item 3 of the Land Use Table to the E4 – Environmental Living zone with the effect of allowing development for the purpose of 'exhibition home' or 'exhibition village' within all E4 zones will not result in adverse environmental or built environment outcomes.	No action
Heritage Council of NSW	<u>Item No. 13 Special Events</u> Development permitted under the additional clause 'Special Events' has the potential to result in adverse physical impacts on heritage items. Accordingly the Heritage Branch recommends that an additional clause be inserted to ensure that such temporary structures do not result in the material affectation to heritage items inclusive of	Noted. It is intended to reword the clause to place emphasis on the built environment to ensure such temporary structures and uses will not result in the material affectation to heritage items. The clause is to read as following: 1.9 Special Events (3) The objective of this clause is to provide for temporary private or public special events to be carried out on land without	Amend clause as per the assessment.

	built structures and landscape elements.	development consent where they will not have an adverse impact upon the site or the amenity of the surrounding area. (4) Consent under this clause is not required if once the applicant has notified the consent authority of the proposed event and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that: a) the event will not have an adverse impact on any adjoining land or the amenity of the neighbourhood, and b) the event and location of any structures related to the event will not adversely impact on the built environment, environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and c) once the event has ended the land will be restored to the condition in which it was before the commencement of the event.	
Sydney Catchment Authority	<u>Item No. 4: State Heritage Items within the Camden LGA</u> The Upper Canal corridor State Heritage listing only applies to land owned by the SCA. The Sydney Water land is not heritage listed. SCA requests that Heritage Map HER_016 is amended to show the correct heritage boundary in this location. The SCA requests the listing of the Upper Canal	Confirmation has been received from the NSW Heritage Branch stating that Sydney Water land associated with the Upper Canal forms part of the Upper Canal State Heritage curtilage. As such, the heritage map does not require further amendment as it shows the correct heritage curtilage in accordance with the State Heritage Register. Sydney Water will be notified once the planning proposal has been published.	No action

	in Schedule 5 is amended as follows: Suburb: Include all suburbs through which the canal corridor runs within the Camden LGA. Location: "Upper Canal corridor" Property description: "Upper Canal"	Noted. The listing is to read as following: <table><tr><th>Suburb</th><th>Item Name</th><th>Address</th><th>Property Description</th><th>Significance</th><th>Item No</th></tr><tr><td>Catherine Field Leppington Gregory Hills Gledswood Hills Currans Hill Mount Annan</td><td>Upper Canal</td><td>Upper Canal corridor</td><td>Upper Canal</td><td>State</td><td>1122</td></tr></table>					Suburb	Item Name	Address	Property Description	Significance	Item No	Catherine Field Leppington Gregory Hills Gledswood Hills Currans Hill Mount Annan	Upper Canal	Upper Canal corridor	Upper Canal	State	1122	Amend listing as per the assessment
Suburb	Item Name	Address	Property Description	Significance	Item No														
Catherine Field Leppington Gregory Hills Gledswood Hills Currans Hill Mount Annan	Upper Canal	Upper Canal corridor	Upper Canal	State	1122														
NSW Rural Fire Service	<u>Item No. 13 Special Events</u> For any special events planned to be undertaken in a bush fire prone area consideration of asset protection zones, water and access/regress should be undertaken to ensure protection of people attending the event. <u>Item No. 15: Mt Annan minimum lot size provisions</u> Consideration also should be given to ensuring appropriate access, water supply and asset protection zones can be achieved for the proposed increase of minimum lot sizes in Mt Annan.	Noted. This matter will be dealt with at the time the proposed event is notified to council for assessment. Noted. This matter will be dealt with at the subdivision application stage.					No action												

UrbanGrowth NSW	<u>Item No. 15: Mt Annan minimum lot size provisions</u> UrbanGrowth NSW have noted that the proposed minimum lot size map LSZ_017 requires amending as the proposal to increase the minimum lot size of certain portions in Mt Annan should only highlight the large lots, not the standard lots. Further a discrepancy has been noted in relation to a portion of the William Howe Reserve incorrectly identifying a minimum lot size of 450sqm. This portion should be left blank as no minimum lot size presides over the reserve.	Noted. As subdivisions have already occurred over some parts of the subject lands, reducing the minimum lot size to 450sqm is inappropriate. As such the application to apply the minimum lot size of 2000sqm should only apply to larger lots where this provision can be enforced. In regards to the land incorrectly highlighted green to indicate a minimum lot size of 450sqm. This error will be addressed as part of a future housekeeping Planning Proposal. UrbanGrowth NSW will be notified once the Planning Proposal commences.	Amend relevant map as per the assessment. To be addressed in future housekeeping amendment.
Resident	<u>Item No. 15: Mt Annan minimum lot size provisions</u> Request the existing minimum lot size within the area be reserved in accordance with the majority of the lot sizes at Mount Annan and Narellan Vale. We do not intend to be segregated from the entire community.	The lots subject to this item have a restriction as to user which does not allow any future subdivision of the lots so burdened. The intent of the restriction is to circumvent future redevelopment and subdivision on land adjacent to Asset Protection Zone and conservation land. The Planning Proposal will simply formalise the restriction on the use of land and reflect the existing subdivision patterns.	No action.
Resident	<u>Item No. 15: Mt Annan minimum lot size provisions</u> Disagree with this item as it reduces the flexibility in future for secondary building opportunities and subdivision.	As stated above, the lots are subject to a restriction to prevent future subdivision on land adjacent to APZ and conservation land. Secondary dwellings and subdivision would be contrary to the Section 88b instrument. The applicant has been advised that should they wish to vary or modify a restriction on the Section 88b, a Development Application must be lodged for Council to formally consider this.	No action.

Council Development Staff	<u>Item No. 16: Controls relating to Industrial retail outlets and Secondary dwellings</u> Council development staff has noted that the typographical errors pertaining to Clause 5.4 <i>Controls relating to miscellaneous permissible uses</i> within Camden LEP 2010 were made two years ago by DPI during a legislation amendment. The controls have been in force and used for assessing development applications for a considerable amount of time. Council development staff in addition has stated that the original controls which were in force prior are also considered to be restrictive and not reflective of development trends and opportunities. As such, they have asked that this item not proceed and be reconsidered at a later stage.	It is appropriate that this item not proceed as further review and investigation is required. Accordingly, this matter will be reassessed at a later stage.	Item removed from Planning Proposal.
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Part 6 – Project Timeline

Date	Milestone
24 July 2012	Date to Council
9 September 2012	Gateway Determination received. DPI deadline 9 June 2013.
14 November to 12 December 2012	Public Exhibition
19 April 2013	3 month extension granted. New DPI deadline 9 September 2013.
9 July 2013	Post Exhibition Report to Council
11 July 2013	Send to DPI (6 weeks for DPI to make the plan
August 2013	Publishing of Plan

Appendix A – Series of Maps



**Additional Permitted Uses
Sheet APU_013**

Legend

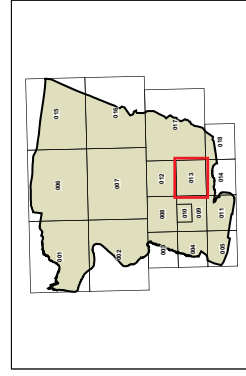
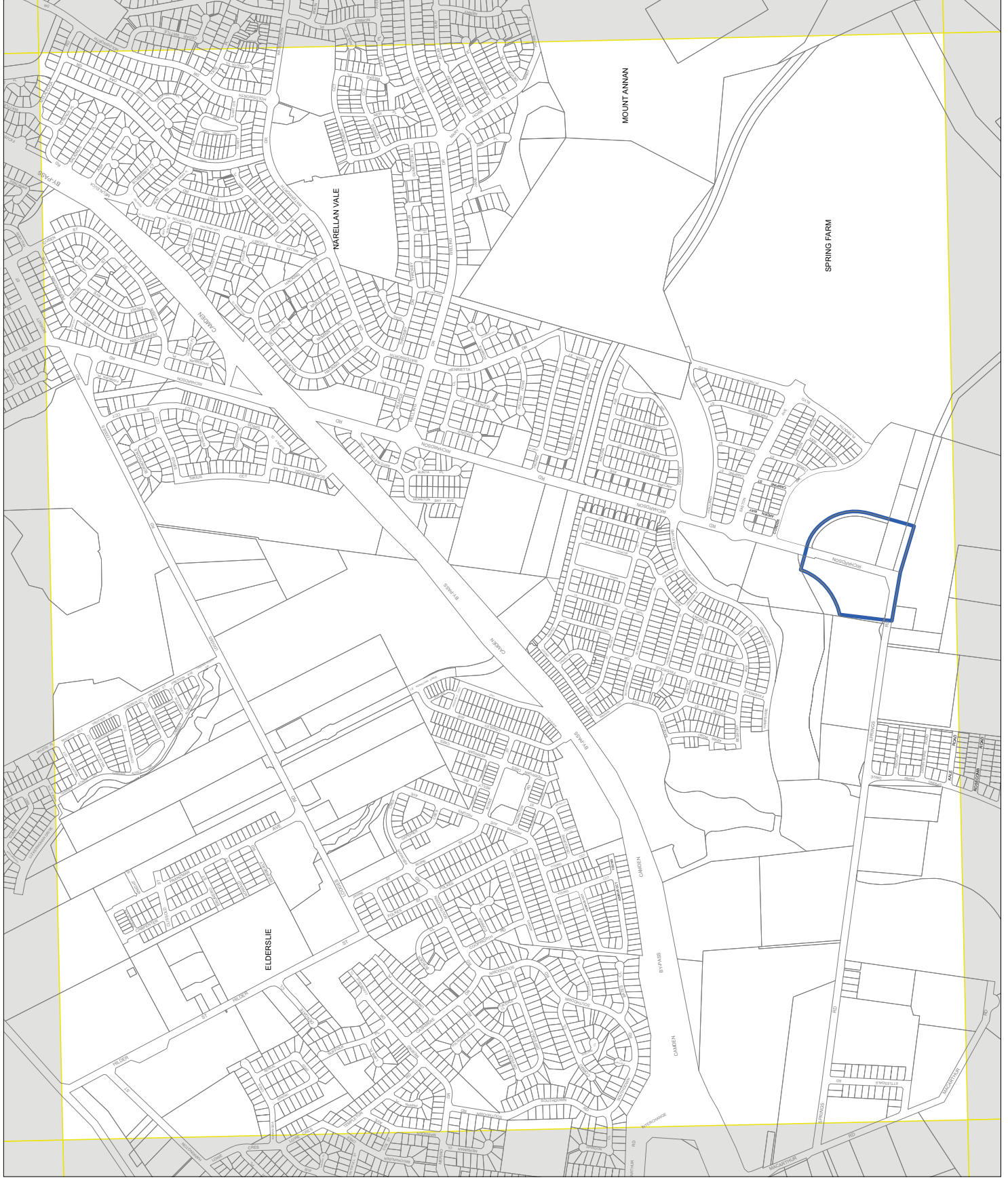


Refer to Schedule 1

Cadastral



Cadastral 07/05/2013 © Camden Council



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Projection GDA 1984
MGA Zone 55



Camden Local Environmental Plan 2010

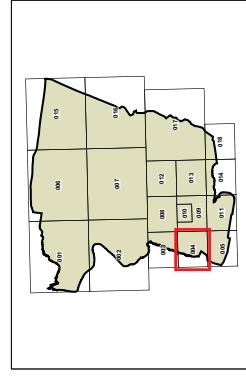
Heritage Map - Sheet HER_004

Heritage

- General Item
- Conservation Area - General
- SEPP Sydney Region Growth Centres
- SRGC

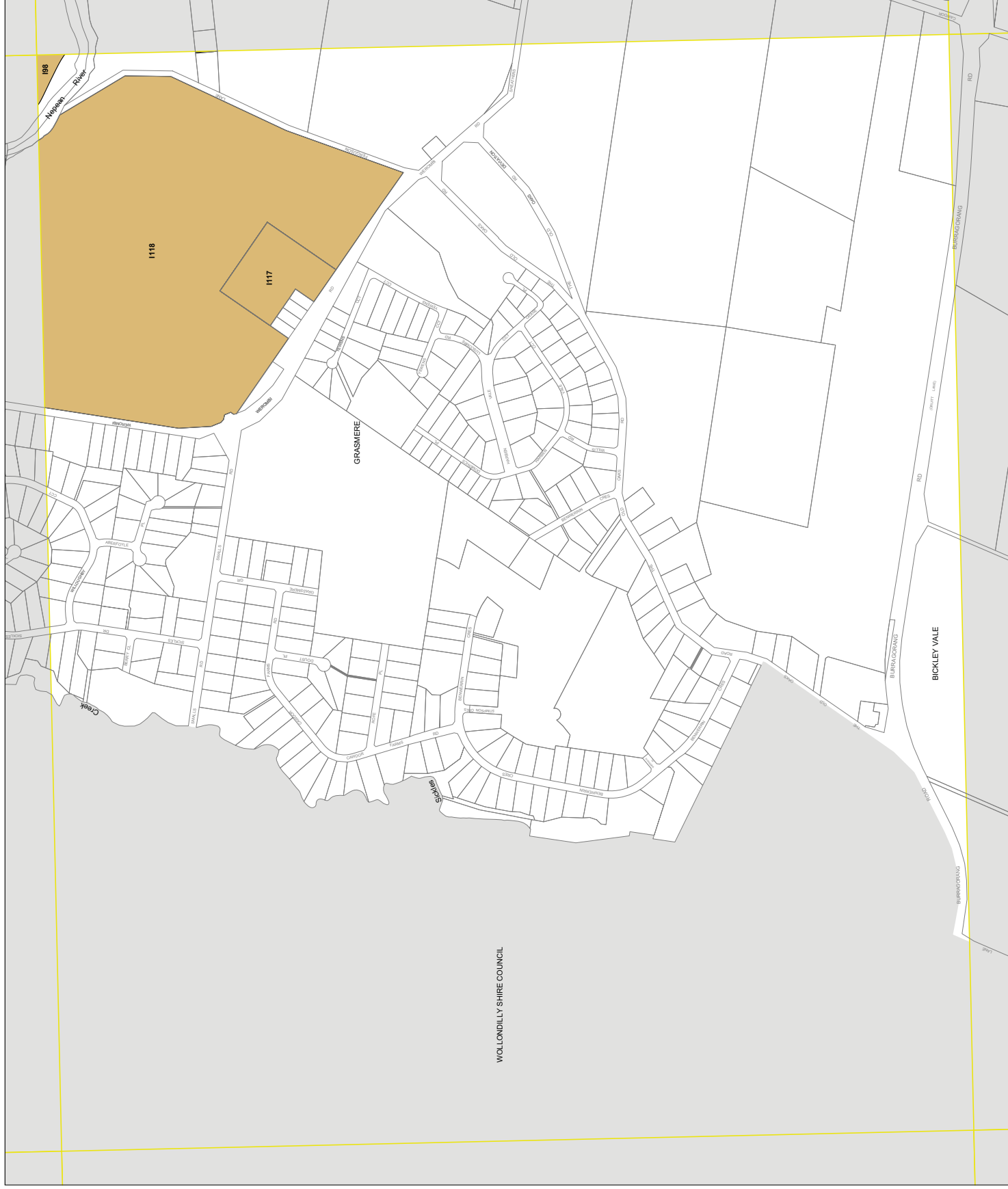
Cadastre

- Cadastre 07/05/2013 © Camden Council



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Projection GDA 1984
MGA Zone 55

Map Identification number: 1450_COM_HER_004_010_20130507





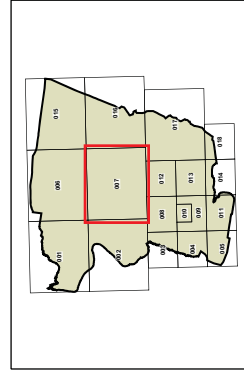
Heritage Map - Sheet HER_007

Heritage

-  General Item
-  Conservation Area - General
-  SEPP Sydney Region Growth Centres
-  SRGC

Cadastral

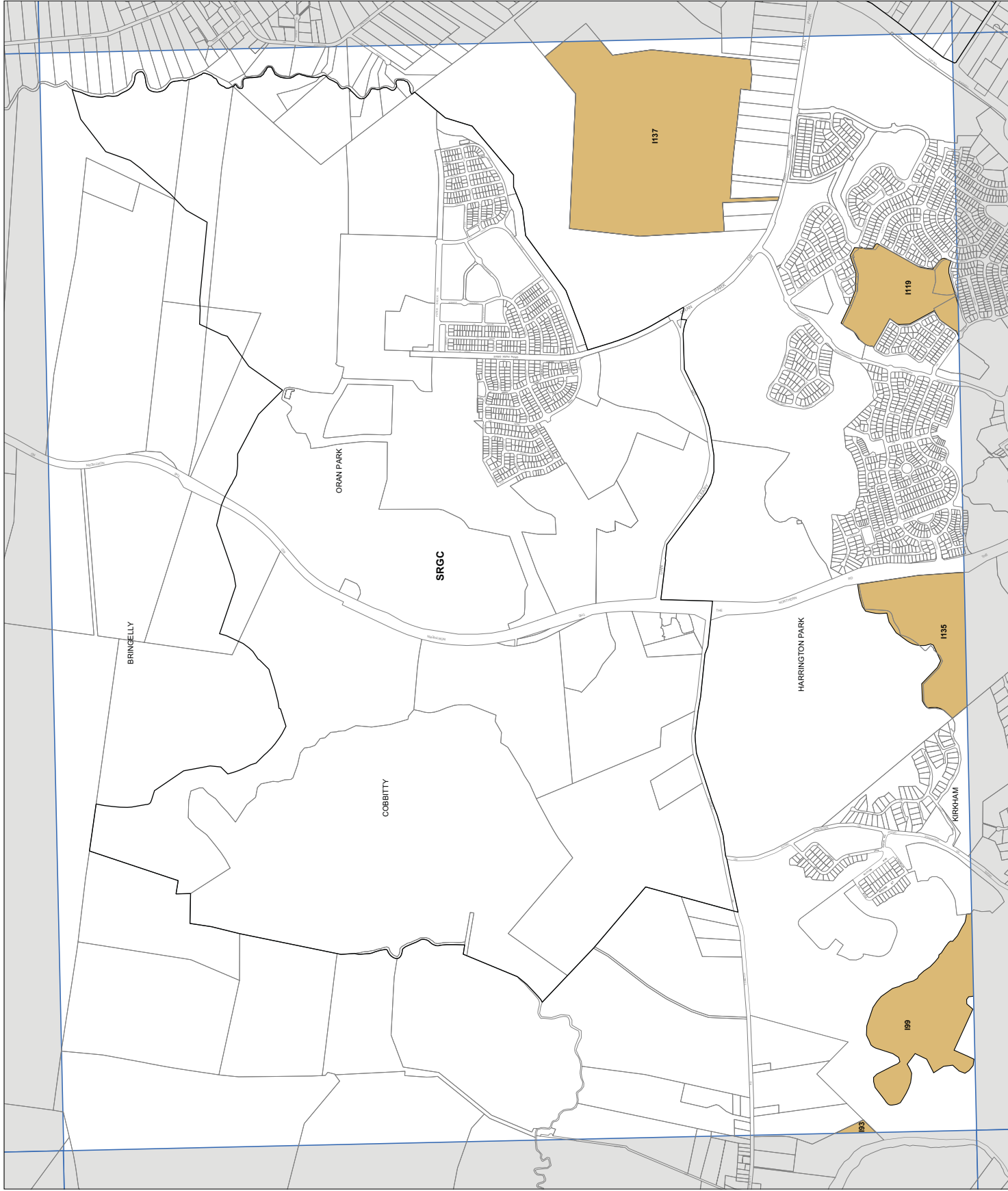
-  Cadastre 07/05/2013 @ Camden Council



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Proposed LEP 2014
NGA Zone 56

Map Identification number: 1450_COM_HER_007_020_20130507





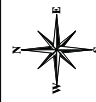
Heritage

 General Item

 Conservation Area - General

 SEPP Sydney Region Growth Centres

Cadastre 07/05/2013 @ Camden Council

Projection GDA 1994
MGA Zone 56

Map identification number: 1450_COM_HER_008_010_20130507



Heritage Map - Sheet HER_009

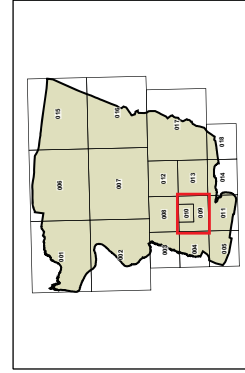
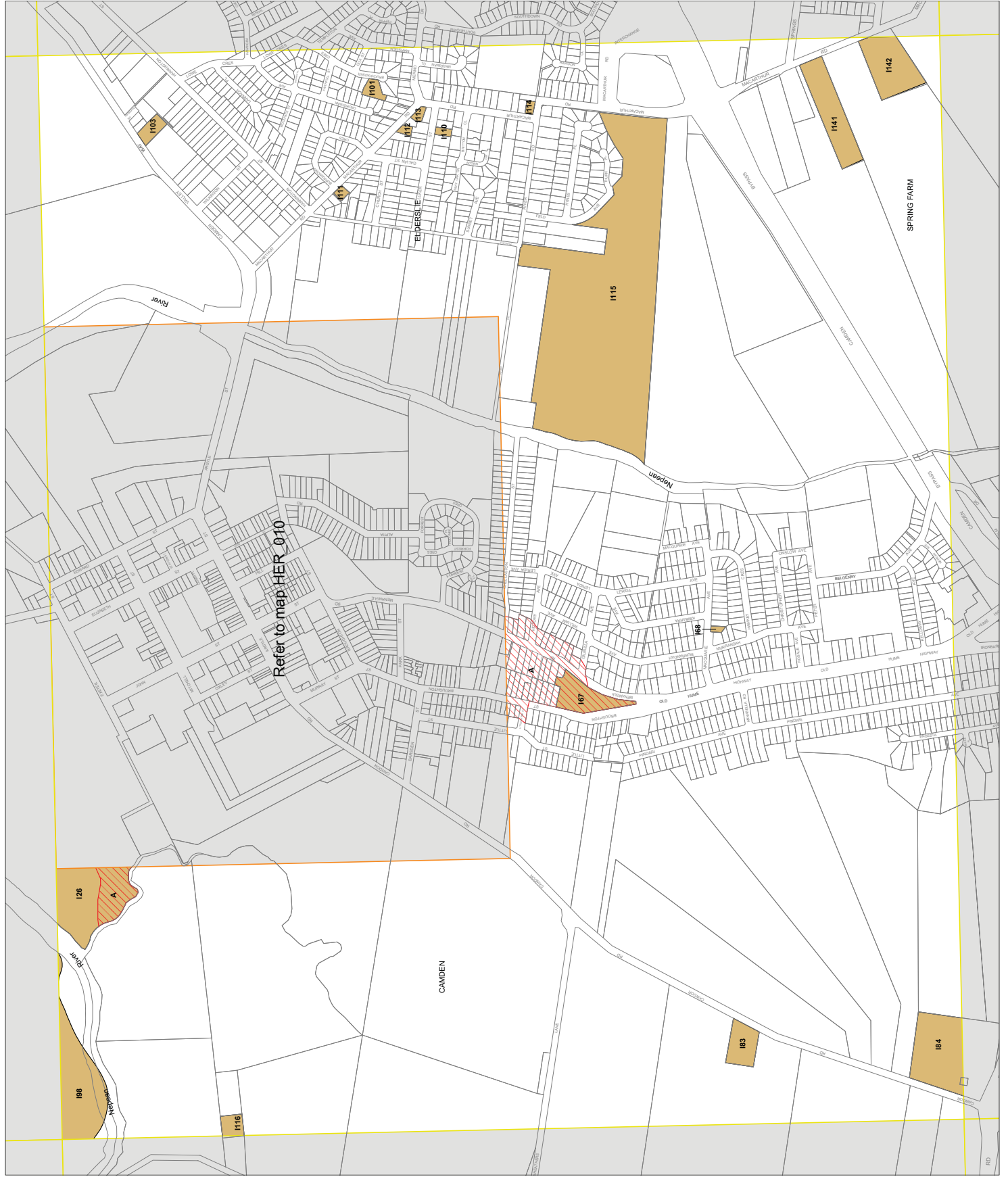
Heritage

-  General Item
-  Conservation Area - General
-  SEPP Sydney Region Growth Centres

SRGC

Cadastre

-  Cadastre 07/05/2013 @ Camden Council



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Metres
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Physical: GDA 1994
MGA Zone 56



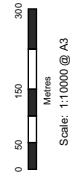
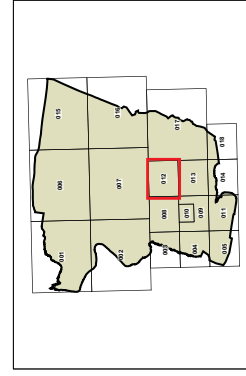
Heritage Map - Sheet HER_012

Heritage

-  General Item
-  Conservation Area - General
-  SEPP Sydney Region Growth Centres
-  SRGC

Cadastre

-  Cadastre 07/05/2013 © Camden Council



Scale: 1:10000 @ A3

Projection: GDA 1984
MGA Zone 55

Map identification number: 1459_COM_HER_012_010_20130507

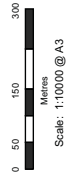
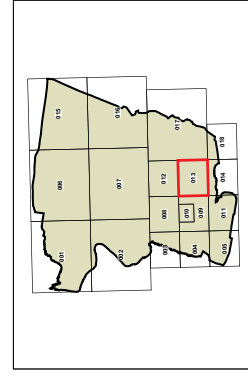




Heritage

- ## Cadastre

Cadastre 07/05/2013 © Camden Council



Map identification number:

1450_COM_HER_013_010_20130507



Camden Local Environmental Plan 2010

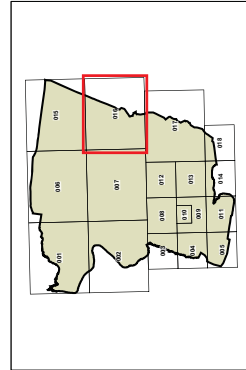
Heritage Map - Sheet HER_016

Heritage

- General Item
- Conservation Area - General
- SEPP Sydney Region Growth Centres

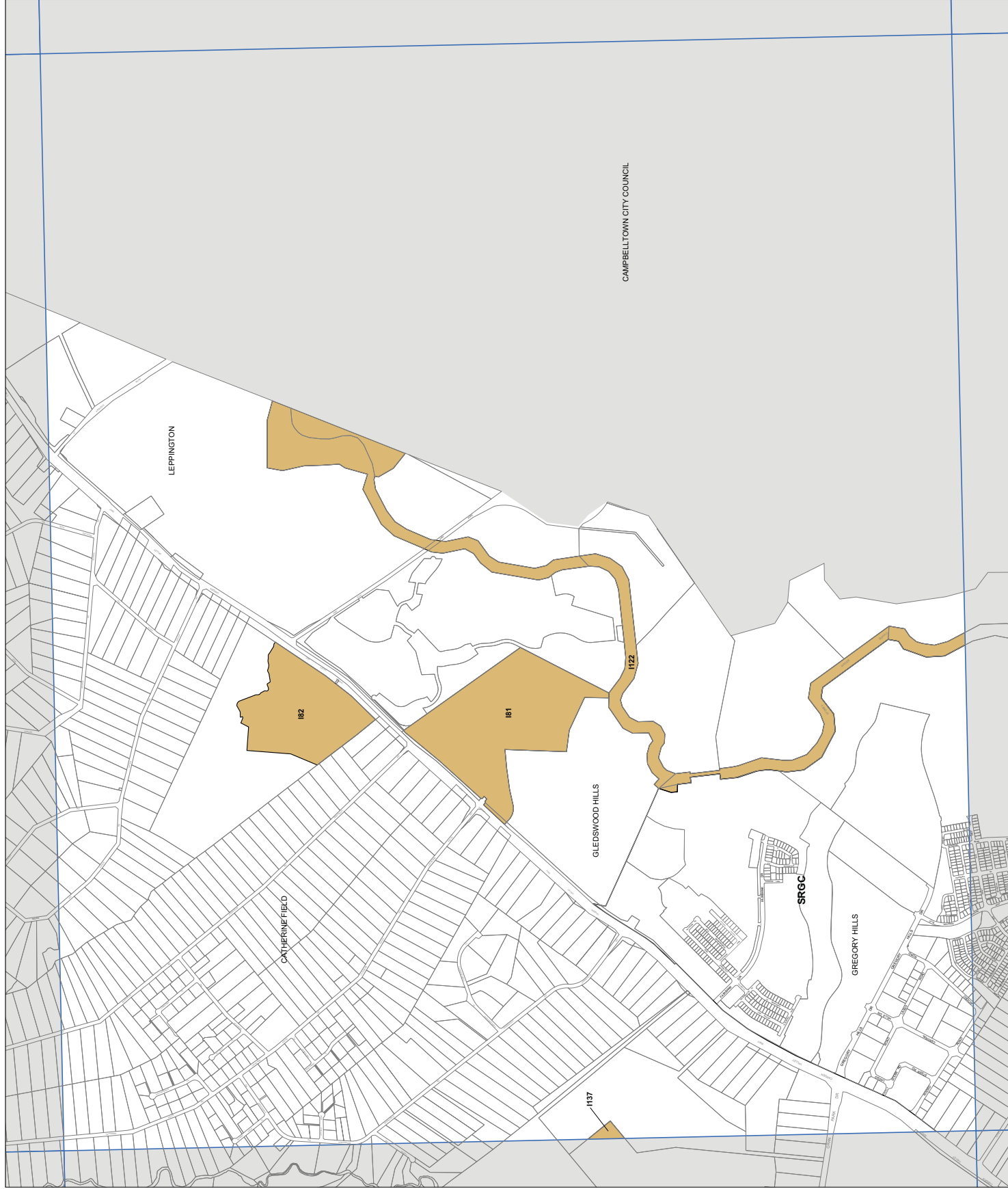
Cadastral

Cadastral 07/05/2013 © Camden Council



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MGA Zone 56
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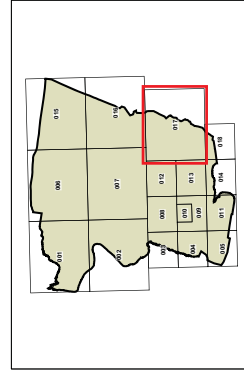
Heritage Map - Sheet HER_017

Heritage

-  General Item
-  Conservation Area - General
-  SEPP Sydney Region Growth Centres
-  SRGC

Cadastre

-  Cadastre 07/05/2013 © Camden Council



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Projection: GDA 1984
MGA Zone 55

Map Identification number: 1459_COM_HER_017_020_20130507



Heritage

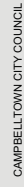
- ## Cadastre

11



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1450_COM_HER_018_010_20130507





Camden Local Environmental Plan 2010

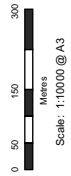
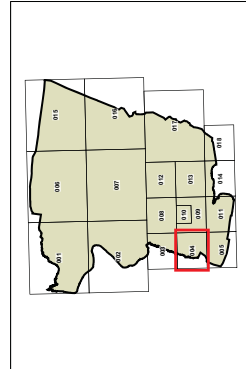
Height of Buildings Map - Sheet HOB_004

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

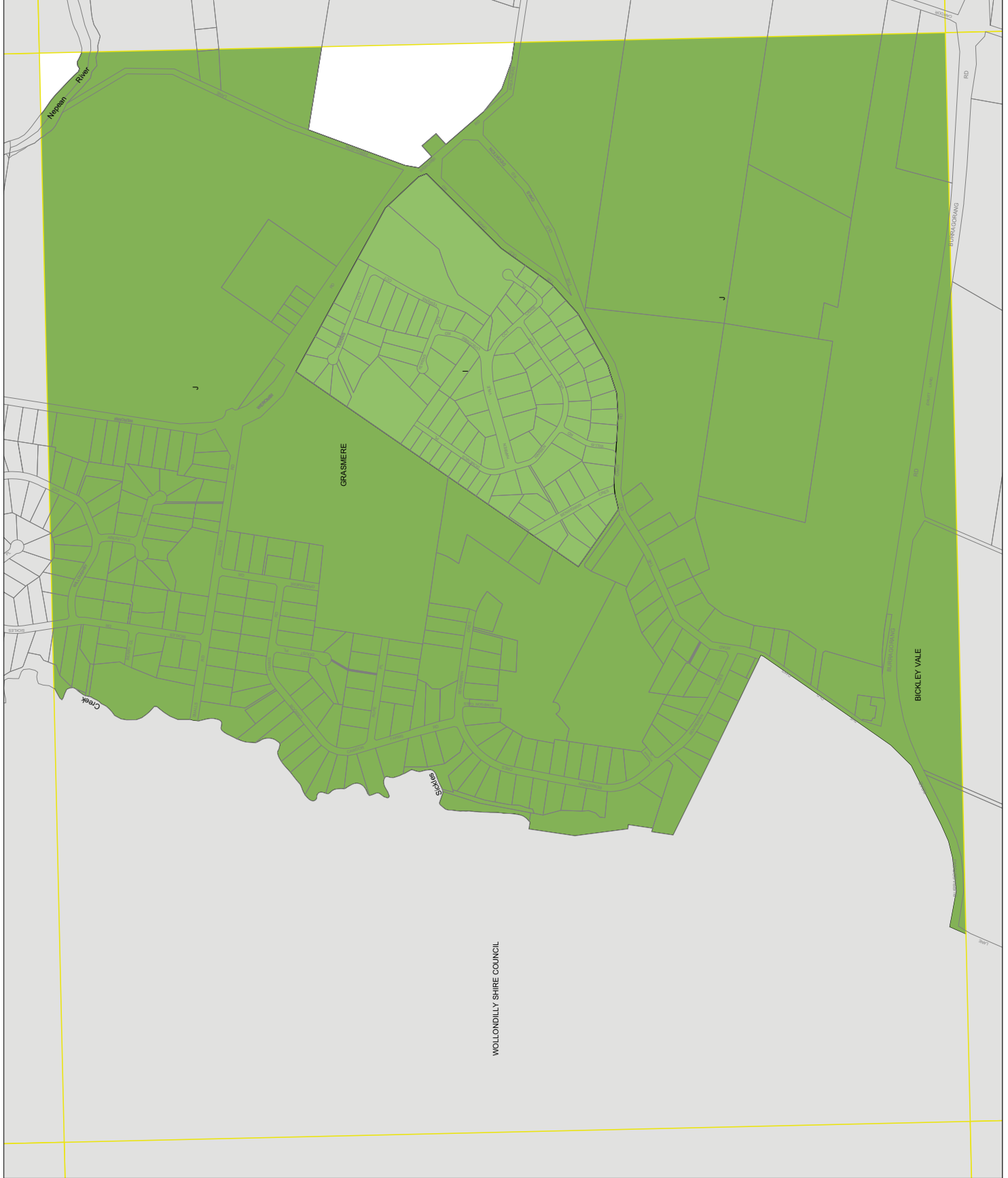
Cadastre

Cadastre 07/05/2013 © Camden Council



Projection: GDA 1984
MGA Zone 56

Map identification number: 1455_COM_HOB_004_010_20130507





Camden Local Environmental Plan 2010

Lot Size Map - Sheet LSZ_004

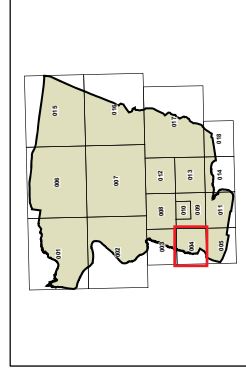
Minimum Lot Size (sq m)

B	220
C	250
D	300
G	450
I	500
M	600
Q	700
S	800
T	900
U	1500
V	2000
W	4000
X	6000
Z	2 ha
AB	40 ha

SRGC SEPP Sydney Region Growth Centres
Refer to clause 4.1A

Cadastre

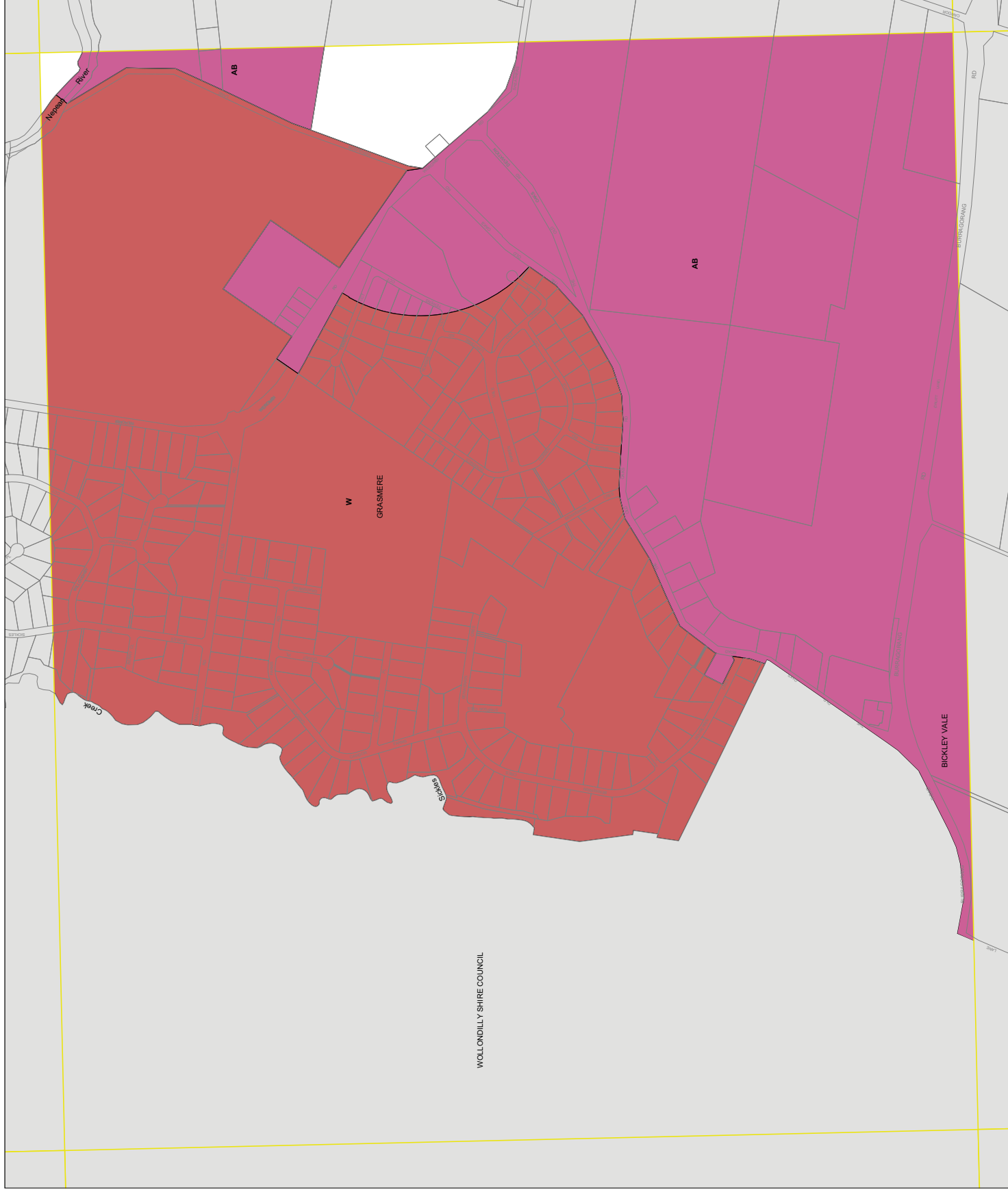
Cadastre 07/05/2013 © Camden Council



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Metres
Scale: 1:10000 @ A3

Proposed LEP 2010
MGA Zone 56

Map identification number: 1450_COM_LSZ_004_010_20130507





Camden Local Environmental Plan 2010

Lot Size Map - Sheet LSZ_013

Minimum Lot Size (sq m)

B 220

C 250

D 300

E 450

F 500

G 600

H 700

I 800

J 900

K 1500

L 2000

M 4000

N 6000

O 2 ha

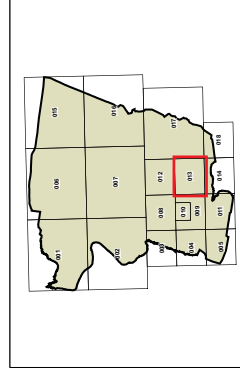
P 40 ha

SRGC SEPP Sydney Region Growth Centres

Refer to clause 4.1A

Cadastre

Cadastre 07/05/2013 © Camden Council



Scale: 1:10000 @ A3

Project: LGA 1994
Map Date: 01

Map identification number: 1450_CON_LSZ_013_010_20130507



**Lot Size Map -
Sheet LSZ_014**

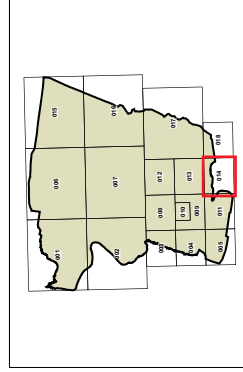
Minimum Lot Size (sq m)

B	220
C	250
D	300
G	450
I	500
M	600
Q	700
S	800
T	900
U	1500
V	2000
W	4000
X	6000
Z	2 ha
AB	40 ha

SEPP Sydney Region Growth Centres
SRGC
Refer to clause 4.1A

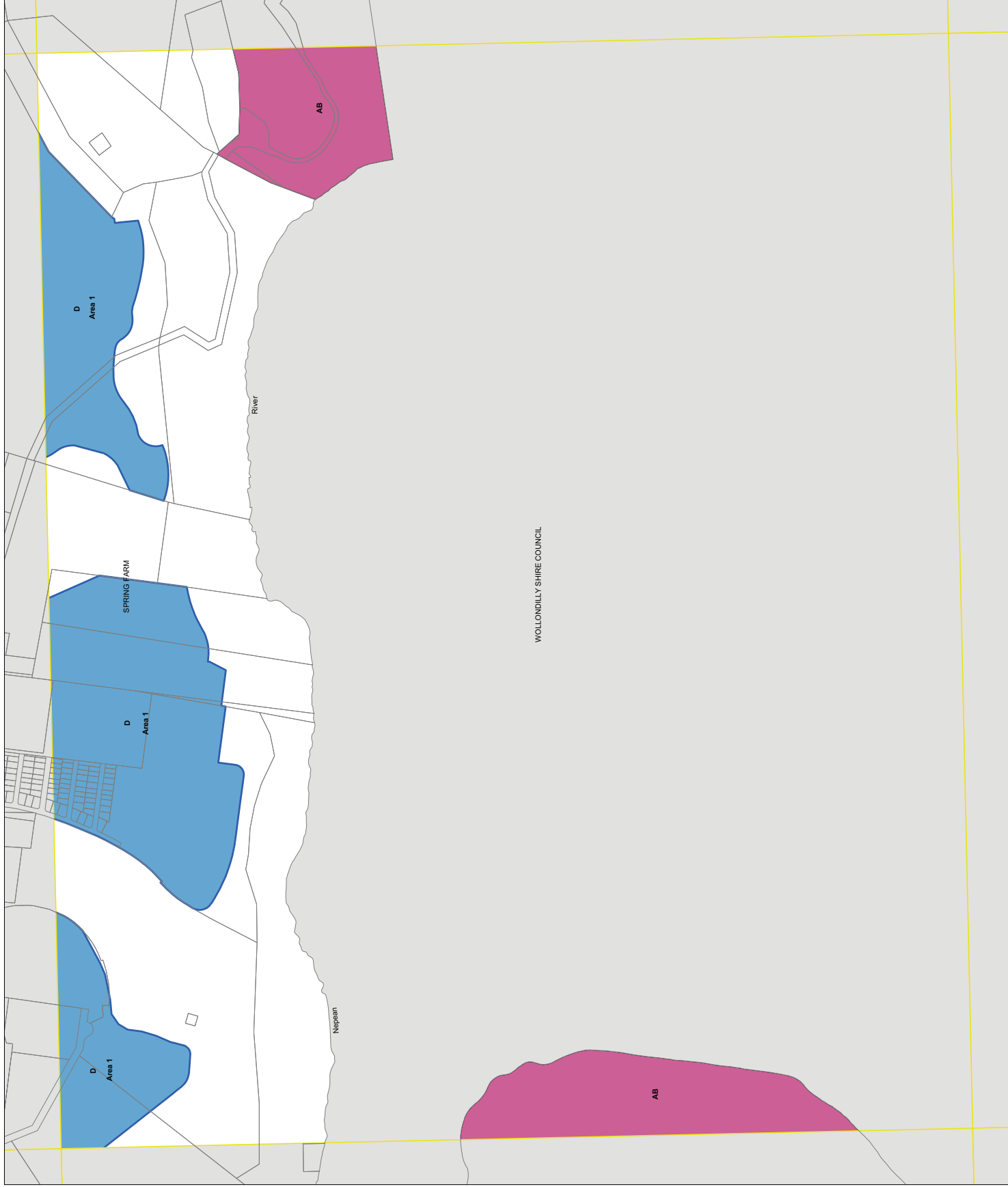
Cadastre

Cadastre 07/05/2013 © Camden Council



Projection: GDA 1984
MGA Zone 56
Scale: 1:10000 @ A3

Map identification number: 1450_CON_LSZ_014_010_20130507



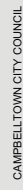


Minimum Lot Size (sq m)

Cadastre



Map identification number: 1450_COM_LSZ_017_020_20130507





Camden Local Environmental Plan 2010

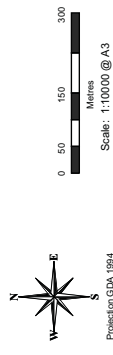
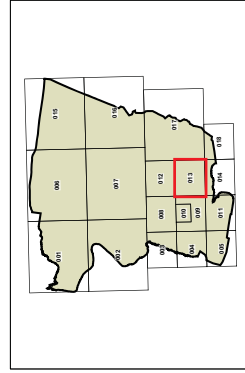
Land Zoning Map - Sheet LZN_013

Zone

- | | |
|------|------------------------------------|
| B1 | Neighbourhood Centre |
| B2 | Local Centre |
| B4 | Mixed Use |
| B5 | Business Development |
| E1 | National Parks and Nature Reserves |
| E2 | Environmental Conservation |
| E4 | Environmental Living |
| IN1 | General Industrial |
| IN2 | Light Industrial |
| R1 | General Residential |
| R2 | Low Density Residential |
| R3 | Medium Density Residential |
| R5 | Large Lot Residential |
| RE1 | Public Recreation |
| RE2 | Private Recreation |
| RU1 | Primary Production |
| RU2 | Rural Landscape |
| RU4 | Primary Production Small Lots |
| SP1 | Special Activities |
| SP2 | Infrastructure |
| SRGC | SEPP Sydney Region Growth Centres |

Cadastral

Cadastral 07/05/2013 © Camden Council





Camden Local Environmental Plan 2010

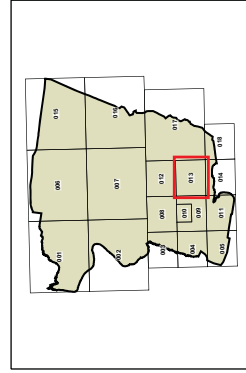
Urban Release Area Map - Sheet URA_013

Legend

- Urban release area
- Macarthur Resource Recovery Park

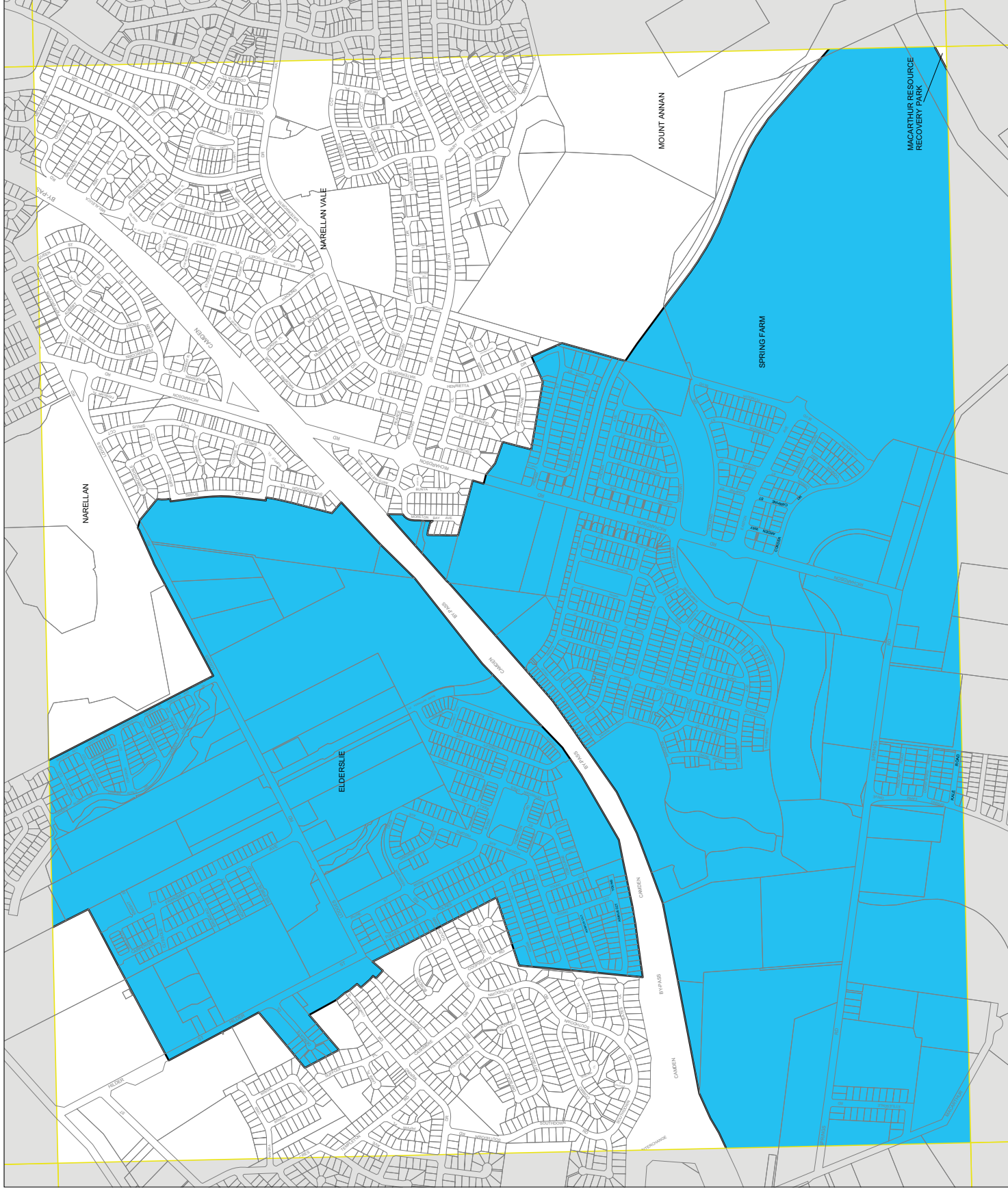
Cadastral

- Cadastral 07/05/2013 © Camden Council



Projection: GDA 1994
MGA Zone 56

Map identification number: 1450_CON_URA_013_010_20130507



Appendix B – Applicable section 117 directions

Direction	Objective	Response
1.1 Business and Industrial Zones	The objectives of this direction are to: (d) encourage employment growth in suitable locations, (e) protect employment land in business and industrial zones, and (f) support the vitality of identified strategic centres.	<u>Item 9. Recreation areas in the B1, B2, B4 and B5 zones.</u> The land use tables for the business zones will be amended to allow for recreational development with consent. It will facilitate in achieving the objectives of the directions as the viability of the business zone will not be compromised. In addition, the increase in population will encourage the use of recreational facilities in the centres, whilst not detracting from the availability of employment land in the area. <u>Item 10. Restricted Premises</u> This planning proposal seeks to amend Camden LEP by adding the term “restricted premises” to Item 4 – Prohibited uses in the land use tables for the B1 and B5 zones only. This amendment will ensure that the controls are in line with the standard instrument requirements and Councils vision for Camden.
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	<u>Item 1. RU4 Zone: Development permissible with consent</u> This amendment will ensure that the LEP is consistent with the ‘status quo’ approach adopted during the conversion of the former Camden LEPS into the new LEP template format.

Direction	Objective	Response
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	<u>Item 2. Exhibition homes in the E4 zone</u> This planning proposal will allow for exhibition homes and villages to be developed within the E4 zone. This will provide housing typologies and choice of dwellings that will cater for environmental living zones. As a result it will minimise the impact of residential development on the environment.
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<u>Item 3. Wivenhoe</u> The intention of the planning proposal is to amend the curtilage are of the heritage item to incorporate the elements that encompass Heritage Item No.199. This amendment will ensure the significant items that incorporate the site are protected and preserved. <u>Item 4. State Heritage Items within the Camden LGA</u> This planning proposal is to amend the heritage maps to mirror and maintain consistency with the maps as per the heritage database. In addition, some of the state heritage items Lot and DP have also required updating. It is considered that this amendment provides more rigor to the heritage controls and enable S149 certificates to be issued with the appropriate heritage reference. <u>Item 5. Camden heritage items</u> The intention of this planning proposal is to amend the heritage boundary area of 2 local heritage items to comply with the current subdivision layout. It will facilitate in protecting the characteristic of the heritage items whilst ensuring that the LEP is reflecting the current legal property descriptions.

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 lands.	<u>Item 6. Spring Farm Neighbourhood centre</u> This planning proposal includes amendments to the zone boundary between the residential and B1 zone boundary at Spring Farm. This amendment will ensure that the LEP reflects the approved masterplan under the Camden DCP 2011. Accordingly, the planning proposal is considered to be consistent with this direction. <u>Item 7. Spring Farm minimum lot sizes</u> This amendment clarifies the minimum lot size requirements for Spring Farm and will provide certainty in areas which are currently experiencing increased residential development activity. <u>Item 14. Benwerin Crescent boundary alignment</u> This planning proposal will amend the zoning map of certain lands in Grasmere to address errors, inconsistencies and reflect the true LGA boundary and zoning. This will ensure the land affected is zoned R5 Large Lot Residential. Accordingly, this planning proposal is considered to be consistent with this direction. <u>Item 15. Mt Annan minimum lot size provision</u> This planning proposal increases the minimum lot size of certain residential land in Mt Annan to 2000sqm and 6000sqm. The land affected by this planning proposal has a restriction as to user to restrict development as it's in close proximity to conservation land. As such this amendment will formalise the restriction as to user.

Direction	Objective	Response
3.5 Development Near Licensed Aerodromes	The objectives of this direction are: (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	<u>Item 2. Exhibition homes in the E4 zone</u> The development of exhibition homes and villages within the E4 zone will be situated on land that has already been zoned for residential care. Appropriate development control measures have been taken to ensure that future development will not negatively be affected by aircraft noise.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	<u>Item 13. Special Events</u> This planning proposal inserts a new clause under Camden LEP 2010 to permit the erection of temporary structures specifically for public or private special events to be carried without development consent. This will remove unnecessary complexity and red tape for developers, business owners and applicants alike.
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	This direction applies to the Spring Farm planning proposals within the document as Spring Farm has been identified a mine subsidence district. The proposed items are consistent with what was agreed by the Mine Subsidence Board.

Direction	Objective	Response
4.4 Planning for Bushfire Protection	The objectives of this direction are: (a) to protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and (b) to encourage sound management of bush fire prone areas.	<u>Item 15. Mt Annan minimum lot size provision</u> This planning proposal increases the minimum lot size of certain residential land in Mt Annan to 2000sqm and 6000sqm. The land affected by this planning proposal has a restriction as to user to circumvent development as it's in close proximity to bush fire prone land. As such this amendment will formalise the restriction as to user.
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The planning policy is consistent with the aims and objectives of all relevant regional Strategies.
7.1 Implementation of the Metropolitan Strategy	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 proposals are compatible with the Metropolitan Strategy in that it assists with residential Greenfield development.

Appendix C – Gateway Determination



Contact: Mato Prskalo
 Phone: (02) 9860 1560
 Email: Mato.Prskalo@planning.nsw.gov.au
 Postal: GPO Box 39 Sydney NSW 2001

Mr Greg Wright
 General Manager
 Camden Council
 PO Box 183
 CAMDEN NSW 2570

Our ref: PP_2012_CAMDE_009_00 (12/12879)
 Your ref:

Dear Mr Wright,

Planning proposal to amend Camden Local Environmental Plan (LEP) 2010

I am writing in response to your Council's letter dated 30 July 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments to correct a range of errors and omissions.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.1 Business Zones, 3.1 Residential Zones and 4.2 Mine Subsidence and Unstable Land are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mato Prskalo of the regional office of the department on 02 9860 1560.

Yours sincerely,

Sam Haddad
Sam Haddad
Director-General

9/9/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_CAMDE_009_00): to amend Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments.

I, the Director-General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Camden Local Environmental Plan (LEP) 2010 to make various housekeeping amendments to correct a range of errors and omissions including:

1. to restore the permissibility (with consent) of innominate land uses in Zone RU4 Primary Production Small Lots;
2. to amend the boundary of the area to which Camden LEP 2010 applies to exclude land at Cobbitty that has been transferred to the Liverpool LGA;
3. to include 'exhibition homes' and 'exhibition villages' as additional permitted uses on land within a precinct of the Kirkham Rise Release Area;
4. to amend the description and boundary of a local heritage item located at 229 Macquarie Grove Road, Cobbitty (known as 'Wivenhoe');
5. to amend the description and boundary of ten State heritage items; to include a new State heritage item at Mt Annan; and to include a State heritage item located at 421 The Northern Road, Bringelly (known as 'Denbigh');
6. to update the description and boundary of three local heritage items at Elderslie;
7. to adjust the zoning boundary of land located within the Spring Farm neighbourhood centre;
8. to amend Clause 4.1A Exceptions to minimum lot sizes for certain residential development to rectify incorrect references to land to which it applies;
9. to amend the reference of 'recreation areas (indoor)' to 'recreation facility (indoor)' for an item in Schedule 1 – Additional permitted uses;
10. to make 'recreation areas' permissible with consent in business zones;
11. to prohibit 'restricted premises' in Zones B1 Neighbourhood Centre and B5 Business Development;
12. to amend references of 'Camden Lakeside' to 'Lakeside' throughout Camden LEP 2010;
13. to amend the boundary of the Elderslie release area on relevant maps;
14. to permit the erection of temporary structures for public or private special events on land without the need for development consent;
15. to amend the boundary of the area to which Camden LEP 2010 applies to include land at Grasmere;
16. to increase the minimum lot size for certain land at Mt Annan from 350sq.m to 2000sq.m; and
17. to amend Clause 5.4 Controls relating to miscellaneous permissible uses

should proceed subject to the following conditions:

1. In relation to Item 2, Council is to remove this item from the planning proposal and progress as a separate planning proposal. Council should consult Liverpool City Council and obtain support to progress the matter separately. Council is to forward a copy of the planning proposal to the department's regional office for a Gateway determination.
2. In relation to item 3, the use of Schedule 1 to permit 'exhibition homes' and 'exhibition villages' on land zoned E4 Environmental Living within Precinct C of Kirkham Rise is not supported. Council is to amend the planning proposal prior to the commencement of public exhibition to include the proposed land uses as permissible with development consent on all land within the subject zone.

3. In relation to item 4, Council is to ensure that maps showing the current and proposed boundaries of the Wivenhoe heritage item are included with the planning proposal for the purposes of public exhibition. It is also noted that there are a number of other amendments proposed to local heritage items. Council is to ensure the amendment is accurately mapped to illustrate the amendment. Council is to consult the department's regional office on this matter.
4. In relation to item 5, Council is to remove the matter relating to the 'Denbigh' heritage item to avoid any inconsistency with the SEPP (Sydney Region Growth Centres) 2006.
5. In relation to item 7, it is noted that the boundary change to the Spring Farm Neighbourhood Centre will also require a corresponding amendment to the relevant Additional Permitted Uses Map. Council is to amend the planning proposal accordingly.
6. In relation to item 13, it is noted that the maps showing the boundary adjustment for the Elderslie Release Area do not clearly show the land affected by the proposed changes to minimum permissible lot size. Council is to ensure that the subject land and proposed changes are clearly identified for the purposes of public exhibition.
7. In relation to item 15, it is noted that the LGA boundary adjustment and related rezoning of land at Grasmere will also require amendment of the Land Application Map and relevant sheets of the Height of Buildings Map, Lot Size Map and the Heritage Map. Council is to ensure the planning proposal is amended and relevant maps included for exhibition purposes.
8. In relation to item 16, Council is to ensure that the subject land and proposed amendment is clearly identified on the minimum lot size maps, for the purposes of public exhibition,
9. It is noted that there are a number of references to heritage item numbers that are incorrect and need to be rectified. Council is to consult the department's regional office on this matter.
10. It is noted that there are a number of references to map identifiers relating to proposed map changes that need to be rectified. Council is to consult the department's regional office on this matter.
11. 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 **28 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)*.
12. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Metropolitan Catchment Management Authority
 - Office of Environment and Heritage
 - NSW Rural Fire Service
 - Adjoining Local Government Areas

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

13. Further to Condition 11 above, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
14. Further to Condition 11 above, Council is to consult the Heritage Branch of the Office of Environment and Heritage regarding the proposed changes to items of State heritage significance. The proposal should identify the proposed changes to descriptions of the heritage significance of these items and include comparison maps which show the boundary changes.
15. Further to Condition 11 above, Council is to consult the Sydney Catchment Management Authority in relation to the proposed listing of the Upper Canal System.
16. 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).
17. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

9th

day of

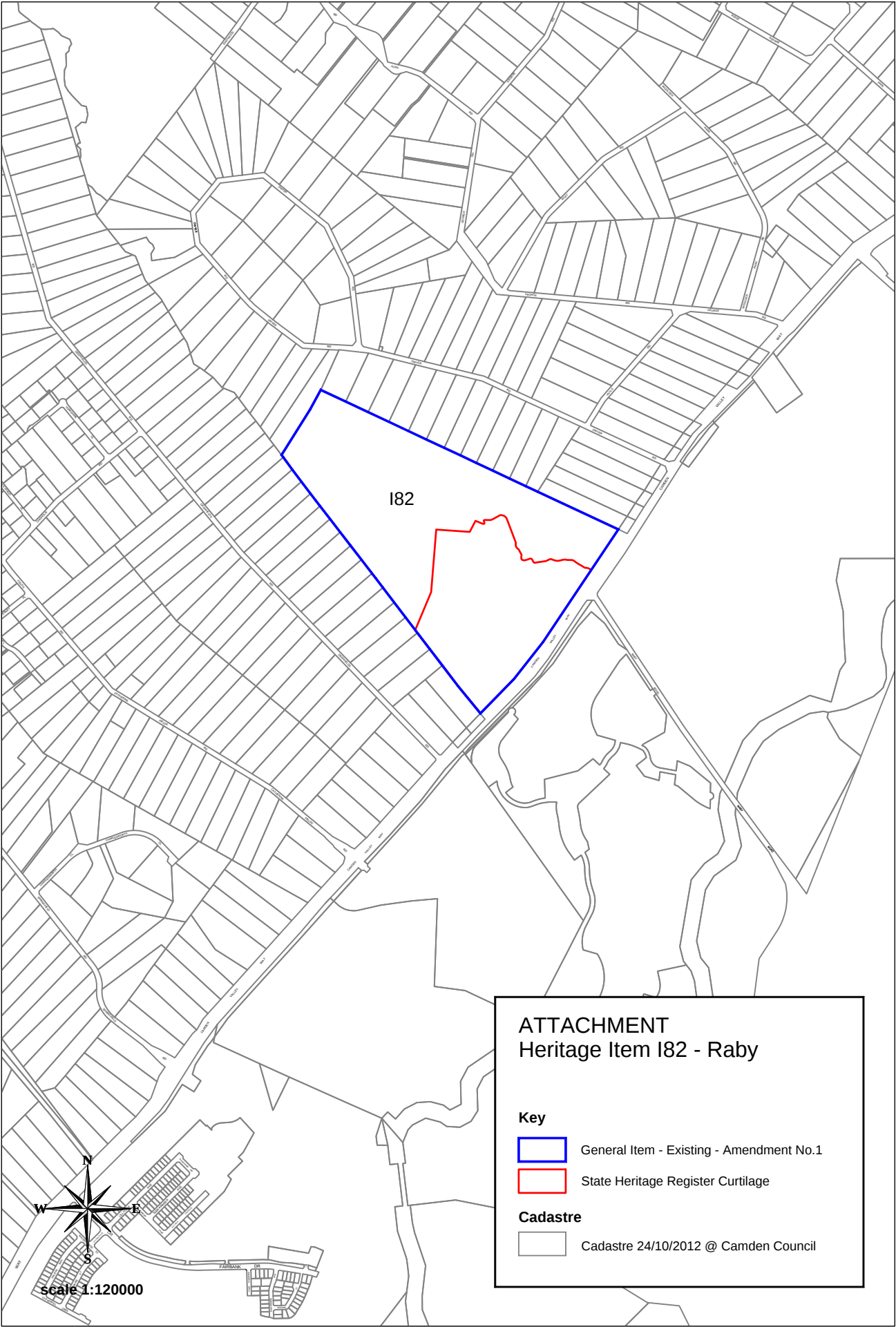
September

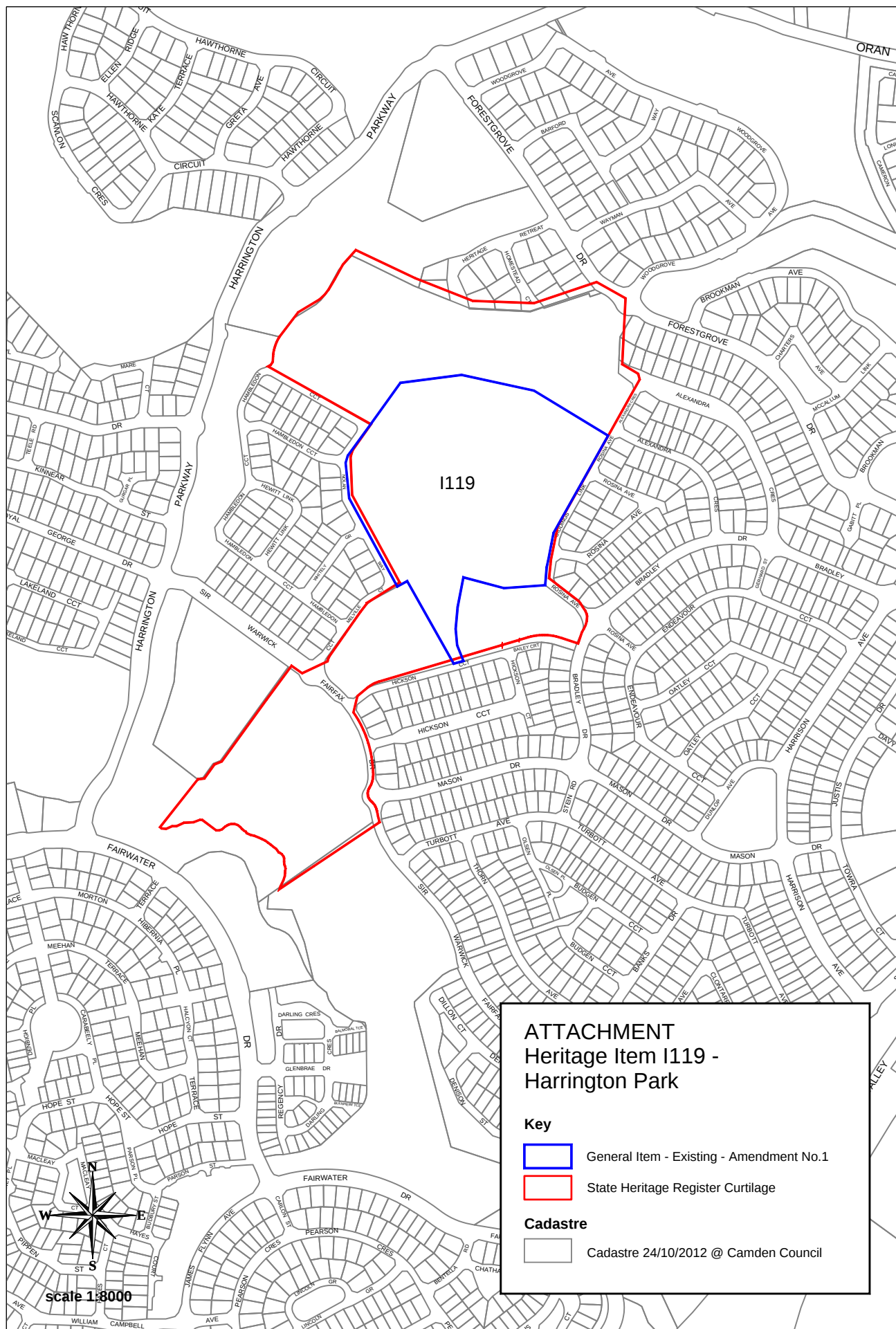
2012.

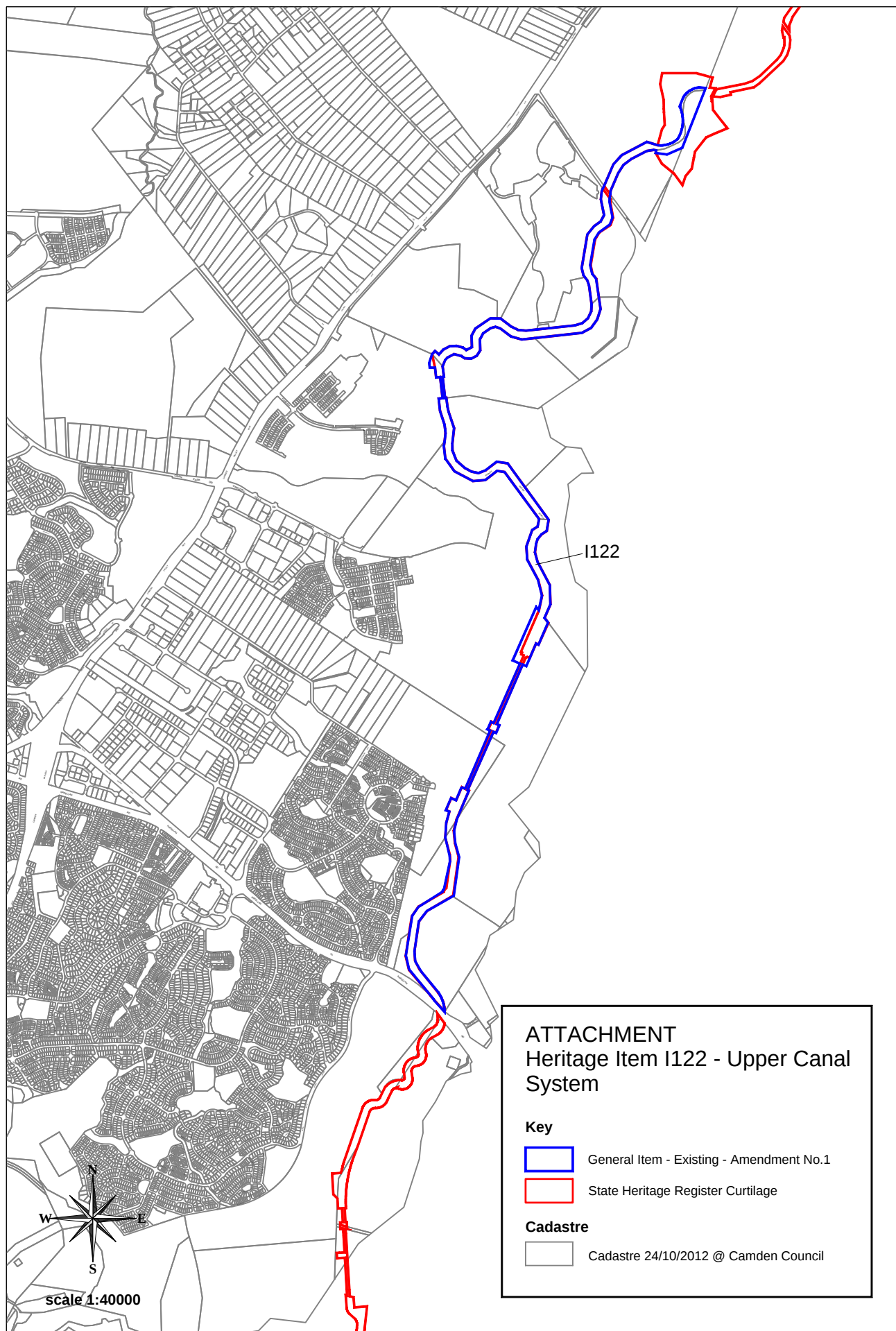
SHaddad

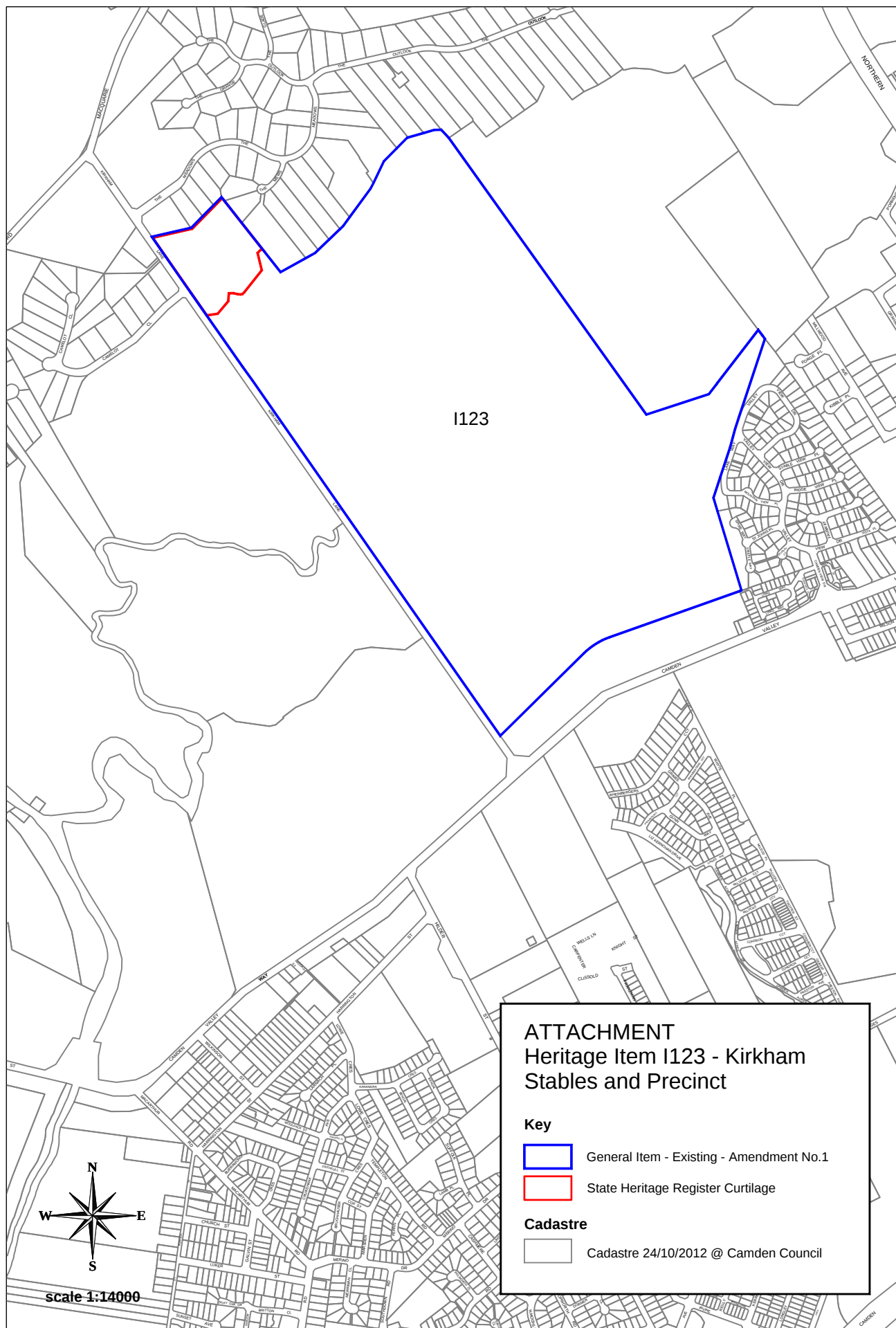
Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure

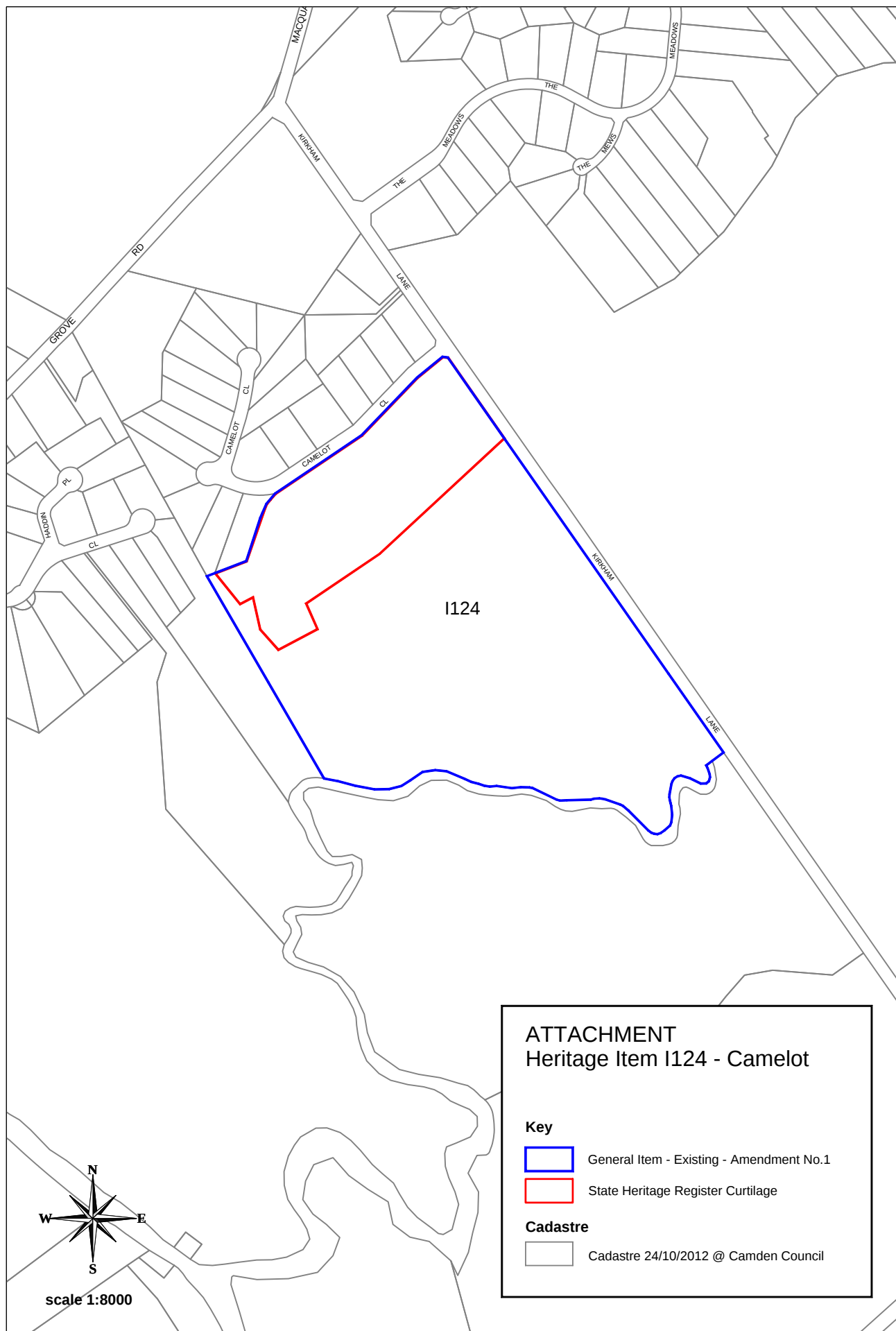
Appendix D – Comparison Heritage Boundary Maps

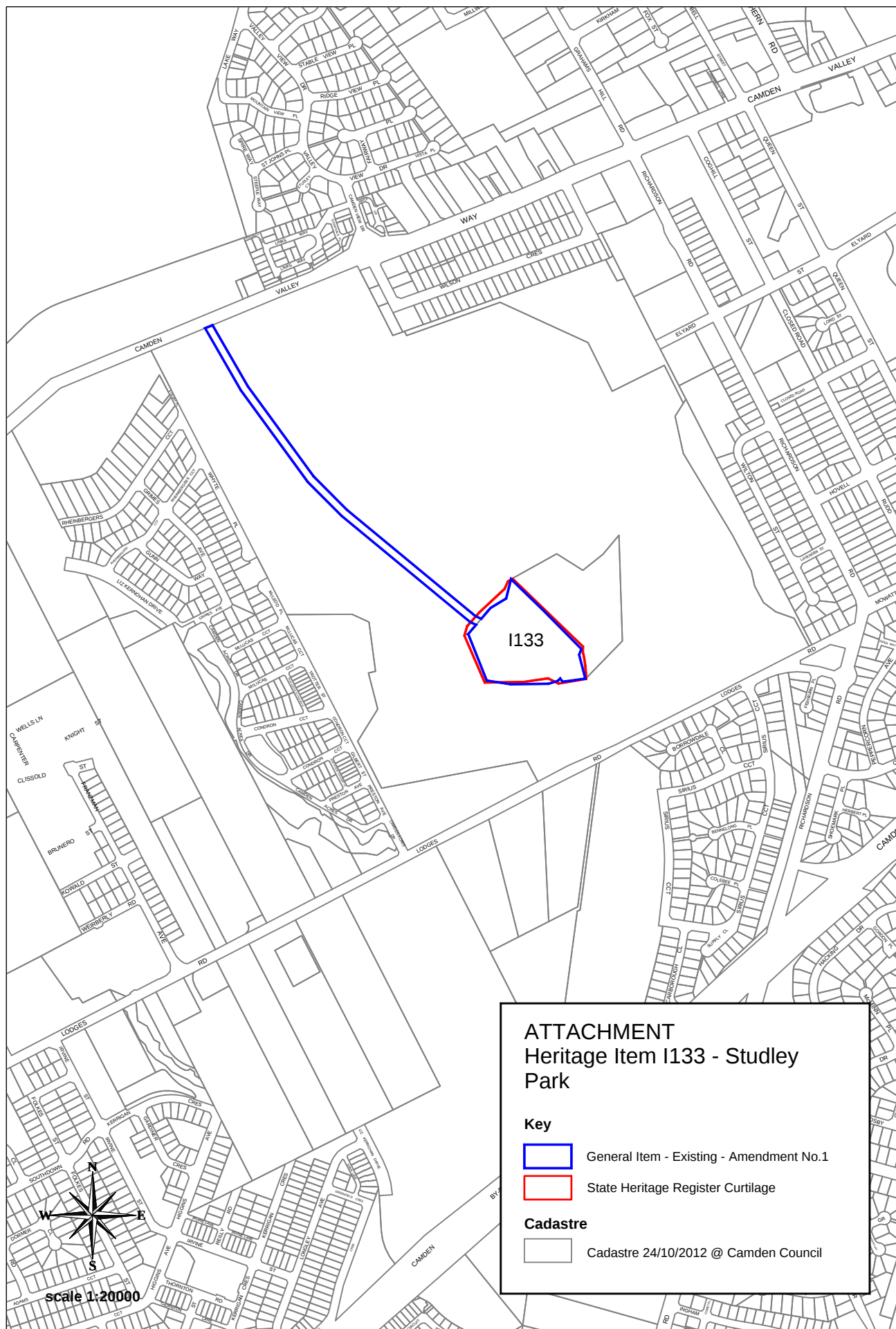












ATTACHMENT

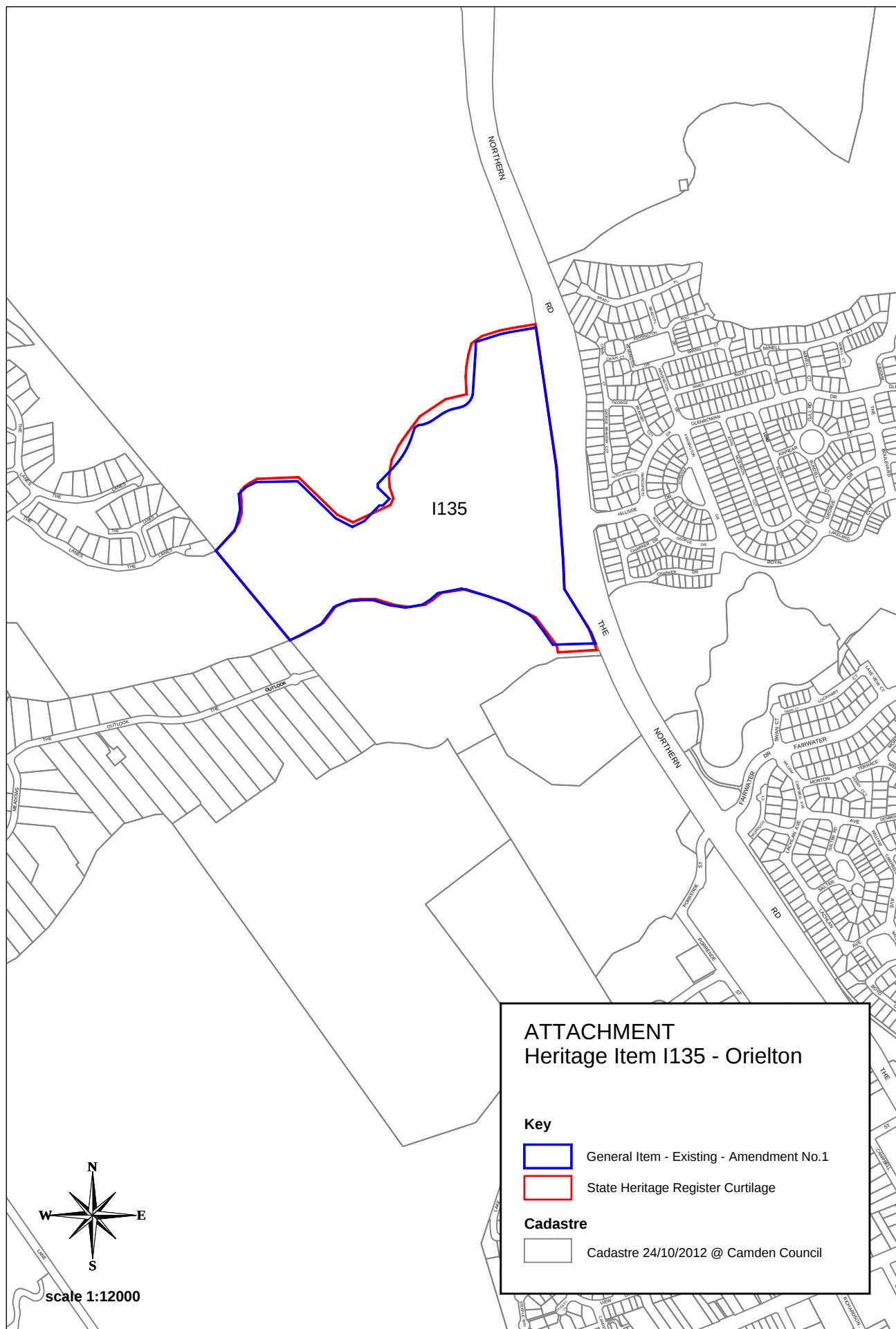
Heritage Item I133 - Studley Park

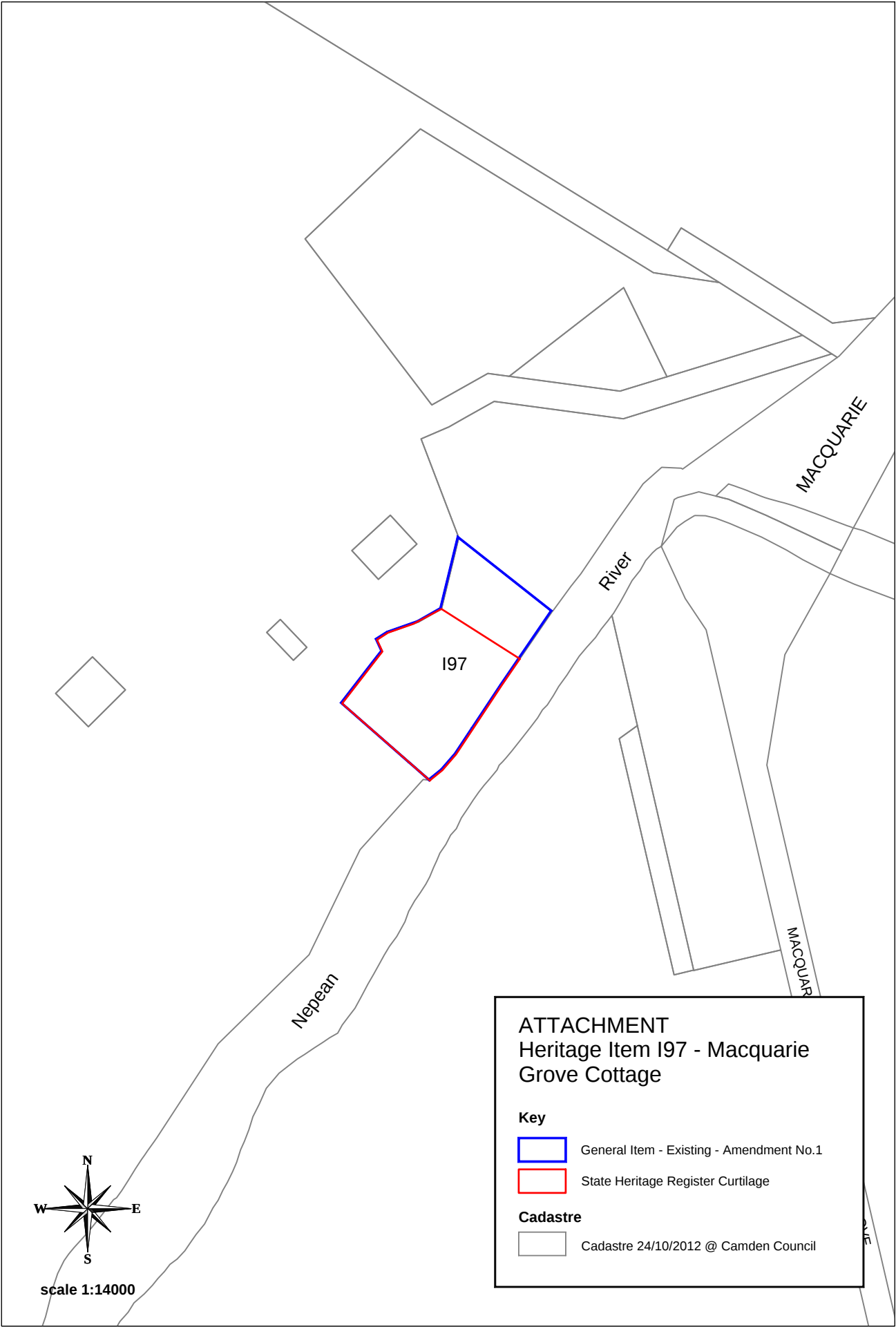
Key

- General Item - Existing - Amendment No.1
- State Heritage Register Curtilage

Cadastral

- Cadastral 24/10/2012 @ Camden Council





Appendix E – Public Authority Submissions



Heritage Council

of New South Wales

3 Marist Place
Parramatta NSW 2150

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Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
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Contact: Michael Edwards
Phone: (02) 9873 8588
Fax: (02) 9873 8550
Email: michael.edwards@heritage.nsw.gov.au

The General Manager
Camden City Council
PO Box 183
CAMDEN NSW 2570



Att: Ms Tanya Uppal

Dear Ms Uppal,

Consultation on Planning Proposal – Amendment 14 – Consolidated Amendment.

Thank you for referring the Planning Proposal – Amendment 14 – Consolidated Amendment (the 'Planning Proposal') to the Heritage Branch for comment.

It is understood that the Planning Proposal seeks the incorporation of 16 minor amendments to Camden LEP 2010; principally re-introducing the controls that were in place in Camden, prior to the gazettal of the LEP are maintained.

The following comments are provided to assist the Council in the progression of the Planning Proposal.

a) *Zoning changes, land use permissibility and Principal Development Standards*

The Planning Proposal seeks minor amendments to existing land use zones to include additional permitted land uses and amendments to zone boundaries. It is also proposed to increase the minimum lot size for land relating to Mt Annan.

In principle, the Heritage Branch raises no concerns over the proposed zoning, land use permissibility amendments and the increase to the minimum lot size for land at Mt Annan.

b) *Correction of anomalies*

The Planning Proposal seeks the correction of a number of anomalies, including references to accompanying mapping and specific place names.

The Heritage Branch raises no concerns over the proposed correction of such identified anomalies.

c) Additional clause

The Planning Proposal seeks the inclusion of an additional clause 'Special Events' which will allow the erection of temporary structures specifically for public or private events to be carried out on land without development consent.

The Heritage Branch believes that development permitted under this clause has the potential to result in adverse physical impacts on heritage items. Accordingly, the Heritage Branch recommends that an additional clause be inserted to ensure that such temporary structures do not result in the material affectation to heritage items inclusive of built structures and landscape elements.

d) Amendments to Schedule 5 and heritage maps

The Planning Proposal seeks amendments to Schedule 5 of *Camden LEP 2010* and includes:

- i) Changes to the listing for 'Wivenhoe' as the current listing does not incorporate some key elements such as the stables.
- ii) Minor amendments to the State listed items as shown on the heritage maps that accompany *Camden LEP 2010* and subsequent property descriptions in Schedule 5 to ensure consistency with the State Heritage Register.
- iii) Amendments to legal property descriptions for a number of items due to recent subdivisions of land containing heritage items.

The Heritage Branch provides the following detailed response to the proposed amendments to Schedule 5 and the accompanying heritage maps:

- i) The proposed boundary change of 'Wivenhoe' will incorporate a larger curtilage, consistent with the State Heritage Register and the Conservation Management Plan prepared by Design 5 Architects.

The amendments to the property and curtilage boundary will better define the elements that comprise 'Wivenhoe' and the Heritage Branch raises no objections accordingly.

- ii) The Planning Proposal report indicates that Council has conducted a comparison exercise of the item details and property descriptions of State between Schedule 5 and the State Heritage Register (SHR).

Subsequently, a number of minor modifications are proposed to State listed items in Schedule 5 to ensure consistency with the details and property descriptions as contained on the SHR. The Heritage Branch believes that ensuring consistency between Schedule 5 and the SHR will assist in maintaining the robustness and integrity of the heritage schedule.

- iii) The Planning Proposal indicates that Council has previously granted consent to the subdivision of land on which listed items of heritage significance are located.

Subsequently, the Planning Proposal seeks to amend the legal property descriptions of the affected heritage items to remove reference to, and the

inclusion of, land that is no longer part of the Lot and DP comprising the heritage item.

On the basis that the impact to the setting and curtilage of the heritage items has been appropriately considered, the Heritage Branch raises no objections to the proposed amendments to the legal property descriptions as the Heritage Branch believes that these amendments will maintain the integrity and accuracy of the heritage schedule.

Overall, the Heritage Branch raises no objections to the Planning Proposal, subject to the above comments.

I trust that these comments are of assistance. Please feel free to contact Michael Edwards on (02) 9873 8588 or michael.edwards@heritage.nsw.gov.au if you have any further enquiries in this matter.

Yours sincerely



11/12/2012

Vincent Sicari
Manager
Conservation Team
Heritage Branch
Office of Environment & Heritage

AS DELEGATE OF THE NSW HERITAGE COUNCIL

11 December 2012

The General Manager
Att: Tanya Uppal
Camden Council
PO Box 183
CAMDEN NSW 2570.

Dear Ms Uppal,

Re: Response from Liverpool City Council regarding Public Exhibition of Amendment 14 - Consolidated Amendment

I write in response to your letter dated 14 November 2012 in relation to the public exhibition of Amendment 14 to the Camden LEP.

Liverpool City Council has no objection to the amendment, however will make the following comments.

In relation to the boundary adjustment between the Camden and Liverpool Council areas which the Gateway determination advises Camden Council to progress separately, Liverpool has progressed the zoning of the land transferred to Liverpool City Council 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. It is unclear why Camden Council received advice from the Department of Planning and Infrastructure that the removal of these sites from the Camden LEP 2010 needs to progress as a separate planning proposal, while Liverpool is able to process the zoning and inclusion of these sites in the Liverpool LEP 2008 through an anomalies amendment. Liverpool City Council supports Camden Council's proposal to exclude these properties from the Camden LEP 2010.

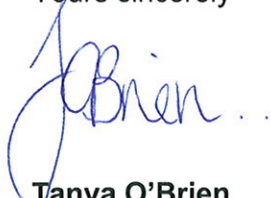
Furthermore, in reference to the inclusion of 'Denbigh' on the Camden LEP 2010, it is understood that this portion of the amendment has been rejected by the Department of Planning and Infrastructure. To exclude Denbigh from the local heritage list denies its local significance and does not allow the local heritage list to fully represent the variety of heritage places in the locality. All Councils across NSW have heritage items listed on various heritage registers and schedules; this does not create problems but allows the heritage context to be appropriately acknowledged and managed. There is potential for significant places to be missed if they are not reflected on the LEP. Council appreciates that Denbigh is already listed on the State Heritage Register as well as the Growth Centres SEPP; however, reference to the increasing number of policies relies on the competency of practitioners to ensure all appropriate instruments are consulted. This is a concern for heritage places which are often an afterthought resulting in poor outcomes for local heritage.

Furthermore, Council would like to highlight the consequences of inconsistencies in heritage lists in LEPs and SEPPs. Recently a valuable element of a local Liverpool heritage item (Ingleburn village site and lecture hall building) was approved for demolition as the significance of the site was not recognised in an overriding State Environmental Planning Policy (SEPP Major Development 2005 – Schedule 3, Part 31: Edmondson Park South) and thus took away the protection of the local heritage item. Two local heritage items in the Liverpool LGA were within the state significant area known as Edmondson Park South covered by the SEPP but only one item was listed in the SEPP as being of heritage significance. While the Growth Centres SEPP operates differently to the Major Development SEPP, this situation provides a clear example of the impact of inconsistent heritage lists.

It is recommended that if the place cannot be considered for listing on the LEP, serious consideration must be given to incorporating a notation on the heritage schedule of the LEP to refer users to other pertinent planning instruments for heritage purposes, e.g. SEPP (Sydney Region Growth Centres) 2006.

Should you require any further information on this matter, please do not hesitate to contact Megan Hill, Strategic Planner, on 9821 9285.

Yours sincerely



Tanya O'Brien
Manager Strategic Planning

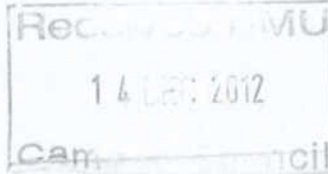


Office of
Environment
& Heritage

Our reference:
Contact:

Doc12/47879
Belinda Leo, 9995 6820

The General Manager
(Att: Tanya Uppal)
Camden Council
PO Box 183
CAMDEN NSW 2570



Dear Sir/Madam

Public Exhibition of Amendment 14 – Consolidated Amendment for Camden LEP

I refer to your letter dated 14 November 2012 to the Office of Environment and Heritage (OEH) inviting comment on the above proposal.

OEH has reviewed the documents and raises no objection to the proposed amendments. However, OEH offers the following comment for your consideration in relation to 'exhibition homes' and 'exhibition villages' in the E4 zone for Kirkham Rise.

As reflected in the *Ordinary Council Amendment 14 Planning Proposal – Minor Housekeeping Amendments to Camden LEP 2010*, Council is proposing 'exhibition homes' and 'exhibition villages' to be permissible with development consent on land zoned E4 Environmental Living restricted to Kirkham Rise. OEH supports the amendment being restricted to the Kirkham Rise E4 zone and not being undertaken in a manner that would broadly affect land zoned E4 Environmental Living across the local government area.

If you have any queries regarding this matter please contact Belinda Leo on (02) 9995 6820.

Yours sincerely

S. Harrison 11/12/12

SUSAN HARRISON
Manager Planning
Regional Operations, Metropolitan
Office of Environment and Heritage

All communications to be addressed to:

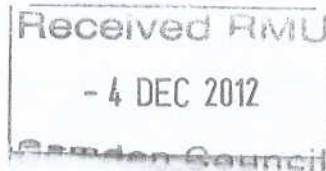
Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142



Telephone: 1300 NSW RFS
Email: csc@rfs.nsw.gov.au

The General Manager
Camden Council
PO Box 183
Camden NSW 2570



Your Ref:

Our Ref: LEP/0021

Attention: Tanya Uppal

28 November 2012

Dear Sir/Madam,

Re: Public Exhibition of Amendment 14 – Consolidated Amendment

I refer to your letter dated 14 November 2012 seeking advice for the above Planning Instrument.

The NSW Rural Fire Service notes parts of the Camden Local Government Area are bush fire prone areas as identified on the Camden Bush Fire Prone Land Map. As such future development will be subject to the requirements of Section 79BA of the *Environmental Planning and Assessment Act 1979* and Section 100B of the *Rural Fires Act 1997*.

In general Council should take a strategic approach to bushfire protection by considering zoning of the land to reflect the risk posed to the proposed land use.

With this in mind Council should note that the introduction of Amendment II of the Australian Standard AS 3959-2009 *Construction of buildings in bushfire-prone areas* on 1 May 2011 now includes grasslands as a hazardous vegetation category. Any future development will need to consider this at the design and construction stage.

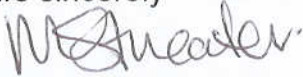
As for any special events planned to be undertaken in a bush fire prone area consideration of appropriate asset protection zones, water and access/regress should be undertaken to ensure protection of people attending the event.

Consideration also should be given to ensuring appropriate access, water supply and asset protection zones can be achieved for the proposed increase of minimum Lot sizes in Mt Annan. The urban lot sizes proposed may not be able to achieve the minimum asset protection zones required within the boundaries of the lots, and will need to be provided off site and guaranteed or protected. This may require the establishment of easements through Section 88B of the *Conveyancing Act 1919*.

Where an increase in density or a special fire protection purpose development could be proposed, access roads should provide a satisfactory level of service for evacuation of occupants in the event of an emergency.

For any enquiries regarding this correspondence please contact Matthew Apps on 1300 NSW RFS.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M Streater', written over the printed name.

Michelle Streater

Acting Team Leader, Development Assessment



PO Box 323 Penrith NSW 2751
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Email info@sca.nsw.gov.au
Website www.sca.nsw.gov.au

Ref: D2012/112078

Heath James
A/Team Leader
Land Use & Planning
Camden Council
PO Box 183
Camden NSW 2570



Dear Mr James,

Public Exhibition of Amendment 14 – Consolidated Amendment

Thank you for your letter dated 14 November, 2012, giving notice of the public exhibition of a Planning Proposal to allow various minor amendments to Camden LEP 2010 following a Gateway Determination from the Department of Planning and Infrastructure (DP&I).

The Sydney Catchment Authority (SCA) owns and manages the Upper Canal water supply infrastructure within a corridor that runs through part of the Camden local government area (LGA). The Upper Canal corridor is listed on the State Heritage Register under the *Heritage Act 1977*. The adjustment of its mapped boundaries as a heritage item in the LEP is one of the amendments proposed under the consolidated LEP amendment and it is noted that the Gateway Determination required Council to consult with the SCA as a result.

The SCA has reviewed the proposed amendment to the mapped boundaries of the Upper Canal corridor as a heritage item and provides the following comment.

Heritage Map Sheets HER_017 & new HER_018 – Mt Annan

The Upper Canal corridor is correctly shown as a heritage item extending into Mt Annan on the amended Camden LEP Heritage Map Sheet HER_017. It is understood a new Heritage Map Sheet HER_018 will be included in the LEP that will cover the most southern portion of the canal within Mt Annan.

Heritage Map Sheet HER_016 Amendment – Ingleburn Dam

The amended Heritage Map Sheet HER_016 shows the heritage boundary around part of the Ingleburn Dam section of the Upper Canal corridor which is the northern most part of the canal corridor within the Camden LGA. The heritage boundaries of the canal in this location and on the current Heritage Map HER_016 are incorrectly shown as they include part of an adjacent lot to the east which is owned by Sydney Water. The Upper Canal corridor State Heritage listing only applies to land owned by the SCA. The Sydney Water land is not heritage listed. The attached map shows the outline of the SCA-owned corridor and the specific lot boundary that applies to the Ingleburn Dam location (Lot 2, DP1086624). The

SCA requests that Heritage Map HER_016 is amended to show the correct heritage boundary in this location.

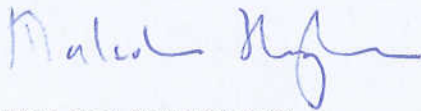
Listing in the Camden LEP of the Upper Canal as a State Heritage Item.

The Upper Canal corridor is listed as a State Heritage Item no. 122 in the Camden LEP Schedule 5 – Environmental Heritage. The suburb has been listed as “Kenny Hill”, the address as “Upper Canal reserve” and the property description as “Upper Canal, Sydney Water Supply System” in the LEP. The SCA requests the listing in Schedule 5 is amended as follows:

- Suburb: Include all suburbs through which the canal corridor runs within the Camden LGA.
- Location: “Upper Canal corridor”
- Property description: “Upper Canal”

If you have any queries regarding any of the above matters, please contact Senior Land Use Planner, Fran Kelly, on 4724 2223.

Yours sincerely



MALCOLM HUGHES
A/Senior Manager Sustainability

Attachment: map of Upper Canal corridor

7/12/12

Upper Canal Corridor: Camden LGA

CAMDEN COUNCIL

2/1086624

CAMPBELLTOWN CITY COUNCIL

-  SCA-owned Upper Canal corridor
-  Local Government Areas (LPI)



0 125 250 Metres

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Sydney Catchment Authority
PO Box 555
Sydney NSW 1585
http://www.sca.nsw.gov.au



Map Properties
Created By: Fran Kelly
Date: 6/12/2012
Size: A4

Hi Heath

Enclosed for you & Council's
information is a copy of the
SCA's "Guidelines for
development adjacent to the Upper Canal & Werrigulla
Pipelines"



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Penrith NSW 2750
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Email info@sca.nsw.gov.au
Website www.sca.nsw.gov.au

The Guidelines are available online at www.sca.nsw.gov.au
under "Publications" - "Planning a Development".
If you would like any extra copies, please let me know.

Regards

From Kelly

~



Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines

