

Amendment No. 14 to Camden Local Environmental Plan 2010 - Minor Housekeeping Matters

Proposal Title : **Amendment No. 14 to Camden Local Environmental Plan 2010 - Minor Housekeeping Matters**

Proposal Summary : **The Planning Proposal aims to make various minor amendments to Camden LEP 2010 to correct a range of errors and omissions as summarised below.**

- 1. To restore the permissibility (with consent) of innominate land uses in Zone RU4 Primary Production Small Lots to rectify their previous inadvertent deletion;**
- 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 make "exhibition homes" and "exhibition villages" permissible with consent 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"), to ensure consistency with the conservation management plan for the site;**
- 5(i). To amend the description and boundary of ten State heritage items to ensure consistency with the State Heritage Register;**
- (ii). To include a new State heritage item, known as the "Upper Canal System" (located at Mt Annan) to ensure consistency with the State Heritage Register;**
- (iii). To include a State heritage item located at 421 The Northern Road, Bringelly (known as "Denbigh"), which is currently covered by the provisions of SEPP (Sydney Region Growth Centres) 2006;**
- 6. To update the description and boundary of three local heritage items at Elderslie, known as "Yamba", "St Marks Church" and "Hilsyde", to ensure consistency with the recent subdivision of land;**
- 7. To adjust the zoning boundary of land located within the Spring Farm neighbourhood centre to ensure consistency with the relevant masterplan;**
- 8. To amend clause "4.1A Exceptions to minimum lot sizes for certain residential development" to rectify incorrect references to the land to which it applies;**
- 9. To amend the reference to "recreation areas (indoor)" to "recreation facility (indoor)" for an item in "Schedule 1 - Additional permitted uses" to ensure consistency with the Standard Instrument definitions;**
- 10. To make "recreation areas" permissible with consent in business zones to allow parks/civic spaces with playgrounds within neighbourhood and local centres;**
- 11. To prohibit "restricted premises" in Zones B1 Neighbourhood Centre and B5 Business Development;**
- 12. To amend references to "Camden Lakeside" to "Lakeside" throughout Camden LEP 2010 to ensure consistency with the reference to this land on the Urban Release Area Map;**
- 13. To amend the boundary of the Elderslie release area on relevant maps to rectify an inconsistency with the masterplan for the land;**

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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 which is located within the Camden LGA;

16. To increase the minimum lot size for certain land at Mt Annan from 450m2 to 2000m2 to reduce the potential impacts of subdivision of the land on adjoining land containing asset protection zones and conservation areas;

17. To amend clause "5.4 Controls relating to miscellaneous permissible uses" to rectify anomalies with prescribed development standards for secondary dwellings and retail outlets.

Further details of the above proposed amendments are contained in the Planning Proposal in the Documents section.

PP Number : PP_2012_CAMDE_009_00 Dop File No : 12/12879

Proposal Details

Date Planning Proposal Received :	15-Aug-2012	LGA covered :	Camden
Region :	Sydney Region West	RPA :	Camden Council
State Electorate :	CAMDEN	Section of the Act :	55 - Planning Proposal
LEP Type :	Housekeeping		

Location Details

Street :	Various		
Suburb :	Various	City :	Various
			Postcode : 2570
Land Parcel :	Various		

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

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

If No, comment :

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

If Yes, comment : **To the best of the knowledge of the regional team, the Department's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Sydney Region West has not met with any lobbyist in relation to this proposal, nor has the Regional Director been advised of any meetings between other departmental officers and lobbyists concerning the proposal.**

Supporting notes

Internal Supporting Notes : **The Planning Proposal was received by the Regional Team on 6 August 2012. However, further information was requested from Council (as discussed in this report), which was provided on 15 August 2012.**

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **The Proposal indicates that the objective is to reflect the development controls that were in place prior to the gazettal of Camden LEP 2010. However, not all of the proposed amendments relate to the stated objective. Therefore, it is considered that Council should be required to amend the Proposal prior to exhibition to clarify this statement. Details of specific objectives for each proposed amendment are provided below.**

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

Is an explanation of provisions provided? **Yes**

Comment : **Council seeks to facilitate the Proposal by amending Camden LEP 2010 as indicated below.**

Item numbers (below) correspond to the items in the Planning Proposal.

1. RU4 ZONE - DEVELOPMENT PERMISSIBLE WITH CONSENT

Amend the Land Use Table to include, in the Table's item 3 - Zone RU4 Primary Production Small Lots, the words "Any other development not specified in item 2 or 4".

2. LEP BOUNDARY ADJUSTMENT

Amend the following sheets of the Land Zoning Map:

1450_COM_LZN_001_020_20111207

1450_COM_HOB_001_020_20100705

1450_COM_LZN_001_020_20111122

Comment:

The Land Application Map (i.e. sheet 1450_COM_HOB_001_020_20100705) will also need to be amended accordingly.

A corresponding amendment will need to be made to the LGA boundary under Liverpool LEP 2008 and it would be prudent for these amendments to be undertaken simultaneously by Camden and Liverpool Councils. This will ensure the land is not left "unzoned" for any period of time. Consequently, it is recommended that this item be removed from the Planning Proposal and Camden Council be requested to make suitable arrangements with Liverpool Council.

3. EXHIBITION HOMES IN THE E4 ZONE FOR KIRKHAM RISE

Amend "Schedule 1 Additional permitted uses" to make "exhibition home" and "exhibition village" permissible with consent within Precinct C of the Kirkham Rise Release Area.

Amend sheet 1450_COM_APU_007_020_20100705 of the Additional Permitted Uses Map.

Comment:

The subject land is zoned E4 Environmental Living and Council wishes to use Schedule 1 to prevent a proliferation of "exhibition homes" and "exhibition villages" within the LGA.

However, it is noted that the E4 Zone is virtually restricted to the Harrington Park and Kirkham localities within the Camden Local Government Area, as shown on Camden Land Zoning Map - sheet LZN_007 (copy in 'Documents').

Further, if permitted, these land uses would be subject to the same planning standards and controls that apply to other forms of permitted housing within the zone.

As Council has not provided sufficient justification in the Planning Proposal to include the land uses within Schedule 1, the matter was discussed with the relevant council officer.

It was agreed that there was insufficient justification for the use of the schedule in this manner. Accordingly, the council officer informally indicated that, subject to Council ratification, there would be no objections to allowing these land uses (with consent) to apply to all of the E4 zoned land. This course of action is recommended in this report.

4. WIVENHOE

Amend the following sheets of the Heritage Map:

1450_COM_HER_007_020_20100705

1450_COM_HER_008_010_20100705

Amend Item No. 199 in Part 1 of "Schedule 5 Environmental heritage".

Comment:

The Proposal will amend the description and curtilage of the Wivenhoe heritage item to incorporate key elements of heritage significance. However, there is no accompanying map in the Proposal and it is considered that Council should be required to amend the Proposal to include a "before and after" comparison map prior to exhibition.

5. STATE HERITAGE ITEMS WITHIN THE CAMDEN LGA

ITEMS 5(i) & (ii)

Amend the following sheets of the Heritage Map:

1450_COM_HER_007_020_20100705

1450_COM_HER_008_010_20100705

1450_COM_HER_011_010_20100705

1450_COM_HER_012_010_20100705

1450_COM_HER_013_010_20110916

1450_COM_HER_014_020_20100705

1450_COM_HER_016_010_20100705

1450_COM_HER_017_020_20100705

ITEM 5(iii)

Include a new sheet in the Heritage Map:

1450_COM_HER_018_010_20120620

AMEND PROPERTY DESCRIPTIONS (ITEMS 5(i) AND (iii))

Amend Part 1 of "Schedule 5 Environmental heritage" as follows:

- Item No. 1119: delete the existing property description, being "Part Lot 4, DP 1132348", and replace it with "Lot 2001, DP 1035209";
- Item No. 197: delete the existing property description, being "Lot 2, DP 747446", and replace it with "Lot 101, DP 1121442";
- Item No. 1135: delete the existing property description, being "Lot 101, DP 100365", and replace it with "Lot 7, DP 270613"; and
- Item No. 1133: delete the existing property description, being "Lot 1, DP 859872", and replace it with "Part Lot 1 and Part Lot 5, DP 859872".
- Introduce a heritage listing for the "Denbigh" homestead.

Comment:

The Proposal was referred to the Heritage Branch of the Office of Environment and Heritage on 7 August 2012, for information. No comments were received prior to the completion of this report. Council should be required to consult with the Heritage Branch prior to exhibition.

The Proposal (see Item 5(i) above) does not provide details of the proposed descriptive changes to the heritage items (other than property descriptions) and does not show their location on a map. It would also be useful to include a "before and after" comparison maps in the Proposal. In view of this, Council should be required to amend the Proposal to include the above information prior to exhibition.

Some of the proposed provisions contain incorrect references. For example, "Item No. 197" should be changed to "Item No. 197". Also, some of the map references are incorrect

as follows:

"1450_COM_HER_014_020_20100705" should read "1450_COM_HER_014_010_20100630", and
"1450_COM_HER_016_010_20100705" should read "1450_COM_HER_016_020_20100705".
Council should be required to amend the Proposal prior to exhibition to rectify the above discrepancies.

'Denbigh'

The Proposal seeks to 'list' the historic item - 'Denbigh' (currently under the Growth Centres SEPP) within Schedule 5 - Environmental Heritage of the Camden LEP.

On 14 August 2012, the Regional Team requested Council staff to clarify the intent of the proposed listing of the "Denbigh" heritage item.

Council staff subsequently advised that they do not object to the exclusion of this matter from the Proposal to avoid the potential for conflict with the Growth Centres SEPP. Therefore, Council should be required to amend the Proposal accordingly prior to exhibition by removing this matter.

6. CAMDEN HERITAGE ITEMS

A number of heritage items have been further subdivided, creating new legal property descriptions. The Planning Proposal seeks to reflect these changes by making the amendments outlined below.

To include current property descriptions:

Amend the following in "Part 1 - Heritage items" of "Schedule 5 - Environmental heritage":
- Item No. 105, i.e. "Yamba": change the property description from "Lot 10, DP 11038895", to "Lot 101, DP 1143373"; and
- Item No. 110, i.e. "St Mark's Church": change the property description from "Lot 10, DP 921962", to "Lot 10, DP 1151174".

Amend the following sheets of the Heritage Map:

1450_COM_HER_009_010_20100705
1450_COM_HER_012_010_20100705
1450_COM_HER_013_010_20110916

Comment:

Council should be required to amend the Proposal prior to exhibition to include "before and after" comparison maps identifying the subject land.

7. SPRING FARM NEIGHBOURHOOD CENTRE

The proposed boundary adjustment relating to this matter involves rezoning land from Zone B1 Neighbourhood Centre to Zone R1 General Residential. This will require amendment of the following sheets of the Land Zoning Map:

1450_COM_LZN_013_010_20100705
1450_COM_LSZ_013_010_20111222

Comment:

The reference to "1450_COM_LSZ_013_010_20111222" is incorrect and should read "1450_COM_LSZ_013_010_20110916". Council should be required to amend the Proposal to rectify the error prior to exhibition.

"Schedule 1 - Additional permitted uses" applies to the subject land and will also require amendment of the relevant sheet, i.e. sheet 1450_COM_APU_013_010_20100705.

8. SPRING FARM MINIMUM LOT SIZES

Amend clause "4.1A Exceptions to minimum lot sizes for certain residential development use" by replacing references to "Area 1" and "Area 2" with references to "Area 2" and "Area 3" respectively.

Amend the following sheets of the Lot Size Map to ensure that the labelling of the subject land is consistent with the changes to the above clause:

1450_COM_LZN_013_010_20111222

1450_COM_LSZ_014_010_20111222

Comment:

Both map reference numbers are incorrect and should read

"1450_COM_LZN_013_010_20100705", and "1450_COM_LSZ_013_010_20110916".

Council should be required to amend the Proposal to rectify the errors prior to exhibition.

9. RECREATION FACILITIES (INDOOR)

Amend Item 25 of "Schedule 1 - Additional permitted uses" to replace the reference to "recreation areas (indoor)" with "recreation facilities (indoor)" for consistency with the terms of Camden LEP definitions.

10. RECREATION AREAS IN THE B1, B2, B4 AND B5 ZONES

Amend the Land Use Table for Zones B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed use and B5 Business Development, to:

- remove "Recreation areas" from "Item 4 - Prohibited"; and
- include "Recreation areas" in "Item 3 - Permitted with consent".

11. RESTRICTED PREMISES

Amend the Land Use Table for Zones B1 Neighbourhood Centre and B5 Business Development to include the term "Restricted premises" in "Item 4 - Prohibited".

Comment:

This land use would remain permissible (with consent) within the B2 (Local Centre) Zone at the Camden CBD and at Narellan, and within the B4 (Mixed Use) Zone on the periphery of the Camden CBD.

No objections are accordingly raised to this item.

12. REFERENCING OF CAMDEN LAKESIDE

Amend the following clauses to replace the reference to "Camden Lakeside" with "Lakeside":

- In the "Contents" section: "Clause 7.8 - Road widening of Camden Valley Way, Catherine Field (Camden Lakeside)",
- "Clause 7.8 - Road widening of Camden Valley Way, Catherine Field (Camden

Lakeside)", and
- Item 3 of "Schedule 1 - Additional permitted uses".

13. ELDESLIE RELEASE AREA BOUNDARY

Amend sheet 1450_COM_LZN_013_010_20100705 of the Land Zoning Map to rezone certain land from Zone R1 General Residential to R2 Low Density Residential.

Amend sheet 1450_COM_LSZ_013_010_20111222 of the Lot Size Map to:

- remove the minimum permissible lot size of 300sqm (i.e. Category "D") from certain land, and
- change the minimum permissible lot size from 300sqm (i.e. Category "D") to part 600sqm (i.e. Category "M") for certain land.

Amend sheet 1450_COM_URA_013_010_20100705 of the Urban Release Area Map to exclude certain land.

Comment:

The maps provided with the Proposal do not clearly show the proposed changes to the minimum permissible lot size. Council should be required to amend the Proposal prior to exhibition to clarify the location of the affected land on the relevant map.

14. SPECIAL EVENTS

Introduce a new "clause 2.9 Special events" as follows:

- (1) The Objective of this clause is to provide for temporary private or public special events 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) Despite any other provision of this plan, temporary special events may be carried out on any land without development consent if the consent authority 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 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, as far as is practicable, be restored to the condition in which it was before the commencement of the event.

The Proposal indicates that temporary structures, including tents, jumping castles and marquees, for public or private events, are currently controlled under "clause 2.8 - Temporary use of land" of Camden LEP 2010. The Proposal further notes that the erection of such temporary structures is not covered under SEPP (Exempt and Complying Development Codes) 2008.

Council does not appear to have considered the applicability of SEPP (Temporary Structures 2007), which provides for tents and marquees for both public and private events

as exempt development. The Proposal may therefore unnecessarily duplicate the provisions of the SEPP in relation to tents and marquees and is not supported in this regard.

However, "jumping castles" are not covered by the SEPP (Temporary Structures) 2007 or any other SEPP relating to exempt and complying development. Therefore, the permissibility of jumping castles and similar land uses, e.g. ride-on trains, remain subject to the provisions of clause 2.8 of Camden LEP 2010 (which is an optional clause under the Standard Instrument LEP Order) and requires development consent.

On 14 August 2012, the Regional Team requested Council staff to clarify whether it has considered the provisions of the SEPP (Temporary Structures) 2007. Council staff replied that they acknowledged the application of the SEPP but wished the proposed clause to address any land uses that weren't covered by the SEPP (Temporary Structures) 2007.

On 16 August 2012, the Regional Team referred the matter to the Director, Assessment Systems & Strategies, for comment. No objections were received prior to the completion of the subject report.

15. BOUNDARY ADJUSTMENT WITH WOLONDILLY LGA

Amend sheet 1450_COM_LZN_004_010_20100705 of the Land Zoning Map to rezone "unzoned land" to Zone R5 Large Lot Residential.

Comment: Corresponding amendments will also be required to the following maps:

- the Land Application Map (i.e. sheet 1450_COM_HOB_001_020_20100705),
- sheet 1450_COM_HOB_004_010_20100705 of the Height of Buildings Map,
- sheet 1450_COM_LSZ_004_010_20110916 of the Lot Size Map, and
- sheet 1450_COM_HER_004_010_20100705 of the Heritage Map.

Therefore, Council should be required to amend the Proposal accordingly prior to exhibition.

It is noted that the maps for Wollondilly LEP 2011 already reflect the boundary adjustment and do not require amending.

16. MT ANNAN MINIMUM LOT SIZE PROVISIONS

Amend sheets:

- 1450_COM_LSZ_017_020_20111222, and
 - 1450_COM_LSZ_013_010_20100705
- of the Lot Size Map.

17. CONTROL RELATING TO MISCELLANEOUS PERMISSIBLE USES

Amend "clause 5.4 Controls relating to miscellaneous permissible uses" to:

- amend the maximum permissible size of industrial retail outlets under clause 5.4(4)(a) from 67% to 40% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, and
- amend the maximum permissible size of secondary dwellings under clause 5.4(9)(b) from 25% to 20% of the total floor area of the principal dwelling.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

1.2 Rural Zones

2.1 Environment Protection Zones

2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
3.5 Development Near Licensed Aerodromes
4.2 Mine Subsidence and Unstable Land
4.4 Planning for Bushfire Protection
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

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

d) Which SEPPs have the RPA identified? **SEPP (Sydney Region Growth Centres) 2006**

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

SECTION 117 DIRECTIONS

DIRECTION 1.1 BUSINESS ZONES

This Direction is relevant to Items 7, 10, 11 and 17 of the Proposal as the items affect land within existing business and industrial zones.

Item 7 of the Proposal (i.e. Spring Farm boundary adjustment) is inconsistent with the Direction as it involves the rezoning of land within Zone B1 Neighbourhood Centre. However, the inconsistency is considered to be minor as the amendment relates to a boundary adjustment to ensure consistency with development. Therefore, it is recommended that the inconsistency be approved pursuant to clause 5(d) of the Direction.

Item 10 of the Proposal (i.e. permissibility of "recreation areas" in business zones) is considered to be consistent with the Direction as the land use is a related public service.

Item 11 of the Proposal (i.e. prohibition of "restricted premises" in zones B1 Neighbourhood Centre and B5 Business Development) is not considered to be inconsistent with the Direction as the land use will remain permissible in the remaining business zones under the Plan.

Item 17 of the Proposal (i.e. development controls for miscellaneous permissible uses) is consistent with the Direction as it will not reduce the total potential floor space area for industrial uses.

DIRECTION 1.2 RURAL ZONES

This Direction is relevant to Item 1 of the Proposal (i.e. permissibility of innominate land uses in Zone RU4 Primary Production Small Lots). The Proposal is considered to be consistent with the Direction as Item 1 seeks to rectify the previous inadvertent deletion of innominate land uses. As such, this matter will not have an adverse impact on the agricultural production value of rural land.

DIRECTION 2.1 ENVIRONMENT PROTECTION ZONES

This Direction is relevant to Item 3 of the Proposal (i.e. permissibility of exhibition homes and villages in Zone E4 Environmental Living). It is considered that the Proposal is consistent with the Direction as residential development is currently permissible, with consent, in the above zone.

DIRECTION 2.3 HERITAGE CONSERVATION

This Direction is relevant to Items 4, 5 and 6 of the Proposal, which relate to heritage items. The Proposal is considered to be consistent with the Direction as it facilitates heritage conservation.

As discussed above, Council should be required to consult with the Heritage Branch of the Office of Environment and Heritage in relation to State heritage items that will be affected by the Proposal. Council should also be required to consult with the Sydney Catchment Management Authority regarding the proposed listing of the Upper Canal System under the local plan.

DIRECTION 3.1 RESIDENTIAL ZONES

This Direction is relevant to Items 7, 13, 15, 16 and 17 of the Proposal.

Item 7 of the Proposal (i.e. Spring Farm boundary adjustment) is considered to be consistent with the Direction as the proposed creation of residential land relates to a boundary adjustment to ensure consistency with a masterplan and development.

Item 13 of the Proposal (i.e. Elderslie boundary adjustment) involves rezoning land from Zone R1 General Residential to Zone R2 Low Density Residential. As part of the rezoning, the minimum permissible lot size will be increased from 300m² to 600m². This is inconsistent with the Direction, which does not allow a reduction in the permissible residential density of land. However, the inconsistency is considered to be minor as the Proposal is intended to ensure consistency with the masterplan for the land. Therefore, it is recommended that the inconsistency be approved pursuant to clause 5(b) of the Direction.

Item 15 of the Proposal (i.e. boundary adjustment with Wollondilly LGA) relates to inclusion of land in Camden LEP 2010 which was previously transferred from the Wollondilly LGA. The subject land was previously split between the two LGAs and will be rezoned to Zone R5 Large Lot Residential to ensure consistency with the current zoning of the remainder of the land. The proposal is considered to be consistent with the Direction.

Item 16 of the Proposal (i.e. Mt Annan lot size increase) is intended to reduce the potential impacts of subdivision of the land on adjoining land containing asset protection zones and conservation areas. The Proposal is inconsistent with the Direction, which does not allow a reduction in the permissible residential density of land. However, the inconsistency is considered to be minor as it relates to land on the fringe of an existing urban release area (i.e. Mt Annan). Therefore, it is recommended that the inconsistency be approved pursuant to clause 5(b) of the Direction.

Item 17 of the Proposal (i.e. development controls for miscellaneous permissible uses) will rectify errors. The proposal is inconsistent with the Direction, which does not allow a reduction in the permissible residential density of land. However, the inconsistency is considered to be minor as it relates to the rectification of an error(s). It is, therefore, recommended that the inconsistency be approved pursuant to clause 5(b) of the Direction.

DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

This Direction is relevant to various items under the Proposal which involve the creation, alteration, or removal of a zone or a provision relating to urban land. It is considered that the Proposal is consistent with the Direction due to the minor nature of the matters.

DIRECTION 3.5 DEVELOPMENT NEAR LICENSED AERODROMES

The Proposal indicates that this Direction applies to Item 3 (i.e. permissibility of

"exhibition homes" and "exhibition villages" permissible in Precinct C of Kirkham Rise) of the Proposal. It is understood that Precinct C is located close to Camden Airport.

The Proposal indicates that the subject land has already been zoned for residential development and that appropriate development control measures have been taken to ensure that future development will not be adversely impacted by aircraft noise. It is considered that this advice equally applies to all land within Zone E4 Environmental Living and that, consequently, the Proposal, as amended per the recommendation in relation to Item 3, is consistent with the Direction.

DIRECTION 4.2 MINE SUBSIDENCE AND UNSTABLE LAND

This Direction applies to the Proposal as the land to which Item 7 (i.e. Spring Farm boundary adjustment) applies is located within a mine subsidence district. While the Direction requires, among other things, Council to consult with the Mine Subsidence Board, it is considered that the minor nature of the Proposal justifies its inconsistency with the Direction. Therefore, it is recommended that the inconsistency be approved pursuant to clause 6(d) of the Direction.

DIRECTION 4.4 PLANNING FOR BUSHFIRE PROTECTION

This Direction applies to the Proposal as the land to which Item 16 (i.e. Mt Annan minimum lot size provisions) applies is located in close proximity to bush fire prone land. The Direction requires Council to, among other things, consult with the Commissioner of the NSW Rural Fire Service. While there is provision for inconsistency with the Direction, it still requires Council to obtain advice from the Commissioner. It is considered that Council should be reminded of the need to satisfy the requirements of the Direction.

DIRECTION 6.3 SITE SPECIFIC PROVISIONS

The Planning Proposal, as submitted by Council, is consistent with this Direction except in relation to Item 3 (i.e. permissibility of exhibition homes and villages in Precinct C of Kirkham Rise) as it would allow a particular development to be carried out. The recommendation to broaden the permissibility of the above land uses, if adopted as proposed in this report, would result in the Proposal being consistent with the Direction.

Should the Gateway allow the Proposal to proceed as submitted by Council, it would be necessary for consideration to be given to Direction 6.3.

DIRECTION 7.1 IMPLEMENTATION OF THE METROPOLITAN PLAN FOR SYDNEY 2036

The Proposal is consistent with the Direction as it is consistent with the Metropolitan Plan for Sydney 2036.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes to exhibit the Proposal for a period of 14 days due to its low impact nature.**

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **September 2010**

Comments in relation to Principal LEP : **Camden LEP 2010 was notified in September 2010.**

Assessment Criteria

Need for planning proposal : **The proposed amendments can only be facilitated through the rezoning process.**

Consistency with strategic planning framework : **The Proposal is not inconsistent with any strategic planning documents due to the minor nature of the proposed amendments.**

Environmental social economic impacts : **It is not expected that there will be any adverse environmental, social or economic impacts due to the minor nature of the proposed amendments.**

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

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

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning_Proposal.pdf	Proposal	Yes
Land_Zoning_Map_Sheet_No._7.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones
- 1.2 Rural Zones
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 3.5 Development Near Licensed Aerodromes
- 4.2 Mine Subsidence and Unstable Land
- 4.4 Planning for Bushfire Protection
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 1979 for a period of 14 days.

2. The timeframe for completing the local environmental plan is to be 9 months from the week following the date of the Gateway Determination.

3. The Director General approves the inconsistencies with section 117 Directions 1.1 Business Zones, 3.1 Residential Zones and 4.2 Mine Subsidence and Unstable Land, on the basis that they are of minor significance.

Where applicable, Council should meet the following conditions, amend the Proposal accordingly, and submit it to the regional team, prior to undertaking community consultation.

4. The Objectives or Intended Outcomes should be amended to clarify that the amendments in the Proposal deal with matters that are additional to the rectification of errors and omissions from Camden LEP 2010;

5. Item 2 of the Proposal, relating to the boundary adjustment between the Camden and Liverpool LGAs, is to be removed and dealt with separately in conjunction with Liverpool

Amendment No. 14 to Camden Local Environmental Plan 2010 - Minor Housekeeping Matters

City Council.

6. The use of "Schedule 1 - Additional permitted uses" to permit "exhibition homes" and "exhibition villages" on land zoned E4 Environmental Living within Precinct C of Kirkham Rise is not supported. It is recommended that Council be requested to amend the Proposal, prior to exhibition (and agency consultation), so that the proposed land uses are made permissible, with consent, on all land within the zone.

7. A comparison map showing the current and proposed boundaries of the Wivenhoe heritage item should be included in the Proposal.

8. Consultation is required with 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.

It is recommended that the matter relating to the "Denbigh" heritage item be removed from the Proposal to avoid any inconsistency with the SEPP (Sydney Region Growth Centres) 2006.

Further, various references to heritage item numbers are incorrect and should be rectified (refer to report).

The Sydney Catchment Management Authority should be consulted in relation to the proposed listing of the Upper Canal System.

9. Various references to map identifiers relating to proposed map changes are incorrect and should be rectified (see report for details).

10. Comparison maps be included in the Planning Proposal showing proposed changes to local heritage items (see report for details).

11. The proposed boundary change to the Spring Farm Neighbourhood Centre will also require corresponding amendment of the relevant Additional Permitted Uses Map and it is recommended that Council be advised accordingly.

12. The maps relating to the boundary adjustment for the Elderslie Release Area do not clearly show the land affected by the proposed changes to minimum permissible lot size and it is recommended that Council be asked to rectify.

13. The proposed 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. It is recommended that Council be advised accordingly.

15. Council be reminded of the need to satisfy section 117 Direction 4.4 Planning for Bushfire Protection, which includes, among other things, a requirement to consult with the Commissioner of the NSW Rural Fire Service.

Supporting Reasons :

The Proposal will address various errors, omissions and other minor matters in Camden LEP 2010.

Signature:



Printed Name:

T DORAN

Date:

24/8/12

