



camden  
council

# Camden Council Planning Proposal

Camden Local Environmental Plan (LEP )

2010 Review – Stage 1

Version 3

August 2020

 70 Central Ave,  
Oran Park NSW 2570

 PO Box 183, Camden 2570

 4654 7777

 DX 25807

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 [camden.nsw.gov.au](http://camden.nsw.gov.au)

 4654 7829

 ABN: 31 117 341 764

## Document Register

Version	Date	Detail	Council Reference
1	October 2019	Original Planning Proposal prepared by Council	19/248486
2	June 2020	Revised Planning Proposal in response to Gateway Determination	19/248486
3	August 2020	Revised Planning Proposal in response to public exhibition	20/236188

# Table of Contents

<b>Introduction .....</b>	<b>1</b>
Background.....	1
<b>Part 1 – Objectives and Intended Outcomes .....</b>	<b>4</b>
Part 2 Explanation of Provisions .....	4
<b>Part 3 Justification .....</b>	<b>5</b>
3.1 Section A – Need for the Planning Proposal.....	6
3.2 Section B – Relationship to Strategic Planning Framework .....	6
3.3 Section C – Environmental, Social and Economic Impact.....	7
3.4 State and Commonwealth Interests.....	8
<b>Part 4 Mapping.....</b>	<b>8</b>
<b>Part 5 Community Consultation .....</b>	<b>9</b>
<b>Part 6 Project Timeline.....</b>	<b>9</b>
<b>Part 7 Conclusion and Recommendations .....</b>	<b>10</b>
<b>Part 8 Appendices .....</b>	<b>11</b>
 <b>Appendix 1: Greater Sydney Regional Plan - Directions and Objectives &amp; Western City District Planning Priorities and Objectives .....</b>	 <b>12</b>
<b>Appendix 2: Consistency against State Environmental Planning Policies .....</b>	<b>19</b>
<b>Appendix 3 : s9.1 Directions.....</b>	<b>22</b>
<b>Appendix 4: Detailed Explanation of Provisions.....</b>	<b>25</b>
<b>Appendix 5: Sydney Water Sites – Zoning Comparison Table .....</b>	<b>31</b>
<b>Appendix 6: Camden Local Planning Panel Minutes – 17 September 2019 .....</b>	<b>35</b>
<b>Appendix 7: Camden Council Pre-Gateway Meeting Report and Minutes – 8 October 2019 .....</b>	<b>36</b>
<b>Appendix 8: DPIE Gateway Determination and Alteration.....</b>	<b>37</b>
<b>Appendix 9: NSW RFS Pre-Exhibition Consultation Correspondance .....</b>	<b>38</b>
<b>Appendix 10: Post-Exhibition Council Report and Minutes - 11 August 2020.....</b>	<b>39</b>

## Introduction

This Planning Proposal explains the intent of, and justification for, numerous proposed amendments to the Camden Local Environmental Plan (LEP) 2010. The amendments are proposed to resolve minor errors, anomalies and improve readability of the document. The proposed amendments also align the Camden LEP with the Western City District Plan and Camden's Local Strategic Planning Statement (LSPS).

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (the EP&A Act)* and guidelines published by the Department of Planning, Industry and Environment, namely 'A guide to preparing Planning Proposals' to ensure all matters requiring consideration are appropriately addressed.

## Background

In March 2018 the Greater Sydney Commission (GSC) released A Metropolis of Three Cities – The Greater Sydney Region Plan (the Region Plan), together with five supporting district plans to establish a clear future vision for Greater Sydney to 2056.

The Camden LGA, along with the Blue Mountains, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly forms the Western City District. The Western City District Plan (the District Plan) identifies four key themes to guide future planning, Infrastructure and Collaboration, Liveability, Productivity and Sustainability.

### *The LEP Review Process*

To align local plans with the strategic directions of the Region and District Plans, all councils are required to review and update their Local Environmental Plans (LEPs) and prepare a Local Strategic Planning Statement (LSPS).

On 26 June 2018, Council resolved to participate in the Accelerated LEP Review Program and accept up to \$2.5 million from the State government to review the Camden LEP 2010. The LEP review commenced in June 2018 and will be completed by September 2020.

The LEP review program developed by the GSC and the Department of Planning, Industry and Environment (DPIE) identified six phases for the completion of the LEP Review.

The first phase, to prepare a LEP Review Report, was endorsed by Council on 30 October 2018 and submitted to the GSC. The LEP Review Report provided a snapshot of how the Camden LEP 2010 and Council's plans, policies and programs align with the priorities and actions of the District Plan. On 21 December 2018, the GSC provided confirmation that Council's LEP Review Report complied with the Phase 1 Assurance for the LEP review program.

Phase two of the LEP review program included the drafting and exhibition of a LSPS. Council exhibited its LSPS from 23 July to 27 August 2019. The LSPS was endorsed by Council at its meeting on 14 April 2020 and is now in effect.

The current phase of the LEP review project requires the submission of a Planning Proposal to amend Camden LEP 2010.

This Planning Proposal forms Stage 1 of the broader LEP amendment and seeks minor amendments to align Camden LEP 2010 with the priorities identified in the Western City District Plan and LSPS.

On 17 September 2019, the proposal was considered for advice by the Camden Local Planning Panel. The Panel recommended that the Planning Proposal be sent for Gateway Determination. The minutes from the Panel meeting are provided as **Appendix 6**.

On 8 October 2019, Council endorsed the Stage 1 Planning Proposal for Gateway Determination by the DPIE. The Council report and resolution is provided as **Appendix 7**.

A Gateway Determination was received by the DPIE on 28 February 2020. The Gateway Determination is provided in **Appendix 8**.

The Gateway Determination required Council to meet the following conditions prior to public exhibition of the Planning Proposal:

- a) *update item 1 to clarify that the proposed amendments do not apply to land subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006;*
- b) *remove item 2 from the planning proposal and any associated amendments to the proposed Floodplain Risk Management clause;*
- c) *update item 4 to clarify that the proposed amendment seeks to adopt the compulsory drafting of clause 5.13 Ecotourism facilities under the Standard Instrument – Principle Local Environmental Plan;*
- d) *include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process;*
- e) *update the existing and proposed maps in **Appendix 5** of the planning proposal (pp.43-46) to include:*
  - i) *a legend on each map; and*
  - ii) *a north point;*
- f) *consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency.*

The conditions specified in the Gateway Determination have been met. It was requested to change condition 1 (a) to clarify that the proposed amendments do not apply to land that is zoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The Alteration of the Gateway Determination was received on 15 May 2020 with this change made.

Stage 2 of the Planning Proposal will be undertaken following the completion of the technical strategy work required to fully align Camden LEP 2010 with the District Plan and LSPS. The following work is currently being undertaken to inform the Stage 2 Planning Proposal:

- Housing Strategy;
- Centres and Employment Lands Strategy;
- Green and Blue Grid Analysis;
- Heritage Review; and
- Scenic and Visual Analysis.

## Part 1 – Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the Camden LEP 2010 to improve its alignment with the State Government’s direction, and in particular the planning priorities outlined within the District Plan, and the Camden LSPS. The Planning Proposal also includes minor amendments to improve the readability and application of LEP 2010.

## Part 2 Explanation of Provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amending LEP 2010 as shown in **Table 1**. A detailed explanation and justification for each amendment is provided in **Appendix 4**.

Amendment	Name of item	Proposal	Changes
1.	Health objectives	This item seeks to include health objectives in relevant clauses in the LEP.	<p>Include the following objectives in the following clauses:</p> <p><u>1.2 Aims of the Plan</u></p> <p><i>“to protect and promote the health and well-being of current and future residents of Camden”</i></p> <p><u>Land Use Table - B1 Neighbourhood Centre</u></p> <p><i>“to encourage a safe, attractive, accessible and efficient pedestrian environment”</i></p>
2.	Permissibility of tourism uses	This item seeks to amend the RU1 Primary Production and RU2 Rural Landscape zone objectives to allow for appropriate non-agricultural land uses within the zone, and amend the land use table to permit eco-tourist facilities	<p>Amend the Land Use Table to replace the following existing zone objective:</p> <p><i>“To permit non-agricultural uses which support the primary production purposes of the zone.”</i></p> <p>With the following objective:</p> <p><i>“To permit non-agricultural uses (including tourism-related uses) that are compatible with the agricultural, environmental and conservation values of the land.”</i></p> <p>for the RU1 Primary Production and RU2 Rural Landscape zones.</p>
3.	Eco-tourist facilities	The item seeks to adopt the compulsory drafting of clause 5.13 Eco-	Include provisions for the consideration of eco-tourist

Amendment	Name of item	Proposal	Changes
		tourist facilities under the Standard Instrument – Principle Local Environmental Plan to contain provisions for these developments.	facilities
4.	Industrial land use conflict	This item seeks to strengthen the zone objectives for the IN2 Light Industrial zone to discourage land use conflicts between industrial uses and surrounding sensitive land uses, including residential land.	Amend the Land Use Table to replace the following existing zone objective:  <i>“To minimise any adverse effect of industry on other land uses.”</i>  With the following objective:  <i>“To minimise the impacts of development on surrounding residential or other sensitive land uses”</i>  for the IN2 Light Industrial zone.
5.	Zoning for water infrastructure	This item seeks to rezone several sites across the LGA owned by Sydney Water from their existing zone to SP2 Infrastructure to provide certainty about the existing and future use of the land.	Amend the following Land Zoning Maps:  <ul style="list-style-type: none"> <li>- Sheet LZN_008</li> <li>- Sheet LZN_010</li> <li>- Sheet LZN_012</li> <li>- Sheet LZN_015</li> <li>- Sheet LZN_016</li> <li>- Sheet LZN_017</li> </ul>
6.	Minor amendment to Schedule 5 – Environmental Heritage	This item seeks to correct the significance level of the St John’s Church Precinct from local to State, following the State listing of 24 August 2018.  The item also corrects a spelling error in the schedule for St John’s Church Precinct.	Change level of significance from local to State.  Correct spelling error of lych gate

**Table 1: Summary of proposed amendments**

*Note: The proposed amendments and clauses as described in **Table 1** are subject to legal drafting which may require further changes to the Planning Proposal.*

## Part 3 Justification

This section addresses the need for the proposed amendments and details why the Planning Proposal is the best approach.



### 3.1 Section A – Need for the Planning Proposal

*Q1. Is the planning proposal a result of any strategic study or report?*

The Planning Proposal is a result of the release of the GSCs Region Plan and District Plan. In accordance with the EP&A Act, Council is required to review its LEP and ensure it aligns with the priorities listed in these plans.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The Planning Proposal is the best way to achieve the intended outcomes and objectives. An amendment to the Camden LEP 2010 is required to align with the Region and District Plan, and for Council to meet its obligation under the EP&A Act.

### 3.2 Section B – Relationship to Strategic Planning Framework

*Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Yes.

The objectives and directions of the Greater Sydney Regional Plan & Western City District Plan applicable to the Planning Proposal have been addressed at **Appendix 1** of this report.

*Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

#### **Camden Community Strategic Plan**

The Planning Proposal is consistent with the following Key Directions of Camden Council's Strategic Plan, 'Camden 2040':

- Key Direction 1: Actively Managing Camden LGA's Growth;
- Key Direction 3: A Prosperous Economy; and
- Key Direction 5: An Enriched and Connected Community.

#### **Camden Local Strategic Planning Statement**

The Planning Proposal seeks to align Camden LEP 2010 with the LSPS and as such is consistent with the following planning priorities:

- Local Priority L2: Celebrating and respecting Camden's proud heritage
- Local Priority L3: Providing services and facilities to foster a healthy and socially connected community
- Local Priority P4: Ensuring a suitable supply of industrial and urban services land
- Local Priority P6: Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism

Further comment on the consistency of the proposed provisions with the LSPS are outlined in **Appendix 4**.

### **Camden Rural Lands Strategy**

The Planning Proposal is consistent with the key principles of the Camden Rural Lands Strategy.

Specifically, the proposed inclusion of objectives providing for suitable non- agricultural uses, including tourism uses, within the RU1 and RU2 zones aims to provide appropriate tourism and employment opportunities within Camden's rural land, diversifying the local rural economy.

*Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?*

*The State Environmental Planning Policies (SEPPs) that are relevant to this Planning Proposal are identified below:*

The relevant SEPPs including deemed SEPPs have been addressed at **Appendix 1** to this report.

The Planning Proposal is considered consistent with these SEPPs, including deemed SEPPs.

*Q6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?*

The s9.1 Directions applicable to the Planning Proposal have been addressed at **Appendix 2** of this report.

The Planning Proposal is considered consistent with the applicable Directions.

### **3.3 Section C – Environmental, Social and Economic Impact**

*Q7. 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?*

No.

The Planning Proposal seeks to align the Camden LEP with the Western City District Plan and Camden's Local Strategic Planning Statement (LSPS) and the amendments are proposed to resolve minor errors, anomalies and improve readability of the document.

*Q8. 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 other likely environmental effects as a result of the Planning Proposal.

*Q9. Has the planning proposal adequately addressed any social and economic effects?*

The Planning Proposal is not supported by a social or economic assessment. The Planning Proposal is unlikely to have any social and/or economic effects as the Proposal seeks to largely align planning controls with the Western City District Plan and the Camden Local Strategic Planning Statement.

### 3.4 State and Commonwealth Interests

*Q10. Is there adequate public infrastructure for the planning proposal?*

Yes.

Services are available within the Camden LGA. The Planning Proposal would not impose any additional demands on local infrastructure, public or community services.

*Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Consultation was conducted with the NSW Rural Fire Service (NSW RFS) in accordance with the Gateway Determination issued on 28 February 2020. The NSW RFS raised no objection to the Planning Proposal and are satisfied that the proposal is consistent with Direction 4.4 – Planning for Bushfire Protection. The NSW RFS's correspondence dated 18 April 2020 is provided as **Appendix 9**.

In accordance with condition 3 of the Gateway Determination, consultation was conducted with the following public authorities during the public exhibition period:

- Greater Sydney Commission;
- NSW Rural Fire Service;
- Environment, Energy and Science Group;
- Heritage, Department of Premier and Cabinet; and
- Sydney Water.

The Planning Proposal (as amended) was endorsed by Council at its meeting on 11 August 2020. The views of the public agencies (including public agencies who were notified in addition to those listed in the Gateway Determination) have been addressed in the post exhibition Council Report. The report has been provided as **Appendix 10**.

## Part 4 Mapping

The following maps will need to be amended to support the planning proposal:

- Land Zoning Map - Sheet LZN\_008
- Land Zoning Map - Sheet LZN\_010
- Land Zoning Map - Sheet LZN\_012
- Land Zoning Map - Sheet LZN\_015
- Land Zoning Map - Sheet LZN\_016
- Land Zoning Map - Sheet LZN\_017

## Part 5 Community Consultation

The Planning Proposal and associated documents were placed on public exhibition for a period of 42 days from 10 June to 21 July 2020. The Planning Proposal was advertised on Council's website in accordance with the recent changes arising from the Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020.

In accordance with the Gateway Determination, Council notified five public agencies, and a further five agencies and the three neighbouring Councils, Campbelltown City Council, Liverpool City Council, and Wollondilly Shire Council were also notified. In addition to notifying public agencies and adjoining Councils, Council notified approximately 2,800 landowners who are impacted by the proposed environmentally sensitive land provisions.

In response to the exhibition, 408 submissions were received consisting of:

- 398 general community and
- 10 public agencies.

The majority of submissions received from the community were in opposition to the adoption of the proposed environmentally sensitive land mapping and relevant provisions. However, it should be noted that there was general support for the introduction of appropriate non-agricultural uses, including tourism uses such as eco-tourist facilities within the RU1 and RU2 zone.

As a result of the community and public agency submissions the Planning Proposal as exhibited was amended to remove the Environmentally Sensitive Land mapping and relevant provisions.

## Part 6 Project Timeline

Anticipated commencement date (date of Gateway determination)	March 2020
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	March-April 2020
Commencement and completion dates for public exhibition period	10 June- 21 July 2020
Timeframe for consideration of submissions	July/August 2020
Post-exhibition report to Council	11 August 2020
Date of submission to the Department to finalise the LEP	28 August 2020

## Part 7 Conclusion and Recommendations

The Planning Proposal seeks to amend the Camden LEP 2010 to align the instrument with the priorities and directions of the Region Plan, the District Plan and the LSPS.

The Planning Proposal has been prepared with consideration of key strategic documents, including the Greater Sydney Region Plan, the Western City District Plan, the Community Strategic Plan, Camden LSPS and Rural Lands Strategy.

It is considered that the proposal demonstrates sufficient planning merit to proceed to Gateway Determination as it:

- Aligns Camden LEP 2010 with the strategic directions and objectives of the Region Plan, District Plan and the Camden LSPS;
- Implements several actions identified within the Camden LSPS;
- Supports the design of healthy neighbourhoods;
- Allows alternative and appropriate uses within the rural zones of Camden to diversify the local economy;
- Manages land use conflict between industrial uses and surrounding land; and
- Continues to protect significant heritage items.

## Part 8 Appendices

**Appendix 1:** Greater Sydney Regional Plan - Directions and Objectives & Western City District Planning Priorities and Objectives

**Appendix 2:** Consistency against State Environmental Planning Policies

**Appendix 3:** s9.1 Directions

**Appendix 4:** Detailed Explanation of Provisions

**Appendix 5:** Sydney Water sites - Zoning Comparison Table

**Appendix 6:** Camden Local Planning Panel Minutes– 17 September 2019

**Appendix 7:** Camden Council Pre-Gateway Meeting Report and Minutes – 8 October 2019

**Appendix 8:** DPIE Gateway Determination and Alteration

**Appendix 9:** NSW RFS Pre-Exhibition Consultation Correspondence

**Appendix 10:** Post-Exhibition Council Report and Minutes – 11 August 2020

## Appendix 1: Greater Sydney Regional Plan - Directions and Objectives & Western City District Planning Priorities and Objectives

Greater Sydney Regional Plan - Directions and Objectives		
Objective	Consistency	Comment
<b>Infrastructure and Collaboration</b>		
1: Infrastructure supports the three cities	N/A	
2: Infrastructure aligns with forecast growth – growth infrastructure compact	N/A	
3: Infrastructure adapts to meet future needs	N/A	
4: Infrastructure use is optimised	N/A	
5: Benefits of growth realised by collaboration of governments, community and business	N/A	
<b>Liveability</b>		
6: Services and infrastructure meet communities changing needs	N/A	
7: Communities are healthy, resilient and socially connected.	Yes	The Planning Proposal introduces health-related objectives into the Aims of the Plan and the B1 Neighbourhood Centre zones to encourage healthy, pedestrian focused neighbourhoods.
8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	N/A	
9: Greater Sydney Celebrates the arts and supports creative industries and innovation	N/A	
10: Greater housing supply	N/A	
11: Housing is more diverse and affordable	N/A	
12: Great Places that bring people together	N/A	
13: Environmental heritage is conserved and enhanced	Yes	The Planning Proposal will update the listing of St Johns Church to reflect its significance as a State Heritage Item and ensure its continued conservation.
<b>Productivity</b>		
14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	N/A	
15: The Eastern GOP and Western Economic Corridors are better connected and more competitive	N/A	
16: Freight and logistics network is	N/A	

competitive and efficient		
17: Regional transport is integrated with land use	N/A	
18: Harbour CBD is stronger and more competitive	N/A	
19: Greater Parramatta is stronger and better connected	N/A	
20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	N/A	
21: Internationally Competitive health, education, research and innovation precincts	N/A	
22: Investment and business activity in centres	N/A	
23: Industrial and urban services land is planned, retained and managed	Yes	<p>The Planning Proposal seeks to introduce an objective into the IN2 Light Industrial zone which seeks to minimise land use conflict between industrial land uses in this zone and surrounding sensitive land uses, including residential.</p> <p>The inclusion of this objective will ensure that industrial uses are able to be carried out, and industrial land retained.</p>
24: Economic sectors are targeted for success	Yes	<p>The Planning Proposal seeks to introduce tourism objectives within the RU1 and RU2 zones with the aim of providing appropriate tourism opportunities within Camden.</p> <p>The Planning Proposal also seeks to activate the eco-tourist facilities clause, which will further encourage suitable tourism opportunities within Camden.</p>
<b>Sustainability</b>		
25: The coast and waterways are protected and healthier	N/A	
26: A cool and green parkland city in the South Creek corridor	N/A	
27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	N/A	
28: Scenic and cultural landscapes are protected	N/A	
29: Environmental, social and economic values in rural areas are protected and enhanced	Yes	The Planning Proposal does not propose urban development within the Metropolitan Rural Area.



30: Urban tree canopy cover is increased	N/A
31: Public open space is accessible, protected and enhanced	N/A
32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	N/A
33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	N/A
34: Energy and water flows are captured, used and re-used	N/A
35: More waste is re-used and recycled to support the development of a circular economy	N/A
36: People and places adapt to climate change and future shocks and stresses	N/A
37: Exposure to natural and urban hazards is reduced	N/A
38: Heatwaves and extreme heat are managed	N/A
<b>Implementation</b>	
39: A collaborative approach to city planning	N/A
40: Plans refined by monitoring and reporting	N/A

<b>Western City District Plan Priority</b>		
<b>Planning Priority</b>	<b>Objective</b>	<b>Comment</b>
<b>Infrastructure and Collaboration</b>		
<b>W1: Planning for a city supported by infrastructure</b>	1 - Infrastructure supports the three cities. 2 - Infrastructure aligns with forecast growth – growth infrastructure compact. 3 - Infrastructure adapts to meet future needs. 4 - Infrastructure use is optimised.	N/A
<b>W2: Working through collaboration.</b>	5 - Benefits of growth realised by collaboration of governments, community and business.	N/A
<b>Liveability</b>		

<b>W3: Providing services and social infrastructure to meet people's changing needs.</b>	6 - Services and infrastructure meet communities' changing needs.	N/A
<b>W4: Fostering healthy, creative, culturally rich and socially connected communities.</b>	7 - Communities are healthy, resilient and socially connected. 8 - Greater Sydney's communities are culturally rich with diverse neighbourhoods. 9 - Greater Sydney celebrates the arts and supports creative industry and innovation	The Planning Proposal introduces health-related objectives into the Aims of the Plan and the B1 Neighbourhood Centre zones to encourage healthy, pedestrian focused neighbourhoods.
<b>W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.</b>	10 - Greater housing supply. 11 - Housing is more diverse and affordable.	N/A
<b>W6: Creating and renewing great places and local centres, and respecting the District's heritage.</b>	12 - Great places that bring people together. 13 - Environmental heritage is identified, conserved and enhanced.	The Planning Proposal will update the listing of St Johns Church to reflect its significance as a State Heritage Item and ensure its continued conservation.
<b>Productivity</b>		
<b>W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City.</b>	14 - <i>A Metropolis of Three Cities</i> – integrated land use and transport creates walkable and 30-minute cities. 15 - The Eastern, GPOP and Western Economic Corridors are better connected and more competitive. 16 - Freight and logistics network is competitive and efficient. 17 - Regional connectivity is enhanced.	N/A
<b>W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis</b>	20 - Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City. 24 - Economic sectors are targeted for success.	The Planning Proposal seeks to introduce tourism objectives within the RU1 and RU2 zones with the aim of providing appropriate tourism opportunities within Camden.  The Planning Proposal also seeks to activate the eco-tourist facilities

		clause, which will further encourage suitable tourism opportunities within Camden.
<b>W9: Growing and strengthening the metropolitan city cluster</b>	<p>20 - Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City.</p> <p>21 - Internationally competitive health, education, research and innovation precincts.</p> <p>22 - Investment and business activity in centres.</p>	N/A
<b>W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land.</b>	<p>16 - Freight and logistics network is competitive and efficient.</p> <p>23 - Industrial and urban services land is planned, retained and managed.</p>	<p>The Planning Proposal seeks to introduce an objective into the IN2 Light Industrial zone which seeks to minimise land use conflict between industrial land uses in this zone and surrounding sensitive land uses, including residential.</p> <p>The inclusion of this objective will ensure that industrial uses are able to be carried out, and industrial land retained.</p>
<b>W11: Growing investment, business opportunities and jobs in strategic centres.</b>	22 - Investment and business activity in centres.	N/A
<b>Sustainability</b>		
<b>W12: Protecting and improving the health and enjoyment of the District's waterways.</b>	25 - The coast and waterways are protected and healthier.	N/A
<b>W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element.</b>	26 - A cool and green parkland city in the South Creek corridor.	N/A
<b>W14: Protecting and enhancing bushland and biodiversity.</b>	27 - Biodiversity is protected urban bushland and remnant vegetation is enhanced.	N/A.
<b>W15: Increasing urban tree canopy cover and</b>	30 - Urban tree canopy cover is	N/A

<b>delivering Green Grid connections.</b>	increased.  32 - The Green Grid links parks, open spaces, bushland and walking and cycling paths.	
<b>W16: Protecting and enhancing scenic and cultural landscapes.</b>	28 - Scenic and cultural landscapes are protected.	N/A
<b>W17: Better managing rural areas.</b>	29 - Environmental, social and economic values in rural areas are protected and enhanced.	The Planning Proposal does not propose urban development within the Metropolitan Rural Area.  The proposed objective for the RU1 and RU2 zones allows for non-agricultural land uses only where they are compatible with the agricultural, environmental and conservation values of the land.
<b>W18: Delivering high quality open space.</b>	31 - Public open space is accessible, protected and enhanced.	N/A
<b>W19: Reducing carbon emissions and managing energy, water and waste efficiency.</b>	33 - A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.  34 - Energy and water flows are captured, used and re-used.  35 - More waste is re-used and recycled to support the development of a circular economy.	N/A
<b>W20: Adapting to the impacts of urban and natural hazards and climate change.</b>	36 - People and places adapt to climate change and future shocks and stresses.  37 - Exposure to natural and urban hazards is reduced.  38 - Heatwaves and extreme heat are managed.	N/A
<b>W21: Preparing local strategic planning statements informed by local strategic planning.</b>	39 - A collaborative approach to city planning.	N/A
<b>W22: Monitoring and reporting on the</b>	40 - Plans refined by monitoring and reporting	N/A

<b>delivery of the plan.</b>		
------------------------------	--	--

## Appendix 2: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	N/A	
19. Bushland in Urban Areas	Yes	The Planning Proposal is not inconsistent with this SEPP.
21. Caravan Parks	N/A	
30. Intensive Agriculture	N/A	
33. Hazardous and Offensive Development	N/A	
36. Manufactured Home Estates	N/A	
44. Koala Habitat Protection	N/A	
47. Moore Park Showground	N/A	Does not apply to the Camden LGA.
50. Canal Estate Development	N/A	
55. Remediation of Land	Yes	The Planning Proposal does not seek to rezone land.
62. Sustainable Aquaculture	N/A	
64. Advertising and Signage	N/A	
65. Design Quality of Residential Apartment Development	N/A	
70. Affordable Housing (Revised Schemes)	N/A	
SEPP (Aboriginal Land) 2019	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	N/A	
SEPP (Coastal Management) 2018	N/A	Does not apply to the Camden LGA.
SEPP (Concurrences) 2018	N/A	

Planning Proposal for Camden LEP 2010 Review – Stage 1

SEPP (Educational Establishments and Child Care Facilities) 2017	Yes	The Planning Proposal does not prevent the effective delivery of educational establishments and early education and care facilities.
SEPP (Exempt and Complying Development Codes) 2008	N/A	
SEPP (Gosford City Centre) 2018	N/A	Does not apply to the Camden LGA.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	
SEPP (Infrastructure) 2007	Yes	The Planning Proposal does not prevent the effective delivery of infrastructure.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Does not apply to the Camden LGA.
SEPP (Kurnell Peninsula) 1989	N/A	Does not apply to the Camden LGA.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Miscellaneous Consent Provisions) 2007	N/A	
SEPP (Penrith Lakes Scheme) 1989	N/A	Does not apply to the Camden LGA.
SEPP (Primary Production and Rural Development) 2019	Yes	The Planning Proposal does not inhibit the application of this SEPP.
SEPP (State and Regional Development) 2011	N/A	
SEPP (State Significant Precincts) 2005	N/A	Does not apply to the Camden LGA.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Does not apply to the Camden LGA.
SEPP (Sydney Region Growth Centres) 2006	Yes	The Planning Proposal does not prevent the delivery of the South West Growth Centre.
SEPP (Three Ports) 2013	N/A	Does not apply to the Camden LGA.
SEPP (Urban Renewal) 2010	N/A	
SEPP (Vegetation in Non-	Yes	

Rural Area) 2017

SEPP (Western Sydney Employment Area) 2009	N/A	Does not apply to the Camden LGA.
SEPP (Western Sydney Parklands) 2009	N/A	Does not apply to the Camden LGA.
Sydney Regional Environment Plan No 8 (Central Coast Plateau Areas)	N/A	Does not apply to the Camden LGA.
Sydney Regional Environment No 9 (Extractive Industry)	Yes	The Planning Proposal does not inhibit the application of this SREP.
Sydney Regional Environmental Plan No 16 (Walsh Bay)	N/A	Does not apply to the Camden LGA.
Sydney Regional Environmental Plan No 20 Hawkesbury-Nepean River	Yes	The proposed amendments are unlikely to impact the health of the Hawkesbury-Nepean River.
Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	Does not apply to the Camden LGA.
Sydney Regional Environmental Plan No 26—City West	N/A	Does not apply to the Camden LGA.
Sydney Regional Environmental Plan No 30 St Marys	N/A	Does not apply to the Camden LGA.
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	Does not apply to the Camden LGA.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Does not apply to the Camden LGA.



## Appendix 3 : s9.1 Directions

s9.1 Direction Title	Consistency	Comment
<b>1.0 Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	<p>The Planning Proposal seeks to introduce an objective into the IN2 Light Industrial zone which seeks to minimise land use conflict between industrial land uses in this zone and surrounding sensitive land uses, including residential.</p> <p>The inclusion of this objective will ensure that industrial uses are able to be carried out, and industrial land retained.</p>
1.2 Rural Zones	Yes	The Planning Proposal does not rezone rural land or seek to amend minimum lot sizes on rural land.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	
1.4 Oyster Aquaculture	N/A	Does not apply to the Camden LGA.
1.5 Rural Lands	N/A	Does not apply to the Camden LGA.
<b>2.0 Environment and Heritage</b>		
2.1 Environment Protection Zones	Yes	The Planning Proposal is not inconsistent with the Direction.
2.2 Coastal Management	N/A	Does not apply to the Camden LGA.
2.3 Heritage Conservation	Yes	The Planning Proposal includes appropriate protections for heritage items.
2.4 Recreation Vehicle Areas	Yes	The Planning Proposal does not propose recreation vehicle areas.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Does not apply to the Camden LGA.
<b>3.0 Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	N/A	The Planning Proposal does not propose any amendments to land zoned for residential purposes.
3.2 Caravan Parks and Manufactured Home Estates	N/A	

3.3 Home Occupations	N/A	
3.4 Integrating Land Use and Transport	Yes	The Planning Proposal applies to the whole LGA and is not inconsistent with the requirements of this Direction.
3.5 Development Near Regulated Airports and Defence Airfields	N/A	
3.6 Shooting Ranges	N/A	
3.7 Reduction in non-hosted short term accommodation period	N/A	Does not apply to the Camden LGA.
<b>4.0 Hazard and Risk</b>		
4.1 Acid Sulphate Soils	N/A	
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	N/A	
4.4 Planning for Bushfire Protection	Yes	<p>The proposed amendments will not impact on this Direction.</p> <p>The NSW Rural Fire Service raised no objections to the Planning Proposal following receipt of the Gateway Determination and is satisfied that it is consistent with this Direction.</p>
<b>5.0 Regional Planning</b>		
5.1 Implementation of Regional Strategies	N/A	Does not apply to the Camden LGA.
5.2 Sydney Drinking Water Catchments	N/A	Does not apply to the Camden LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Does not apply to the Camden LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Does not apply to the Camden LGA.
5.9 North West Rail Link Corridor Strategy	N/A	Does not apply to the Camden LGA.
5.10 Implementation of Regional Plans	Yes	The Planning Proposal is consistent with the Greater Sydney Region Plan.
5.11 Development of Aboriginal	N/A	

Land Council land

## 6.0 Local Plan Making

6.1 Approval and Referral Requirements	Yes	The Planning Proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal does not propose any additional land for public purposes.
6.3 Site Specific Provisions	N/A	

## 7.0 Metropolitan Plan Making

7.1 Implementation of A Plan for Growing Sydney	Yes	
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Does not apply to the Camden LGA.
7.3 Parramatta Road Corridor Urban Transformations Strategy	N/A	Does not apply to the Camden LGA.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Does not apply to the Camden LGA.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Does not apply to the Camden LGA.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Does not apply to the Camden LGA.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Does not apply to the Camden LGA.
7.8 Implementation of the Western Sydney Aerotropolis Interim Land use and Infrastructure Implementation Plan	Yes	The Planning Proposal is not inconsistent with the Western Sydney Aerotropolis Interim LUIIP.
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	Does not apply to the Camden LGA
7.10 Implementation of Planning Principles for the Cooks River Cove Precinct	N/A	Does not apply to the Camden LGA

## Appendix 4: Detailed Explanation of Provisions

*Note: The proposed amendments and clauses as described in **Appendix 4** are subject to legal drafting which may require further changes to the Planning Proposal.*

### 1. Inclusion of health objectives

The built environment is increasingly being viewed as influencing the health of the population. As part of a stronger focus on prevention in relation to chronic disease, NSW Health has been developing its capacity to support urban environments which contribute to ensuring that communities start out, and stay, healthy.

Whilst built form outcomes can be most effectively implemented at the design stage of development, there is opportunity to reflect the focus on healthy placemaking within the broader aims of the Camden LEP.

In order to facilitate a greater focus on health and wellbeing within the built form of the Camden LGA, it is proposed include health-focused objectives within the aims and objectives of Camden LEP 2010. Currently, Parramatta LEP 2011 and Pittwater LEP 2014 include provisions relating to health.

It is proposed to include the following additional aim under Clause 1.2 of Camden LEP 2010:

*“to protect and promote the health and well-being of current and future residents of Camden”*

Through the inclusion of the above aims in Clause 1.2 of the LEP, future developments and proposals would need to demonstrate health and wellbeing objectives.

Whilst the B2 Local Centre and B4 Mixed Use zones currently contain objectives to maximise public transport patronage and encourage walking and cycling, the B1 Neighbourhood Centre does not have an objective relating to walkability. To maintain consistency with Clause 1.2 of the Camden LEP, the following additional objective is proposed for the B1 zone:

*“to encourage a safe, attractive, accessible and efficient pedestrian environment”*

The inclusion of provisions relating to health is consistent with Planning Priority W4- Fostering healthy, creative, culturally rich and socially connected communities - of the District Plan, and Local Priority L3 – Providing services and facilities to foster a healthy a socially connected community of the LSPS.

### 2. Supporting the visitor economy in Camden's rural lands

Camden's rural setting, rich heritage and proximity to Sydney present several opportunities to grow the visitor economy. Local Priority P6 – Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism - of the LSPS identifies that Council will investigate opportunities to build on these assets to grow the local visitor economy, with a focus on the area around Camden Town Centre (and surrounding rural land), Gledswood Homestead, and Mount Annan Botanic Gardens.

The permissibility of tourism-focused uses within Camden's rural areas diversifies the rural economy and promotes the landscape that is so highly valued by the community and visitors. This must be undertaken in such a way so as to achieve the appropriate balance between the positive effects of tourism on the economy, and the protection of the natural and heritage qualities of the LGA.

A review of LEP 2010 has identified opportunity to strengthen the objectives of the RU1 Primary Production and RU2 Rural Landscape zones to support appropriate non-agricultural uses.

LEP 2010 currently contains the following objective in both the RU1 and RU2 zones:

*"To permit non-agricultural uses which support the primary production purposes of the zone."*

The Planning Proposal seeks to replace this objective with the following:

*"To permit non-agricultural uses (including tourism-related uses) that are compatible with the agricultural, environmental and conservation values of the land."*

### **3. Eco-tourist Facilities**

The Planning Proposal also seeks to remove eco-tourist facilities as prohibited land uses within the RU1 and RU2 zone, which would make these uses permissible with consent. It is considered that given their low-impact nature, these uses are appropriate in these zones. Bed and breakfast and farm stay accommodation are already permitted in these zones, and allowing eco-tourist facilities would further diversify the visitor accommodation options within Camden.

The inclusion of eco-tourist facilities as permissible land uses would achieve the following action of the LSPS:

*"Council will investigate the appropriate types of visitor accommodation for Camden and identify the appropriate location for future accommodation"*

To accompany this amendment to the Land Use Table, the Planning Proposal also seeks to adopt the compulsory drafting of clause 5.13- Eco tourist facilities, to include provisions for these uses. The proposed clause for eco-tourist facilities has been modelled on the Standard Instrument – Principle Local Environmental Plan.

#### **5.13 Eco-tourist facilities**

(1) *The objectives of this clause are as follows:*

- (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,*
- (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.*

(2) *This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.*

*(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:*

- (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and*
- (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and*
- (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and*
- (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and*
- (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and*
- (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and*
- (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and*
- (h) any infrastructure services to the site will be provided without significant modification to the environment, and*
- (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and*
- (j) the development will not adversely affect the agricultural productivity of adjoining land, and*
- (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:*
  - (i) measures to remove any threat of serious or irreversible environmental damage,*
  - (ii) the maintenance (or regeneration where necessary) of habitats,*
  - (iii) efficient and minimal energy and water use and waste output,*
  - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,*
- (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.*

#### **4. Industrial land use conflict**

Since 2017, Council has been investigating various options to manage land use conflict issues between industrial land uses and surrounding sensitive uses, including residential uses. Most recently, Council has updated the Camden Development Control Plan (DCP) 2019 to include development controls to help manage these conflicts.

At its meeting of 12 September 2017 and 26 September 2017, Council resolved the following:

*“investigate a new LEP clause for industrial development adjacent to residential uses as part of Phase 2 of the comprehensive review of Camden LEP 2010”*

As part of the comprehensive review of Camden LEP 2010, Council officers are currently undertaking an Industrial and Employment Lands Study, to inform the preparation of an Employment Lands Strategy for the Camden LGA. This body of work will investigate longer term options for Camden’s employment lands, including industrial lands, and it is considered that any significant change to planning controls for these lands must be carefully considered through these investigations.

The existing IN2 Light Industrial zone in the Camden LEP 2010 currently contains the following objective:

- *To minimise any adverse effect of industry on other land uses.*

It is proposed that given Council’s commitment to mitigating land use conflict at residential/industrial interfaces, that this objective be strengthened. The Sutherland Shire LEP 2012 contains the following specific objective regarding industrial development impacts on surrounding residential uses:

- *To minimise the impacts of development on surrounding residential or other sensitive land uses.*

It is proposed that the existing objective be removed from the IN2 Light Industrial zone and replaced with this objective to ensure that the impact of industrial development on residential development and sensitive land uses is a clear consideration for future development proposals.

The inclusion of this objective in the IN2 zone reinforces that the purpose of this zone is to provide light industrial uses, which by nature are not intended to cause nuisance or adversely affect the surrounding amenity.



## 5. Zoning for water infrastructure

Council has received correspondence from Sydney Water seeking to rezone a number of sites in their ownership to SP2 Infrastructure in order to reflect their ongoing use as vital and permanent infrastructure associated with the provision of water and sewer services to the community.

The sites are located across the LGA with the current zones ranging between RU4 Primary Production Small Lots, B4 Mixed Use, R2 Low Density Residential, IN1 General Industrial and R5 Rural Village. The existing zoning of these sites cause confusion from nearby owners as to the ongoing use of the site as permanent water or sewer infrastructure. Distinguishing the site as SP2 Infrastructure gives the community better clarity as to the ongoing use of the site and preserves the use of the site as permanent infrastructure.

The proposed sites are outlined below.

Site Address	Suburb	Current Zoning	Proposed Zoning	Lot	DP	Site use	Site Name
24 Woolgen Park Road	Leppington	RU4	SP2	1	560646	Reservoir	Leppington Reservoir WS0315
10 Exeter Street	Camden	B4	SP2	B	337924	Sewer Pump	SP0120
207 Camden Valley Way	Narellan	R2	SP2	1	625917	Sewer Pump	SP0484
207 Camden Valley Way	Narellan	R2	SP2	100	1143373	Sewer Pump	SP0484
472 Camden Valley Way	Smeaton Grange	IN1	SP2	1	708090	Sewer Pump	SP0614
Camden Valley Way	Smeaton Grange	IN1	SP2	11	1169269	Sewer Pump	SP0614
24 The Outlook	Kirkham	R5	SP2	127	1008458	Sewer Pump	SP1109

Maps comparing the current zoning to the proposed zoning of each of the above sites is contained at **Appendix 5**.



## **6. Minor amendment to Schedule 5 – Environmental Heritage**

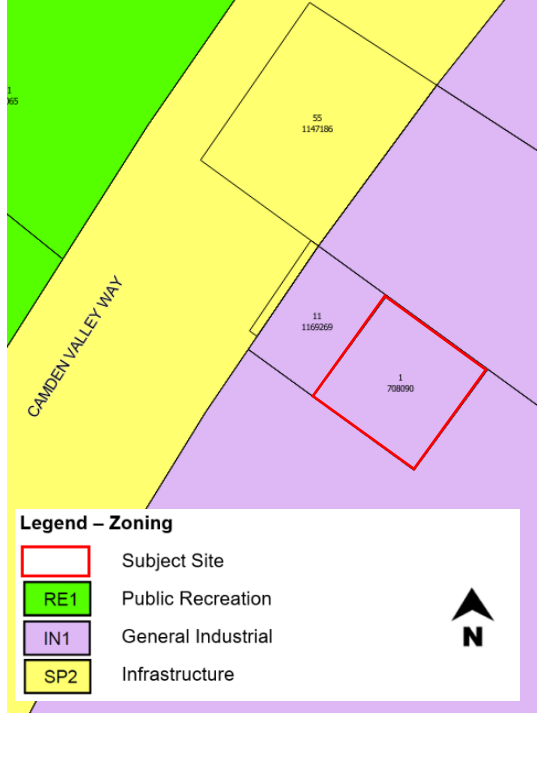
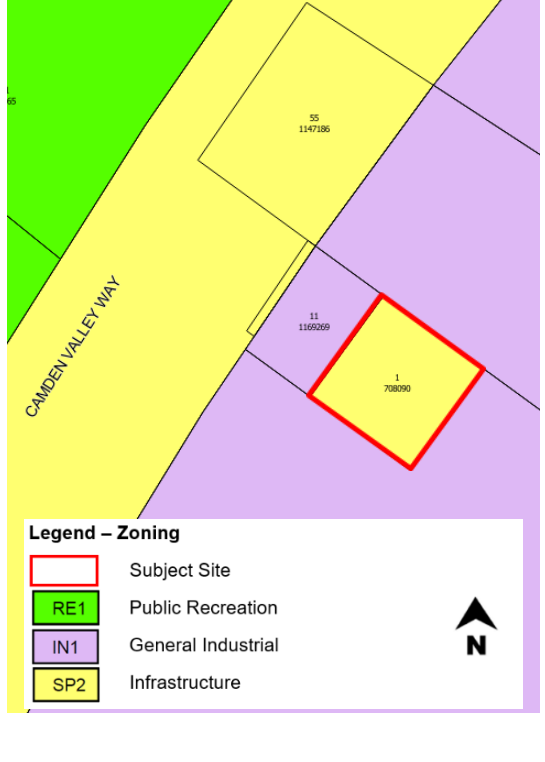
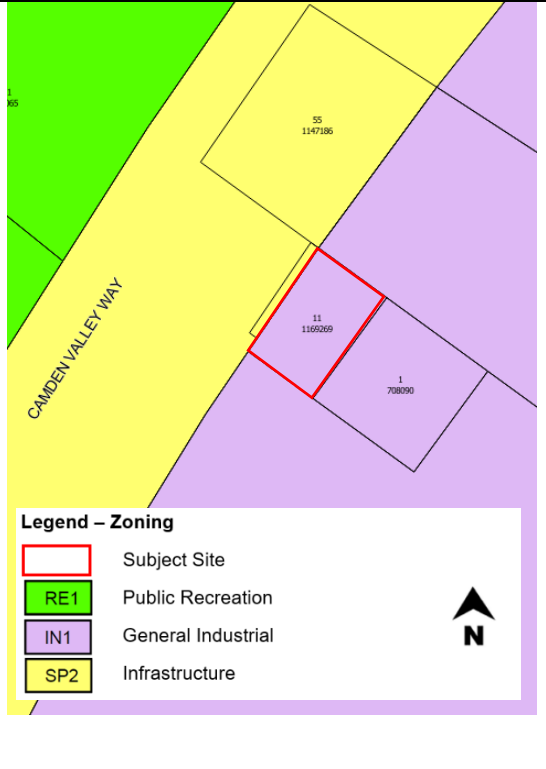
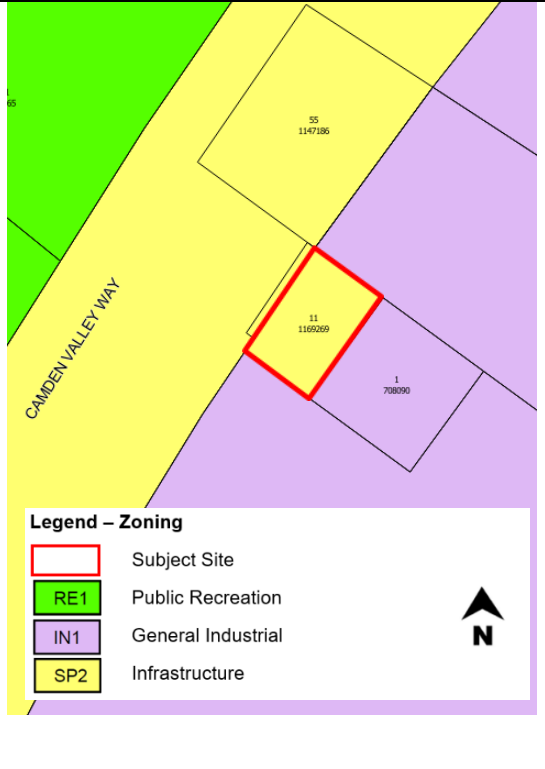
The St John's Anglican Church Precinct was listed on the State Heritage Register on 24 August 2018. Schedule 5 Environmental Heritage currently identifies St John's Anglican Church Precinct as a local heritage item. It is proposed to amend Schedule 5 to correctly list St John's Church Precinct as a State heritage item.

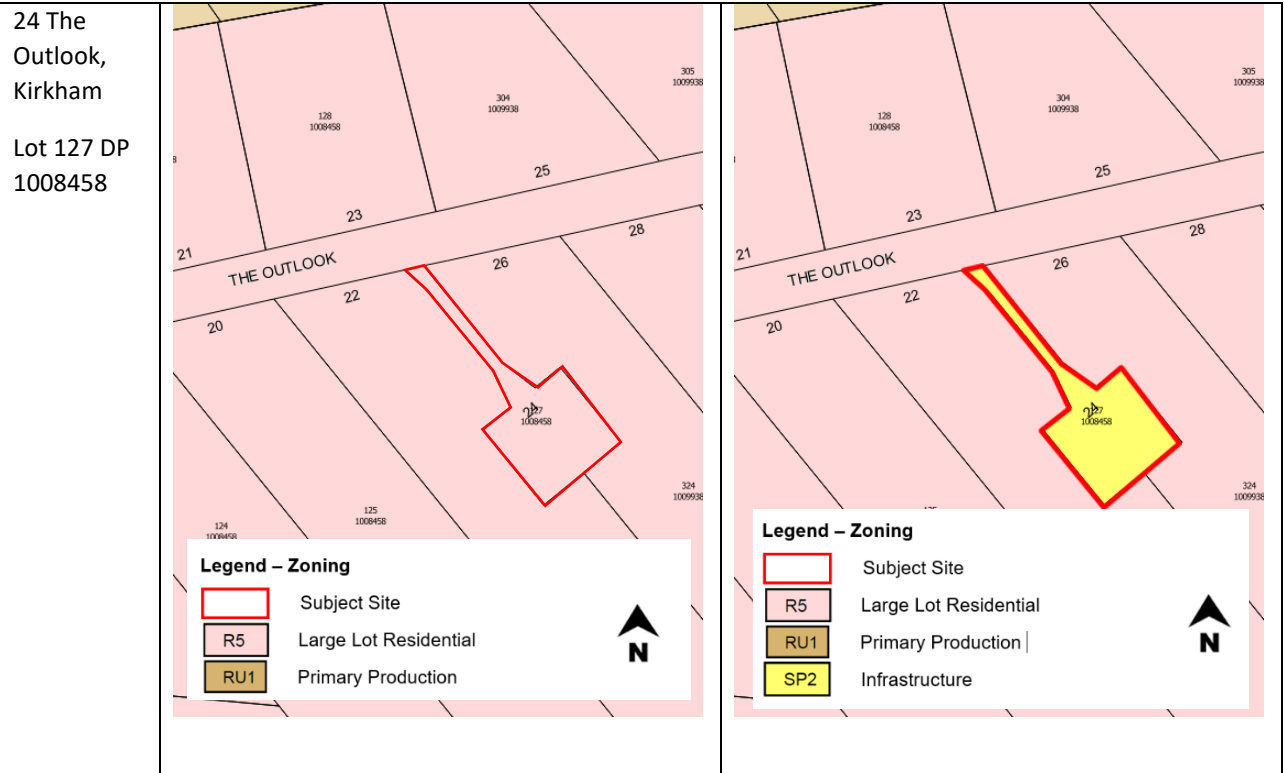
In addition to the above, there is a minor spelling error in the item description. It is proposed to correct the listing to properly identify the lych gates.

## Appendix 5: Sydney Water Sites – Zoning Comparison Table

Site Address Lot and DP	Existing Zoning	Proposed Zoning
24 Woolgen Park Road Leppington  Lot 1 DP 560646	 <p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RU4 Primary Production Small Lots</li> <li>SP2 Infrastructure</li> </ul>	 <p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RU4 Primary Production Small Lots</li> <li>SP2 Infrastructure</li> </ul>
10 Exeter Street, Camden  Lot B DP 337924	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>B4 Mixed Use</li> <li>RU1 Primary Production</li> </ul>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>B4 Mixed Use</li> <li>RU1 Primary Production</li> <li>SP2 Infrastructure</li> </ul>



<p>472 Camden Valley Way, Smeaton Grange  Lot 1 DP 708090</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RE1 Public Recreation</li> <li>IN1 General Industrial</li> <li>SP2 Infrastructure</li> </ul> <p>N</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RE1 Public Recreation</li> <li>IN1 General Industrial</li> <li>SP2 Infrastructure</li> </ul> <p>N</p>
<p>Camden Valley Way, Smeaton Grange  Lot 11 DP 1169269</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RE1 Public Recreation</li> <li>IN1 General Industrial</li> <li>SP2 Infrastructure</li> </ul> <p>N</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li>Subject Site</li> <li>RE1 Public Recreation</li> <li>IN1 General Industrial</li> <li>SP2 Infrastructure</li> </ul> <p>N</p>



## Appendix 6: Camden Local Planning Panel Minutes – 17 September 2019

**CCLPP02        CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) REVIEW -  
STAGE 1**

**PANELS RECOMMENDATION**

The Camden Local Planning Panel has considered the draft planning proposal. The Panel has read the planning proposal documents and has received a comprehensive written report and briefing from Council officers.

The Panel understands that this planning proposal is stage 1 of a comprehensive review of Camden Local Environmental Plan 2010. The Panel is also aware that the Council is currently undertaking a housing study, centres study, industrial lands study and preparation of a draft Local Strategic Planning Statement (LSPS) all of which will inform stage 2 of the comprehensive review.

The Panel is satisfied that the stage 1 planning proposal is generally in the nature of a housekeeping amendment and probably not inconsistent with the pending studies and LSPS. The Panel considers it appropriate to include terrestrial biodiversity and riparian lands and watercourse map in the LEP in order to be consistent with the District Plan and to provide land owners and the community with certainty about constraints and opportunities for future development.

The Panel considers it is appropriate to progress the amendments set out in the stage 1 planning proposal to gateway determination.

**VOTING NUMBERS**

The Panel voted 4-0 in favour of the recommendation.

## Appendix 7: Camden Council Pre-Gateway Meeting Report and Minutes – 8 October 2019





## ORDINARY COUNCIL

ORD04

**SUBJECT: PLANNING PROPOSAL FOR STAGE 1 OF THE CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) 2010 REVIEW**

**FROM:** Director Planning & Environment

**TRIM #:** 19/269649

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for Stage 1 of the Camden Local Environmental Plan (LEP) 2010 Review and to recommend that the draft Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

The draft Planning Proposal is provided as an **attachment** to this report.

### BACKGROUND

In March 2018, the Greater Sydney Commission (GSC) released A Metropolis of Three Cities – The Greater Sydney Region Plan (the Region Plan), together with five supporting district plans to establish a clear future vision for Greater Sydney to 2056.

The Camden LGA, along with the Blue Mountains, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly forms the Western City District. The Western City District Plan (the District Plan) identifies four key themes to guide future planning: Infrastructure and Collaboration; Liveability; Productivity and Sustainability.

### The LEP Review Process

To align local plans with the strategic directions of the Region and District Plans, all councils are required to review and update their Local Environmental Plans (LEPs) and prepare a Local Strategic Planning Statement (LSPS).

On 26 June 2018, Council resolved to participate in the Accelerated LEP Review Program and accept up to \$2.5 million from the State government to review the Camden LEP 2010. The LEP review commenced in June 2018 and will be completed by June 2020.

The LEP Review program, developed by Greater Sydney Commission (GSC) and Department of Planning, Industry and Environment (the Department), identified six phases for the completion of the LEP review:

- Phase 1 – LEP Review Report.
- Phase 2 – Prepare Draft LSPS.
- Phase 3 – Finalise LSPS.
- Phase 4 – Amendment to Camden LEP 2010 – Seek Gateway Determination.
- Phase 5 – Exhibition of Planning Proposal for LEP Amendment.
- Phase 6 – LEP Amendment Finalised - Plan is made.

The first phase, to prepare a LEP Review Report, was endorsed by Council on 30 October 2018 and submitted to the GSC. The LEP Review Report provided a snapshot of how the Camden LEP 2010 and Council's plans, policies and programs align with the priorities and actions of the District Plan. On 21 December 2018, the GSC provided confirmation that Council's LEP Review Report complied with the Phase 1 Assurance for the LEP review program.

Phase Two of the LEP review program included the drafting and exhibition of a draft LSPS. Council exhibited its draft LSPS from 23 July to 27 August 2019. Council officers are currently reviewing submissions received prior to seeking final endorsement of the draft LSPS from Council and the GSC. The LSPS must be finalised by 1 March 2020.

The current phase of the LEP review project requires the submission of a Planning Proposal to amend Camden LEP 2010.

### **Previous LEP Review Program**

On 10 April 2018, Council endorsed a minor amendments package for the Camden LEP 2010 which was gazetted on 28 February 2019. The minor amendments package sought to address matters which were of an administrative or low-impact nature, with the aim to improve the overall operation and accuracy of the LEP, and included:

- Administrative review of heritage listings (Schedule 5);
- Review of LEP mapping;
- Review of LEP clauses;
- Review of the land use table; and
- Review of additional permitted uses.

The 10 April 2018 Council report identified that a broader review of the Camden LEP 2010 was required.

### **The Planning Proposal**

It is proposed to undertake the broader review of Camden LEP 2010 in two stages:

- Stage 1 – Alignment with the key strategic documents; and
- Stage 2 – Significant investigations as a result of technical strategy work.

This Planning Proposal forms Stage 1 and seeks amendments to align Camden LEP 2010 with the priorities identified in the Western City District Plan and draft LSPS.

Stage 2 of will be undertaken following the completion of the technical strategy work required to fully align Camden LEP 2010 with the District Plan and draft LSPS. The following work is currently being undertaken to inform Stage 2 of the Planning Proposal:

- Housing Strategy;
- Employment and Centres Strategy;
- Green and Blue Grid Analysis;
- Heritage Review;
- Scenic and Visual Analysis.



A series of Councillor briefings have been provided on the LEP review and the preparation of the draft LSPS. Specifically, Councillors were briefed on this Planning Proposal on 27 August 2019.

## **MAIN REPORT**

### **Summary of Proposal**

The objective of the draft Planning Proposal is to amend the Camden LEP 2010 to improve its alignment with the State Government's direction and, in particular the planning priorities outlined within the District Plan and draft LSPS. The proposal also includes minor amendments to improve the readability and application of Camden LEP 2010.

The proposed amendments sought through the Stage 1 Planning Proposal include:

- Introducing environmentally sensitive land mapping and relevant provisions;
- Introducing a floodplain risk management clause;
- Introducing health-focused objectives into relevant sections of the LEP;
- Providing for appropriate non-agricultural uses, including tourism uses, within the RU1 Primary Production and RU2 Rural Landscape zones;
- Introducing eco-tourist facilities as permitted uses with consent in the RU1 and RU2 zones;
- Strengthening the objectives of the IN2 Light Industrial zone to manage land use conflicts;
- Rezoning several sites owned by Sydney Water and used for water infrastructure to SP2 Infrastructure; and
- Updating the level of significance of St Johns Church Camden from local to State, reflecting its listing on the State Heritage Register.

Further detail on each of the proposed amendments is outlined below.

### **Environmentally Sensitive Land**

The draft Planning Proposal seeks to introduce Environmentally Sensitive Land mapping for biodiversity, watercourses and riparian land, as well as introducing two new clauses under Part 7 Additional Local Provisions.

These clauses outline heads of consideration that must be considered when assessing development applications on land to which the clause applies and requires development to avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.

The existing provisions within Camden Development Control Plan 2019 relating to environmentally sensitive land and riparian corridors will continue to apply to land affected by the proposed clauses. The new clauses and mapping will strengthen the protection of environmentally sensitive lands, which contribute to the scenic and landscape qualities of Camden.

The inclusion of biodiversity mapping is also consistent with *Planning Priority W12 – Protecting and improving the health and enjoyment of the District's waterways*, and *Planning Priority W14 – Protecting and enhancing bushland and biodiversity* of the District Plan.

The draft LSPS further acknowledges the importance of environmentally sensitive areas through *Local Priority S2 – Protecting and enhancing the health of Camden’s waterways, and strengthening the role and prominence of the Nepean River*, and *Local Priority S4 – Protecting and restoring environmentally sensitive land and protecting biodiversity*. Through the incorporation of the proposed amendment to Camden LEP 2010, Council will achieve the following actions of the draft LSPS:

- “Council will undertake a review of Camden’s waterways and riparian areas and investigate opportunities to incorporate protections into planning instruments”; and
- “Council will investigate amending its Local Environmental Plan to protect biodiversity and environmentally sensitive land”.

#### Floodplain Risk Management

The draft Planning Proposal seeks to introduce a new Floodplain Risk Management clause. The objective of this clause is to enable evacuation of flood affected land during flooding events.

On 12 March 2019, Council adopted the Upper South Creek Floodplain Risk Management Study and Plan (FRMS&P). The South Creek catchment covers a significant north eastern portion of the Camden LGA. Council officers are currently preparing a FRMS&P for the Nepean River, which will include the Nepean River and Narellan Creek catchment areas.

The proposed clause will align Camden LEP 2010 with the adopted FRMS&P and any additional flood plan without the need for future LEP amendments.

The addition of the clause is consistent with *Planning Priority W20 – Adapting to the impacts of urban and natural hazards and climate change* of the District Plan, *Local Priority S6 – Improving Camden’s resilience to natural hazards and extreme weather events* of the draft LSPS, and would achieve the following action of the draft LSPS: “Council will review planning controls related to flood prone land”

#### Inclusion of health objectives

In order to facilitate a greater focus on health and wellbeing within the built form of the Camden LGA, it is proposed include health-focused objectives within the aims and objectives of Camden LEP 2010.

It is proposed to include the following additional aim under Clause 1.2 of Camden LEP 2010, which will require development to demonstrate health and wellbeing objectives:

- *To protect and promote the health and well-being of current and future residents of Camden*

Whilst the B2 Local Centre and B4 Mixed Use zones currently contain objectives to maximise public transport patronage and encourage walking and cycling, the B1 Neighbourhood Centre zone does not have an objective relating to walkability. To maintain consistency with Clause 1.2 of the Camden LEP 2010, the following additional B1 objective is proposed:

- *To encourage a safe, attractive, accessible and efficient pedestrian environment*

The built environment is increasingly being viewed as influencing the health of the population. As part of a stronger focus on prevention in relation to chronic disease, NSW Health has been developing its capacity to support urban environments which contribute to ensuring that communities start out and stay, healthy.

Whilst built form outcomes can be most effectively implemented at the design stage of development, there is opportunity to reflect the focus on healthy placemaking within the broader aims of the Camden LEP 2010.

The inclusion of provisions relating to health is consistent with *W4 – Fostering healthy, creative, culturally rich and socially connected communities of the District Plan*; and *Local Priority L3 – Providing services and facilities to foster a healthy a socially connected community* of the draft LSPS.

#### Supporting the visitor economy in Camden's rural lands

A review of Camden LEP 2010 has identified an opportunity to strengthen the objectives of the RU1 Primary Production and RU2 Rural Landscape zones to support appropriate non-agricultural uses.

Camden LEP 2010 currently contains the following objective in both the RU1 and RU2 zones:

- *To permit non-agricultural uses which support the primary production purposes of the zone.*

The draft Planning Proposal seeks to replace this objective with the following:

- *To permit non-agricultural uses (including tourism-related uses) that are compatible with the agricultural, environmental and conservation values of the land.*

Camden's rural setting, rich heritage and proximity to Sydney present several opportunities to grow the visitor economy. *Local Priority P6 – Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism* - of the draft LSPS identifies that Council will investigate opportunities to build on these assets to grow the local visitor economy, with a focus on the area around Camden Town Centre (and surrounding rural land), Gledswood Homestead, and Mount Annan Botanic Gardens.

The permissibility of tourism-focused uses within Camden's rural areas diversifies the rural economy and promotes the landscape that is highly valued by the community and visitors.

#### Eco-tourist Facilities

The draft Planning Proposal seeks to permit eco-tourist facilities with consent by removing them as a prohibited land use within the RU1 and RU2 zone.

It is considered that given their low-impact nature, these uses are appropriate in these zones. Bed and breakfast and farm stay accommodation are already permitted in these

vital and permanent infrastructure associated with the provision of water and sewer services to the community.

The sites are located across the LGA with the current zones ranging between RU4 Primary Production Small Lots, B4 Mixed Use, R2 Low Density Residential, IN1 General Industrial and R5 Rural Village. The specific sites identified for zone changes are identified in the draft Planning Proposal attached to this report.

The existing zoning of these sites cause confusion from nearby owners as to the ongoing use of the site as permanent water or sewer infrastructure. Distinguishing sites as SP2 Infrastructure gives the community better clarity as to the ongoing use for permanent infrastructure.

#### Minor amendment to Schedule 5 – Environmental Heritage

Schedule 5 Environmental Heritage currently identifies St John's Anglican Church Precinct as a local heritage item. It is proposed to amend Schedule 5 to correctly list St John's Church Precinct as a State heritage item.

In addition to the above, there is a minor spelling error in the item description. It is proposed to correct the listing to properly identify the lych gates.

The St John's Anglican Church Precinct was listed on the State Heritage Register on 24 August 2018. The proposed amendment is therefore considered administrative in nature.

#### Assessment against Key Strategic Documents

An assessment against the Key Strategic Documents is provided as an **attachment** to this report, however below is a summary and the relevant consistency with the documents.

#### **Greater Sydney Region Plan**

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters.

The proposal is consistent with the relevant directions and objectives of the Region Plan:

- Direction 3: A city for people – celebrating diversity and putting people at the heart of planning. Relevant objective 7.
- Direction 5: A city of great places – Designing places for people. Objective 13.
- Direction 7: Jobs and skills in the city – Creating the conditions for a stronger economy. Relevant objectives 23 and 24.
- Direction 8: A city in its landscape – Valuing green spaces and landscape. Relevant objectives 25, 26, 27, 29, 30 and 32.
- Direction 10: A resilient city – Adapting to a changing world. Relevant objective 37.

#### **Western City District Plan**



The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

The draft Planning Proposal is consistent with the following priorities of the District Plan:

- Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities.
- Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage.
- Planning Priority W8: Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis.
- Planning Priority W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land
- Planning Priority W12: Protecting and improving the health and enjoyment of the District's waterways
- Planning Priority W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element
- Planning Priority W14: Protecting and enhancing bushland and biodiversity
- Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections
- Planning Priority W17: Better managing rural areas
- Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change

### **Draft Camden Local Strategic Planning Statement (LSPS)**

The Draft Camden Local Strategic Planning Statement (draft LSPS) is a 20-year planning vision, emphasising land use, transport and sustainability objectives to demonstrate how Camden LGA will change to meet the community's needs over the next 20 years.

The draft Planning Proposal has been assessed against the relevant Local Priorities and Actions of the draft LSPS and is consistent with the following Local Priorities:

- Local Priority L2 - Celebrating and respecting Camden's proud heritage.
- Local Priority L3 - Providing services and facilities to foster a healthy and socially connected community.
- Local Priority P4 - Ensuring a suitable supply of industrial and urban service land.
- Local Priority P6 - Leveraging Camden's natural and cultural assets to promote local agricultural production and increase tourism.
- Local Priority S2 - Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River.
- Local Priority S4 - Protecting and restoring environmentally sensitive land and enhancing biodiversity.
- Local Priority S6 - Improving Camden's resilience to natural hazards and extreme weather events.

### **Community Strategic Plan**



The Community Strategic Plan (CSP) seeks to actively manage Camden LGA's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The Proposal is assessed against the relevant Directions of the CSP below:

*Key Direction 1: Actively Managing Camden LGA's Growth*

This direction of the CSP outlines that Camden LGA's valued heritage sites are to be retained. The Proposal seeks to correct the level of significance of St Johns Church Camden to accurately reflect its State heritage listing which will ensure that adequate protections are in place for the site.

*Key Direction 2: Healthy Urban and Natural Environment*

This direction of the CSP outlines the importance of Camden's natural environment and Council's role in caring for the environment. The Proposal introduces environmentally sensitive land mapping which will protect the natural areas of Camden, including vegetation and waterways.

*Key Direction 3: A Prosperous Economy*

This direction of the CSP contains an objective to support tourism and economic development. The Proposal seeks to support suitable non-agricultural uses, including tourism uses, within the rural areas of Camden to attract visitors and diversify the local economy.

*Key Direction 5: An Enriched and Connected Community*

This direction of the CSP focuses on providing the elements to encourage healthy lifestyles and community health. The Proposal seeks to reflect this direction and apply it to the built form by including health focused objectives in Camden LEP 2010.

### **Camden Local Planning Panel**

From 1 June 2018, Planning Proposals are required to be referred to the Camden Local Planning Panel (the Panel) for advice pursuant to the Ministerial Direction under Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The draft Planning Proposal was reported to the Panel on 17 September 2019. The Panel voted in favour of supporting the Planning Proposal being forwarded to the Minister for Planning for a Gateway Determination. No further recommendations were made by the Panel.

The Panel's recommendations are provided as an **attachment** to this report.

### **Assessment of Planning Merit**

The draft Planning Proposal has been prepared with consideration to key strategic documents, including the Greater Sydney Region Plan, Western City District Plan, the Draft Camden Local Strategic Planning Statement and the Community Strategic Plan, and has been considered by the Camden Local Planning Panel.

It is considered that the draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:



- Aligns Camden LEP 2010 with the strategic directions and objectives of the Region and District Plans and the draft LSPS;
- Implements several actions identified within the draft LSPS;
- Protects environmentally sensitive land within Camden LGA;
- Introduces mechanisms to manage development on floodplains;
- Supports the design of healthy neighbourhoods;
- Allows alternative and appropriate uses within the rural zones of Camden to diversify the local economy;
- Manages land use conflict between industrial uses and surrounding land; and
- Continues to protect significant heritage items.

Subject to Council endorsement, the draft Planning Proposal will be submitted to the Department of Planning, Industry and Environment for a Gateway Determination. If a favourable Gateway Determination is received, the draft Planning Proposal will be placed on public exhibition in accordance with the conditions in the Gateway Determination.

A further report will be submitted to Council on completion of the public exhibition to consider submissions.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for Council as a result of this report.

### **CONCLUSION**

The draft Planning Proposal seeks to amend the Camden LEP 2010 to align the instrument with the priorities and directions of the Region and District Plans and the draft LSPS.

Council officers have assessed the draft Planning Proposal and consider the proposal has sufficient planning merit to proceed to Gateway Determination as outlined in this report.

### **RECOMMENDED**

**That Council:**

- endorse the draft Planning Proposal for Stage 1 of the Camden Local Environmental Plan (LEP) 2010 Review to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination; and**
- subject to a favourable Gateway Determination from the Department of Planning, Industry and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination.**

### **ATTACHMENTS**

1. Draft Planning Proposal - Stage 1 Camden LEP 2010 LEP Review
2. LEP Review Stage 1 Planning Proposal - Key Strategic Documents
3. CLPP Minutes 17 September 2019

### **ORD03 RATES AND CHARGES AND LEVIES WRITTEN OFF 2018/2019**

Resolution: Moved Councillor C Cagney, Seconded Councillor Symkowiak that Council note and write off rates, charges and levies outlined in this report totalling \$794,231.92 for the 2018/2019 financial year.

ORD177/19 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

### **ORD04 PLANNING PROPOSAL FOR STAGE 1 OF THE CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) 2010 REVIEW**

Resolution: Moved Councillor A Cagney, Seconded Councillor C Cagney that Council:

- i. endorse the draft Planning Proposal for Stage 1 of the Camden Local Environmental Plan (LEP) 2010 Review to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination; and
- ii. subject to a favourable Gateway Determination from the Department of Planning, Industry and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination.

ORD178/19 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

### **ORD05 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS 2018/2019**

Resolution: Moved Councillor Campbell, Seconded Councillor C Cagney that Council note the tabling of the Disclosures by Councillors and Designated Persons Returns.

ORD179/19 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

### **ORD06 ROAD CLOSURE - SECTION OF THE OLD OAKS ROAD, GRASMERE**

Resolution: Moved Councillor A Cagney, Seconded Councillor Symkowiak that Council:

- i. approve the closure of a section of The Old Oaks Road, Grasmere as shown on the attached plan;
- ii. resolve that the land be classified as Operational on completion of the road closure;
- iii. endorse all documents associated with the closure of a section of The Old Oaks Road Grasmere be executed under delegated authority; and
- iv. note that a further report will be presented to Council following the road closure to determine any future disposal of the land.

ORD180/19 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

## Appendix 8: DPIE Gateway Determination and Alteration



Mr Ron Moore  
General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2570

Attn: Alison Butler

Dear Mr Moore

**Planning proposal [PP\_2019\_CAMDE\_005\_00] to amend Camden Local Environmental Plan 2010**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to ensure the Camden Local Environmental Plan 2010 aligns with the Western City District Plan and draft Camden Local Strategic Planning Statement. I note that this planning proposal is the first stage to giving effect to your Local Strategic Planning Statement.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination including the removal of item 2 from the planning proposal.

I understand Council's desire to include an amendment to introduce a new flood risk management clause. While the Department appreciates Council's intent, the imposition of provisions that impose flood related development controls above the residential flood planning level for residential development, requires a council to submit a case for exceptional circumstances. This approach is in accordance with Planning Circular PS 07-003 (31 January 2007).

Removal of the item, and its consideration in a subsequent planning proposal, will allow for Council to progress the subject proposal to meet time frames. I am happy to discuss the manner in which Council should seek a case for exceptional circumstances.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 3.1 Residential Zones and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made. As required by Direction 4.4 Planning for Bushfire Protection the Gateway includes a condition requiring that Council consult with the Rural Fire Service prior to exhibition of the Plan. Having regard to the timeframe for finalisation of the Plan please contact the Department if you require assistance with this consultation.

Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made before the required 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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Murray Jay to assist you. Mr Jay can be contacted on (02) 9860 1512.

Yours sincerely



28/02/20

**Catherine Van Laeren**  
**Acting Executive Director**  
**Central River City and Western Parkland City**

Encl: Gateway determination

## Gateway Determination

***Planning proposal (Department Ref: PP\_2019\_CAMDE\_005\_00): Housekeeping proposal to improve legibility of the Camden LEP 2010.***

I, the Acting Executive Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Camden Local Environmental Plan (LEP) 2010 to ensure the Camden LEP 2010 gives effect to the Western City District Plan and draft Camden Local Strategic Planning Statement should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to:
  - (a) update item 1 to clarify that the proposed amendments do not apply to land subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006;
  - (b) remove item 2 from the planning proposal and any associated references to the proposed Floodplain Risk Management clause;
  - (c) update item 4 to clarify that the proposed amendment seeks to adopt the compulsory drafting of clause 5.13 Ecotourism facilities under the Standard Instrument – Principle Local Environmental Plan;
  - (d) include a note that the draft proposed clauses will be subject to legal drafting and may alter under this process;
  - (e) update the existing and proposed maps in Appendix 6 of the planning proposal (pp. 43-46) to include:
    - i) a legend on each map; and
    - ii) a north point;
  - (f) consult the NSW Rural Fire Service prior to public exhibition in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments from this agency.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016) and must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Greater Sydney Commission;
  - NSW Rural Fire Service;
  - Environment, Energy and Science Group;
  - Heritage, Department of Premier and Cabinet; and
  - Sydney Water

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
5. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.
6. Council is required to submit the planning proposal to the Department for finalisation prior to 1 July 2020.

Dated 28<sup>th</sup> day of February 2020.



**Catherine Van Laeren**  
**Acting Executive Director, Central**  
**River City and Western Parkland City**  
**Greater Sydney, Place and**  
**Infrastructure**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**



PP\_2019\_CAMD\_005\_01 (IRF20/2053)

Mr Ron Moore  
General Manager  
Camden Council  
PO Box 183  
CAMDEN NSW 2570

Attn: Louise McMahon

Dear Mr Moore

**Planning proposal PP\_2019\_CAMD\_005\_01 – Alteration of Gateway  
Determination**

I refer to Council's request to amend condition 1(a) of the Gateway determination for the planning proposal PP\_2019\_CAMD\_005\_00 which seeks to review Camden LEP 2010 to align with the Western City District Plan and the Local Strategic Planning Statement.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the Environmental Planning and Assessment Act 1979, to alter the Gateway determination dated 28 February 2020 for PP\_2019\_CAMD\_005\_00. The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Cho Cho Myint to assist you. Ms Myint can be contacted on 9860 1507.

Yours sincerely

**Eleanor Robertson  
Acting Director Western  
Central River City and Western Parkland City**

Encl: Alteration of Gateway Determination





## **Alteration of Gateway Determination**

### ***Planning proposal (Department Ref: PP\_2019\_CAMD\_005\_01)***

I, the Acting Director, Western at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 28 February 2020 for the proposed amendment to the Camden Local Environmental Plan 2010, as follows:

1. Delete:

condition "1(a)"

and replace with a new condition 1(a):

"update item 1 to clarify that the proposed amendments do not apply to land zoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006;"

Dated

15<sup>th</sup> day of May 2020.

**Eleanor Robertson  
Acting Director Western  
Central River City and Western  
Parkland City  
Department of Planning, Industry and  
Environment**

**Delegate of the Minister for Planning  
and Public Spaces**

## Appendix 9: NSW RFS Pre-Exhibition Consultation Correspondance



## NSW RURAL FIRE SERVICE

Camden Council  
PO Box 183  
CAMDEN NSW 2570

Your reference: PP/2019/1/1  
Our reference: SPI20200311000036

**ATTENTION:** Bradley Colling

Date: Saturday 18 April 2020

Dear Sir/Madam,

**Strategic Planning Instrument  
LEP Amendment – Gateway**

I refer to your correspondence dated 05/03/2020 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The New South Wales Rural Fire Service (NSW RFS) advises that there is no objection to the proposed Strategic Planning Instrument.

It is understood that the intention is to resolve minor errors and anomalies and improve the overall readability of the Camden Local Environmental Plan 2010 (LEP). These amendments will also serve to align the LEP with the Western City District Plan and Camden's draft Local Strategic Planning Statement.

Any further stages of the Local Environmental Plan shall be required to address Section 4 Strategic Planning of the NSW RFS document 'Planning for Bush Fire Protection 2019'.

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Nika Fomin  
**Manager Planning & Environment Services  
Planning and Environment Services**

**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

## Appendix 10: Post Exhibition Council Meeting Report and Minutes – 11 August 2020



## ORDINARY COUNCIL

ORD01

**SUBJECT: STAGE 1 CAMDEN LEP REVIEW - POST EXHIBITION**

**FROM:** Director Planning and Environment

**TRIM #:** 20/215833

---

### PURPOSE OF REPORT

The purpose of this report is to inform Council of the outcome of the public exhibition of the Stage 1 Planning Proposal to amend the Camden Local Environmental Plan (LEP) 2010.

The report recommends that the Planning Proposal be amended to remove the Environmentally Sensitive Land (ESL) clauses and maps. The report also recommends that Council adopt the Planning Proposal (as amended) and forward it to the Department of Planning, Industry and Environment (DPIE) to make the plan.

The Planning Proposal (as amended) is provided as an **attachment** to this report.

### EXECUTIVE SUMMARY

The objective of the Stage 1 of the LEP review is to align the Camden LEP with the planning priorities and actions outlined in the Western City District Plan and the Camden Local Strategic Planning Statement (LSPS). Stage 2 of the LEP review will be undertaken following the completion of various strategies including a housing strategy, centres and employment land strategy, blue and green grid analysis, heritage review, and scenic and visual analysis.

The Stage 1 Planning Proposal was recently exhibited and 408 submissions (398 community submissions and 10 public agency submissions) were received. The majority of submissions were received from landowners within the South West Growth Area (SWGA) who object to the inclusion of the ESL clauses and maps.

Whilst a number of issues were raised in the submissions, landowners are particularly concerned about the impact of the inclusion of the proposed ESL clauses and maps on their land and its future development potential under the Growth Centres SEPP.

In response to the objections received, it is recommended that the Planning Proposal be amended to remove the ESL clauses and maps. Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to the DPIE for the plan to be made.

### BACKGROUND

In March 2018, the Greater Sydney Commission (GSC) released A Metropolis of Three Cities – The Greater Sydney Region Plan (the Region Plan), together with five supporting district plans to establish a clear future vision for Greater Sydney to 2056.

zones and allowing eco-tourist facilities would further diversify the visitor accommodation options within Camden.

The inclusion of eco-tourist facilities as permissible land uses would achieve the following action of the draft LSPS:

*“Council will investigate the appropriate types of visitor accommodation for Camden and identify the appropriate location for future accommodation”*

#### Industrial land use conflict

The existing IN2 Light Industrial zone in the Camden LEP 2010 currently contains the following objective:

- *To minimise any adverse effect of industry on other land uses.*

It is proposed that, given Council's commitment to mitigating land use conflict at residential/industrial interfaces, that this objective be strengthened. The draft Planning Proposal seeks to replace this objective with the following:

- *To minimise the impacts of development on surrounding residential or other sensitive land uses.*

It is proposed that the existing objective be removed from the IN2 Light Industrial zone and replaced with this objective to ensure that the impact of industrial development on residential development and sensitive land uses is a clear consideration for future development proposals.

Since 2017, Council has been investigating various options to manage land use conflict issues between industrial land uses and surrounding sensitive uses, including residential uses. Most recently, Council has updated the Camden Development Control Plan (DCP) 2019 to include development controls to help manage these conflicts.

At its meeting of 12 September 2017 and 26 September 2017, Council resolved the following:

*“investigate a new LEP clause for industrial development adjacent to residential uses as part of Phase 2 of the comprehensive review of Camden LEP 2010”*

As part of the comprehensive review of Camden LEP 2010, Council officers are currently undertaking an Industrial and Employment Lands Study, to inform the preparation of an Employment Strategy for the Camden LGA. This work will investigate longer term options for Camden's employment lands, including industrial lands, and it is considered that any significant change to planning controls for these lands must be carefully considered through these investigations.

The inclusion of this objective in the IN2 zone reinforces that the purpose of this zone is to provide light industrial uses, which by nature are not intended to cause nuisance or adversely affect the surrounding amenity.

#### Zoning for water infrastructure

Council has received correspondence from Sydney Water seeking to rezone a number of sites in their ownership to SP2 Infrastructure in order to reflect their ongoing use as

The Camden LGA, along with the Blue Mountains, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly form the Western City District. The Western City District Plan (the District Plan) identifies four themes to guide future planning: Infrastructure and Collaboration, Liveability, Productivity and Sustainability.

### **The LEP Review Process**

To align local plans with the strategic directions of the Region and District Plans, all councils are required to prepare a Local Strategic Planning Statement (LSPS) and review and update their Local Environmental Plan (LEP).

The LEP review commenced in June 2018 and will be completed by December 2020. The LEP review program and schedule was developed by the GSC and DPIE and includes six phases:

- Phase 1 – LEP Review Report;
- Phase 2 – Prepare Draft LSPS;
- Phase 3 – Finalise LSPS;
- Phase 4 – Amendment to Camden LEP 2010 – Seek Gateway Determination;
- Phase 5 – Exhibition of Planning Proposal for LEP Amendment;
- Phase 6 – LEP Amendment Finalised – Plan is made.

Phase 1, to prepare a LEP Review Report, was endorsed by Council on 30 October 2018 and submitted to the GSC. The LEP Review Report provided a snapshot of how the current Camden LEP 2010 and Council's plans, policies and programs align with the priorities and actions of the District Plan. On 21 December 2018, the GSC provided confirmation that Council's LEP Review Report complied with the Phase 1 Assurance for the LEP review program.

Phase 2 of the LEP review program included the drafting and exhibition of a draft LSPS. Council exhibited its draft LSPS from 23 July to 27 August 2019. On 10 December 2019, Council resolved to endorse the draft LSPS and sought Phase 3 assurance from the GSC to make the draft LSPS. The GSC assurance letter was received by Council on 5 March 2020. On 14 April 2020, Council resolved to finalise and adopt the LSPS.

Phase 4 of the LEP Review program included the preparation of a Planning Proposal to amend the Camden LEP. On 8 October 2019, Council resolved to endorse the draft Planning Proposal to be forwarded to DPIE for Gateway Determination and subject to a favourable Gateway Determination proceed to public exhibition. A Gateway Determination was received on 28 February 2020 and a further Gateway Alteration was received on 15 May 2020. A copy of the previous Council report of 8 October 2019 is provided as an **attachment** to this report.

### **Camden LEP review**

The Camden LEP review is being undertaken in two stages:

- Stage 1 – Alignment with the key strategic documents; and
- Stage 2 – Investigations following the completion of technical strategy work.

This Planning Proposal forms Stage 1 of the LEP review and includes amendments to align the Camden LEP with the priorities and actions within the District Plan and Camden LSPS.

Stage 2 will be undertaken following the completion of various strategies being undertaken to inform the review including:

- Housing Strategy;
- Centres and Employment Land Strategy;
- Green and Blue Grid Analysis;
- Heritage Review; and
- Scenic and Visual Analysis.

The Stage 1 Planning Proposal was placed on public exhibition for 42 days from 10 June to 21 July 2020. At the time of finalising this report, 408 submissions (398 community submissions and 10 public agency submissions) were received.

In accordance with the LEP review program determined by the DPIE, the Stage 1 Planning Proposal is required to be submitted to DPIE by 31 August 2020.

A series of Councillor briefings have been provided on the LEP review and preparation of the LSPS. Councillors were briefed on the outcome of the public exhibition of the Stage 1 Planning Proposal on 28 July 2020.

## **MAIN REPORT**

### **Stage 1 LEP Review Planning Proposal**

The key objective of the Stage 1 Planning Proposal is to align the Camden LEP with the planning priorities and actions within the District Plan and Camden LSPS.

In summary, the amendments included in the Stage 1 Planning Proposal include:

- Introducing environmentally sensitive land (ESL) maps and two new clauses for terrestrial biodiversity and riparian land and watercourses;
- Introducing health-focused objectives into the relevant sections of the LEP;
- Amending the RU1 Primary Production and RU2 Rural Landscape zone objectives to account for non-agricultural uses (including tourism uses) that are compatible with the agricultural, environmental and conservation values of the land;
- Introducing eco-tourist facilities as a permitted use with consent in RU1 Primary Production and RU2 Rural Landscape zones;
- Strengthening the objectives of the IN2 Light Industrial zone to manage land use conflicts;
- Rezoning several sites owned by Sydney Water and used for water infrastructure to SP2 Infrastructure; and
- Updating the heritage listing of St Johns Church Camden to reflect its listing on the State heritage register (in 2018) and correct a spelling error.

### **Public Exhibition**

In accordance with the Gateway Determination, Council was required to publicly exhibit the Planning Proposal for a minimum 28 days. The Planning Proposal was exhibited for 42 days from 10 June to 21 July 2020. Community and public agency consultation included:

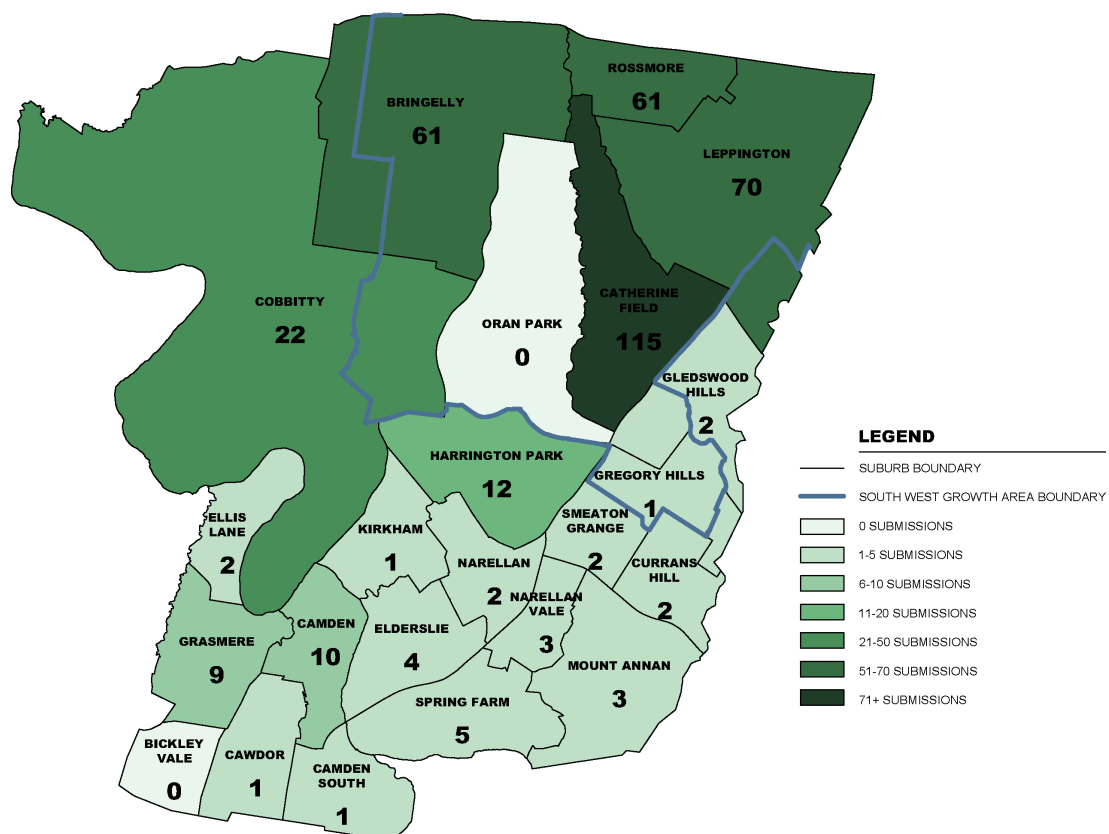


- Advertising on Council's website in accordance with recent changes to the *Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020*;
- Copies available for viewing at Council's Administration Building and Libraries;
- Interactive online mapping (social pinpoint) where residents could access the proposed environmental sensitive land maps;
- Approximately 2,800 letters sent to landowners affected by the proposed environmentally sensitive land maps and clauses;
- Notification of 10 public agencies and adjoining councils; and
- Council officers were available over the phone, via email and in person at Council offices during the public exhibition.

Due to COVID-19 restrictions, Council was unable to hold drop-in sessions off-site or public workshops, as were held during the preparation and exhibition of the LSPS.

A total of 408 submissions were received (398 general community submissions, including two form letters, with seven and eight signatures respectively, and ten public agency submissions). A copy of the submissions is provided to councillors as a **supporting document**.

**Figure 1** maps the number of submissions received by suburb.



**Figure 1** – Number of submissions by suburb

## Summary of Key Themes

A summary and consideration of the key issues raised in the submissions, including recommended changes to the Planning Proposal, is provided below. A more detailed list and consideration of key issues is provided as an **attachment** to this report.

### Community Submissions

The majority of submissions were received from landowners within the SWGA in precincts that have not yet been rezoned or released under the Growth Centres SEPP. The majority of these submissions object to the proposed inclusion of the ESL maps and associated clauses.

The common themes raised in community submissions are summarised below:

- The proposed environmentally sensitive lands clauses and maps result in properties being devalued and limits future development potential;
- The validity and extensiveness of the terrestrial biodiversity and riparian lands and watercourse mapping is questioned, including identified watercourses not existing on submitters' land;
- Proposed mapping does not correspond with DA approvals and established subdivision layouts;
- It is unclear how environmentally sensitive land mapping will impact on future rezoning within the South West Growth Area;
- Previous development has not been required to account for environmentally sensitive land, and unclear why these provisions are being introduced now;
- Lack of community consultation and concern about restrictions due to COVID-19 pandemic; and
- Support for the intent of the ESL mapping and provisions to protect Camden's significant environment and waterways but identifying the need for accurate mapping to be used.

#### *Officer Comment:*

It is recommended that the Stage 1 Planning Proposal be amended to delete the proposed environmentally sensitive lands clauses and maps for terrestrial biodiversity and riparian land and watercourses.

Significant objection was received from landowners within the SWGA to the inclusion of the proposed ESL clauses and maps. There was however general support for the introduction of appropriate non-agricultural uses, such as eco-tourist facilities within the RU1 and RU2 zones. **Figure 2** shows the extent of the SWGA (identified hatched in red) within the Camden LGA.

The ESL clauses and maps do not rezone land or change the type of development that is currently permissible on land. The clauses provide criteria for Council to consider when assessing DAs and require development to try and avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.

Currently, when assessing DAs, the environmental impacts of the development are considered through the provisions of various legislation and policies, including the Integrated Development provisions of the *Environmental Planning & Assessment Act 1979* (EP&A Act), the provisions of the *Biodiversity Conservation Act 2016*, the controls within the Camden DCP 2019 and Council's Biodiversity Strategy.

When land within the SWGA is rezoned in the future under the Growth Centres SEPP, the provisions within the Camden LEP will no longer apply. For land within the SWGA that has not undergone precinct planning, detailed studies will be prepared to inform the zoning and indicative layout plans (ILPs) that will be incorporated into a future amendment to the Growth Centres SEPP. It can be expected that this will include controls for riparian and native vegetation, similar to those already provided where precinct planning has been undertaken.

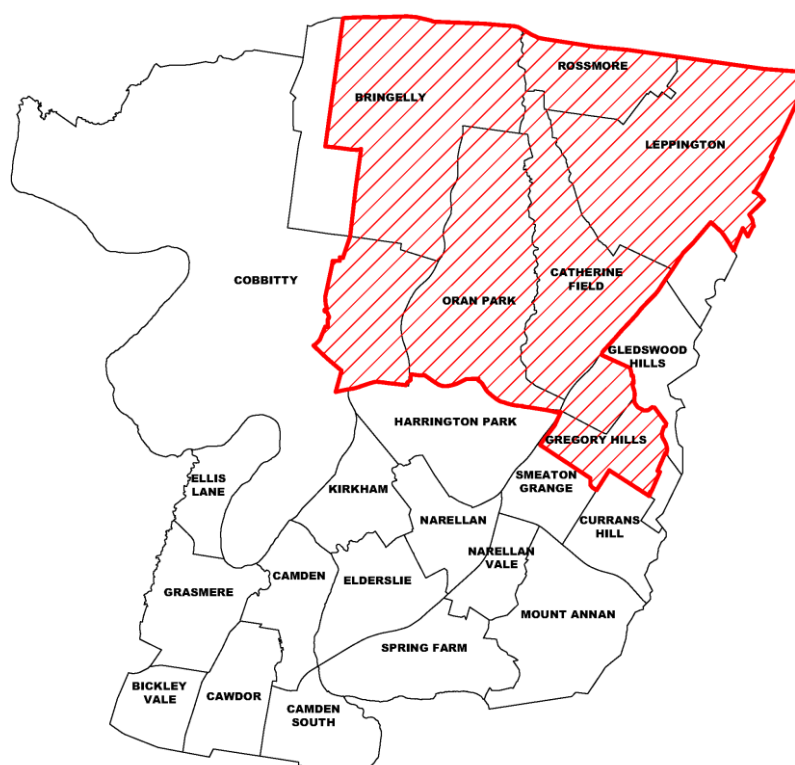
The Stage 1 Planning Proposal will not affect the timing of the precinct planning within the SWGA. Notwithstanding this, the objections received from landowners within the SWGA in relation to the potential impacts on the future development potential of their land are acknowledged.

In relation to the ESL maps, the data used in preparing these maps was derived from existing publicly available data from various government sources and strategies. It is acknowledged that in some areas (including recently developed areas), the maps do not accurately reflect all current developments and approvals.

If Council adopts the recommended amendment to the Stage 1 Planning Proposal to delete the ESL clauses and maps, Council officers will continue to consider environmental impacts when assessing DAs through existing criteria including the Integrated Development provisions in the EP&A Act, the provisions of the *Biodiversity Conservation Act 2016*, the Camden DCP 2019 and Council's Biodiversity Strategy.

In relation to the public exhibition process, the planned community engagement strategy was altered due to COVID-19 restrictions. However, the exhibition was undertaken in accordance with the *Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020* and the Gateway Determination issued by DPIE.

The Gateway Determination required Council to publicly exhibit the Planning Proposal for a minimum 28 days. The Planning Proposal was on public exhibition for 42 days. During that time, Council officers were available over the phone, via email and also in person at Council offices. In accordance with the DPIE schedule, the Stage 1 Planning Proposal is required to be submitted to the DPIE by 31 August 2020.



**Figure 2 – SWGA area**

*Recommended Post Exhibition Amendment:*

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.

The ESL maps will be reviewed, validated and updated with further ground truthing to reflect current developments and approvals, along with any changes that may arise following the finalisation of the Blue and Green Grid Analysis and a review of Council's Biodiversity Strategy.

For land outside the SWGA, the need to include ESL provisions into a future Planning Proposal will be considered at the completion of this work. For land within the SWGA that has not yet undergone precinct planning, detailed studies will be prepared to inform the zoning and indicative layout plans (ILPs) that will be incorporated into a future amendment to the Growth Centres SEPP.

Further Councillor briefings will be provided as this work progresses.

Public Agency Submissions

- *Concern over the proposed changes to the RU1 zone objectives weakening the intent of the current objectives which requires agricultural land uses to support primary production* – Department of Primary Industries (DPI) – Agriculture.

*Officer Comment:*

The LSPS identifies that Council will investigate opportunities to build on Camden's natural and cultural assets to promote local agricultural production and increase tourism and the local visitor economy.

Amending the RU1 Primary Production and RU2 Rural Landscape zone objectives to include non-agricultural uses (including tourism uses) that are compatible with the agricultural, environmental and conservation values of the land is consistent with the LSPS.

The intent of this amendment is to consider appropriate non-agricultural uses that are compatible with the existing agricultural value of the land within RU1 Primary Production and RU2 Rural Landscape zones.

This proposed amendment is not considered to weaken the current objectives but rather allow for agricultural production to remain viable and sustainable with the inclusion of eco-tourism facilities and uses with minimal impacts.

*Recommended Post Exhibition Amendment:*

No change to the Planning Proposal is recommended as a result of this submission.

- *Objection to the inclusion of 'eco-tourism facilities' as a permitted use in the RU1 zone, however no objection is raised to the inclusion of the use in the RU2 zone. Considers that the proposal is inconsistent with the Camden LSPS and the Camden Rural Lands Strategy (RLS) – DPI – Agriculture.*

*Officer Comment:*

As noted above, the Camden LSPS identifies that Council will investigate opportunities to increase tourism and the local visitor economy. The introduction of 'eco-tourism facilities' in the RU1 Primary Production zone is consistent with this action. Furthermore, whilst the Rural Lands Strategy recognises the importance of Camden's rural land and its role in producing fresh food, it also acknowledges other benefits such as tourism.

*Recommended Post Exhibition Amendment:*

No change to the Planning Proposal is recommended as a result of this submission.

- *The DPI Fisheries Policy and Guidelines for Fish Habitat Conservation and Management identifies that riverbank/watercourse buffer varies related to type and class of waterway, ranging from 10m to 100m. Therefore, the proposed LEP clause of a standard 40m may not necessarily meet the DPI Fisheries requirements – DPI – Fisheries.*

*Officer Comment:*

The submission from DPI-Fisheries is noted. It is recommended that the ESL clauses and maps be deleted from the Stage 1 Planning Proposal. The DPI Fisheries Policy and Guidelines will be further consulted to inform appropriate riparian land buffers.

*Recommended Post Exhibition Amendment:*

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

- Council's proposed clauses for ESL Terrestrial Biodiversity as well as Riparian lands and Watercourses and associated mapping should be amended to not apply to the land subject to the Growth Centres SEPP. The proposal is inconsistent with the Growth Centres SEPP, Part 6 and the Biocertification Order 2007 Relevant Biodiversity Measures (RBMs), which affords greater protection to Existing Native Vegetation and Part 5 of the Growth Centres SEPP 2006 which currently applies to flood prone and major creeks lands - DPIE - Environment, Energy and Science Group.

*Officer Comment:*

The submission from DPI-Environment, Energy and Science Group, the existing provisions of the Growth Centres SEPP and the Biocertification Order 2007 to protect existing native vegetation and flood prone and major creeks are noted. Whilst these provisions do not apply to all land within the SWGA, it is recommended that the ESL clauses and maps be deleted from the Stage 1 Planning Proposal.

*Recommended Post Exhibition Amendment:*

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

- General support for the environmentally sensitive land provisions however clarification and ground truthing should be provided regarding the environmentally sensitive land, to ensure the proposed clauses will not undermine existing and future operations of infrastructure – Department of Education, WaterNSW, Transport for NSW.

*Officer Comment:*

These agencies have requested that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL clauses and maps be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect current developments and approvals, along with any recent and future infrastructure projects.

*Recommended Post Exhibition Amendment:*

It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

- Support for the amendment to the land use tables in the LEP to embed health considerations around walking and cycling into the zone objectives for B1 neighbourhood centres – South Western Sydney Local Health District.

*Officer Comment:*

The support of SWSLHD is noted and Council will continue to consult and collaborate with SWSLHD to improve the health and wellbeing of residents.

*Recommended Post Exhibition Amendment:*

No change to the Planning Proposal is recommended as a result of this submission.

- *General support for the intention of the draft Planning Proposal to give effect to the actions within the District Plan and local priorities in the Camden LSPS, including the proposed ESL provisions to protect environmentally significant land - DPI Fisheries, Department of Education, Sydney Water, WaterNSW and Transport for NSW.*

*Officer Comment:*

It is noted that several agencies have provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands. Whilst the importance of considering and protecting environmentally sensitive land is acknowledged, further work to review and validate the ESL maps is required to reflect current development and approvals.

*Recommended Post Exhibition Amendment:*

No change to the Planning Proposal is recommended as a result of these submissions. It is however recommended that the Planning Proposal be amended to delete the ESL clauses and maps.

### **Summary of Post Exhibition Amendments**

Following consideration of submissions received to the public exhibition, the Planning Proposal has been amended to remove the ESL clauses and maps. The proposed amendments do not change the intent of the exhibited version therefore re-exhibition is not required.

### **Next Steps**

Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to DPIE for the plan to be made. The DPIE is the State Government agency responsible to determine and finalise the Planning Proposal.

It is recommended that Council write to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP requesting his support for the amended Planning Proposal.

Council will also write to all landowners notified of the Stage 1 Planning Proposal to inform them of Council's decision along with all submitters and public agencies.

### **FINANCIAL IMPLICATIONS**

The LEP Review is funded by the \$2.5 million Accelerated LEP Review Program Funding Agreement from the DPIE.

### **CONCLUSION**

The Stage 1 Planning Proposal seeks to align the Camden LEP with the planning priorities and actions outlined in the Western City District Plan and the Camden LSPS.

The Planning Proposal was publicly exhibited for 42 days from 10 June to 21 July 2020 and 408 submissions (398 general community submissions and ten public agency submissions) were received.





In response to objection from the community and issues raised by public agencies, it is recommended that the Planning Proposal be amended to remove the ESL clauses and maps. Subject to Council endorsement, the Planning Proposal (as amended) will be forwarded to the DPIE for the plan to be made.

The ESL maps will be reviewed, validated and updated to reflect current developments and approvals, along with any changes that may arise following the finalisation of the Blue and Green Grid Analysis and a review of Council's Biodiversity Strategy. Further Councillor briefings will be provided as this work progresses.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the Planning Proposal (as amended to remove the Environmentally Sensitive Land maps and local clauses) and forward to the Department of Planning, Industry and Environment for the plan to be made;**
- ii. write to the Hon. Rob Stokes, Minister for Planning and Public Spaces, requesting his support to the Planning Proposal (as amended);**
- iii. write to Mr Peter Sidgreaves MP, Member for Camden, requesting his support to the Planning Proposal (as amended); and**
- iv. write to all landowners who were notified of the Planning Proposal, along with all submitters and public agencies to inform them of Council's decision.**

#### **ATTACHMENTS**

1. Draft Planning Proposal - Stage 1 Camden LEP 2010 LEP Review - Post Exhibition
2. Stage 1 LEP Review - Council Report 8 October 2019
3. Agency Submission Response Table
4. LEP Review Stage 1 General Submission Issues Table
5. LEP Review Stage 1 - Public Agency Submissions
6. Submissions LEP Review Stage 1 - under separate cover - *Supporting Document*



Resolution: Moved Councillor A Cagney, Seconded Councillor C Cagney that Mr Symkowiak be granted a further two minute extension.

ORD109/20 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

Resolution: Moved Councillor C Cagney, Seconded Councillor Campbell that the public addresses be noted.

ORD110/20 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

### **CONFIRMATION OF MINUTES**

Resolution: Moved Councillor C Cagney, Seconded Councillor Farrow that the Minutes of the Ordinary Council Meeting held 28 July 2020, copies of which have been circulated, be confirmed and adopted.

ORD111/20 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

### **ORD01 STAGE 1 CAMDEN LEP REVIEW - POST EXHIBITION**

Resolution: Moved Councillor Sidgreaves, Seconded Councillor C Cagney that Councillor Campbell be granted consent to speak longer than five minutes in relation to ORD01.

ORD112/20 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

Resolution: Moved Councillor Sidgreaves, Seconded Councillor C Cagney that Council:

- i. endorse the Planning Proposal (as amended to remove the Environmentally Sensitive Land maps and local clauses) and forward to the Department of Planning, Industry and Environment for the plan to be made;
- ii. write to the Hon. Rob Stokes, Minister for Planning and Public Spaces, requesting his support to the Planning Proposal (as amended);
- iii. write to Mr Peter Sidgreaves MP, Member for Camden, requesting his support to the Planning Proposal (as amended); and
- iv. write to all landowners who were notified of the Planning Proposal, along with all submitters and public agencies to inform them of Council's decision.

ORD113/20 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)