

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;

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

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

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 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

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

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.

Panel Recommendation

Recommendation Date : 30-Aug-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

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

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

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.

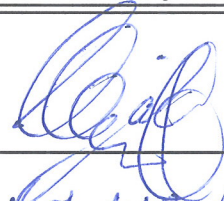
14. Further to Condition 11 above, Council is to consult the Heritage Branch of the Office of Environment and Heritage regarding the proposed changes to items of State heritage significance. The proposal should identify the proposed changes to descriptions of the heritage significance of these items 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.

Signature:



Printed Name:

Neil McCaffin

Date:

5.9.12