

Greater Sydney, Place and Infrastructure

IRF19/7015

Gateway determination report

LGA	Camden LGA
PPA	Camden Council
NAME	Camden LSPS LEP 2010 Review 1
NUMBER	PP_2019_CAMDE_005_00
LEP TO BE AMENDED	Camden LEP 2010
ADDRESS	LGA-wide
DESCRIPTION	N/A
RECEIVED	21/10/2019
FILE NO.	EF19/28893
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal is part of broader LEP reforms intended to align the Camden Local Environmental Plan (LEP) 2010 with the Western City District Plan and draft Camden Local Strategic Planning Statement (LSPS). This planning proposal forms Stage 1 of this broader reforms.

The planning proposal seeks to amend the Camden LEP 2010 as follows:

1. introduce clauses relating to Terrestrial Biodiversity, and Riparian Lands and Watercourses and associated mapping;
2. introduce a Floodplain Risk Management clause;
3. include health objectives;
4. introduce objectives to the RU1 Primary Production and RU2 Rural Landscape zones to permit tourism uses;
5. permit with consent the development of eco-tourist facilities within the RU1 Primary Production and RU2 Rural Landscape zones and activating Clause 5.13 Eco-tourist facilities;
6. amend the land use table objectives for the IN2 Light Industrial Zone to discourage land use conflict;
7. amend the zoning on seven (7) allotments owned by Sydney Water from the existing zoning to SP2 Infrastructure; and
8. amending the heritage listing on the St. John's Church Precinct from local to State heritage significance and to correct a minor spelling error.

1.2 Site description

The planning proposal applies to land identified on the Land Application Map under the Camden LEP 2010 (Figure 1 below). The planning proposal does not apply to several areas in the Camden LGA which are currently deferred from the Camden LEP 2010 and covered by the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).

Camden LEP 2010 applies to areas in the Camden LGA which form part of the Aerotropolis Growth Area. It is anticipated that a future State Environmental Planning Policy will be implemented for the Aerotropolis Growth Area in 2020, which when implemented will prevail over the LEP.

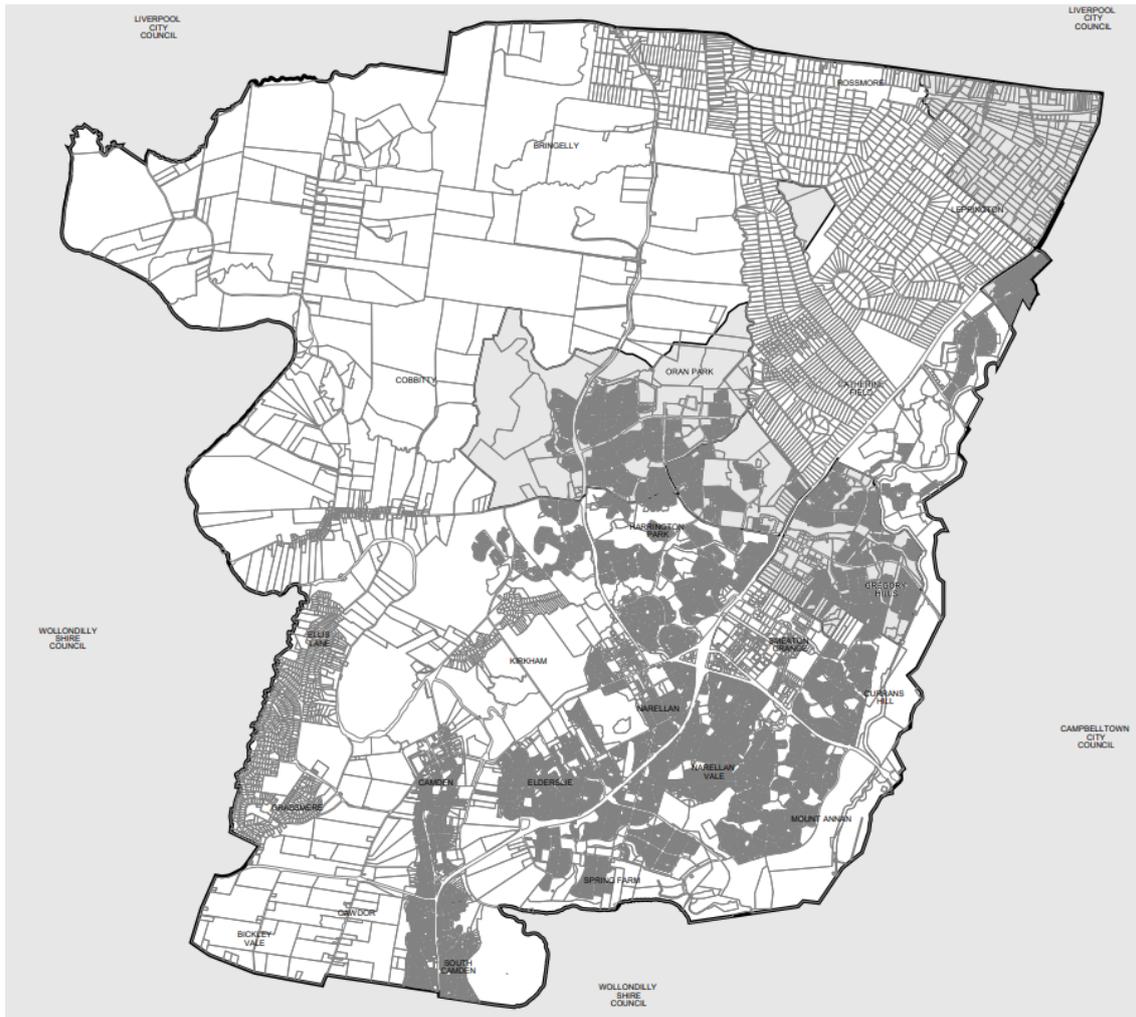


Figure 1: Camden Land Application Map.

1.3 Existing planning controls

The Camden Standard Instrument LEP has been in force since 2010. The LEP has been amended through various planning proposals.

1.4 Summary of recommendation

The planning proposal is supported to proceed with conditions as it seeks to align Camden LEP 2010 with the planning priorities of the Western City District Plan and draft Camden LSPS. Further, the proposal seeks to appropriately resolve several minor errors, anomalies and improve the clarity of the Camden LEP 2010.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objective of the proposal is to ensure the Camden LEP 2010 to improve its alignment with the State Government's direction, the planning priorities of the Western City District Plan and the draft Camden LSPS. The planning proposal also includes minor amendments to improve the readability and application of Camden LEP 2010.

2.2 Explanation of provisions

The planning proposal seeks to amend the Camden LEP 2010 as follows:

Item 1: Introduce two new local clauses and associated mapping, to identify areas of terrestrial biodiversity, riparian lands and watercourses.

This proposed amendment aims to provide an additional layer of protection for environmentally sensitive land within the LGA which is a key contributor to the scenic and landscape qualities of Camden. The proposed clauses will outline heads of consideration that must be considered when assessing development applications on land to which the clauses apply and requires development to avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.

Council has proposed the following wording for the clauses:

Environmentally sensitive land—terrestrial biodiversity

(1) The objective of this clause is to maintain terrestrial biodiversity by:

(a) protecting native fauna and flora, and

(b) protecting the ecological processes necessary for their continued existence, and

(c) encouraging the conservation and recovery of native fauna and flora and their habitats.

(2) This clause applies to land identified as "Environmentally Sensitive Land" on the Terrestrial Biodiversity Map.

(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:

(a) whether the development is likely to have:

(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and

(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and

(iv) any adverse impact on the habitat elements providing connectivity on the land, and

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

(4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

Environmentally sensitive land—riparian lands and watercourses

(1) The objective of this clause is to protect and maintain the following:

(a) water quality within watercourses,

(b) the stability of the bed and banks of watercourses,

(c) aquatic and riparian habitats,

(d) ecological processes within watercourses and riparian areas.

(2) This clause applies to watercourses and wetlands, including all of the following:

a) land identified as “Environmentally Sensitive Land- Watercourses” on the Riparian Lands and Watercourses Map.

b) land identified as “Environmentally Sensitive Land – Riparian Land” on that map,

c) all land that is within 40 metres of the top of the bank of the watercourse.

(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:

(a) whether or not the development is likely to have any adverse impact on the following:

(i) the water quality and flows within the watercourse,

(ii) aquatic and riparian species, habitats and ecosystems of the watercourse,

(iii) the stability of the bed and banks of the watercourse,

(iv) the free passage of fish and other aquatic organisms within or along the watercourse,

(v) any future rehabilitation of the watercourse and riparian areas, and

(b) whether or not the development is likely to increase water extraction from the watercourse, and

(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

(4) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that:

(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed terrestrial biodiversity map (refer to Figure 2 below) is based on the Environmentally sensitive lands mapping within the Camden Council Local Biodiversity Strategy (2013), which Council has updated based on a desktop analysis to not include newly developed areas and vegetation removal.

The proposed riparian lands and watercourses map (refer Figure 3 next page) is based on the Department's database. It identifies where waterways and water dependent ecosystems are defined as high ecological value, based on definitions, guidelines and policies under the *Environment Protection and Biodiversity Conservation Act 1999*, *Biodiversity Conservation Act 2016*, *Fisheries Management Act 1994* and *Water Management Act 2000*.

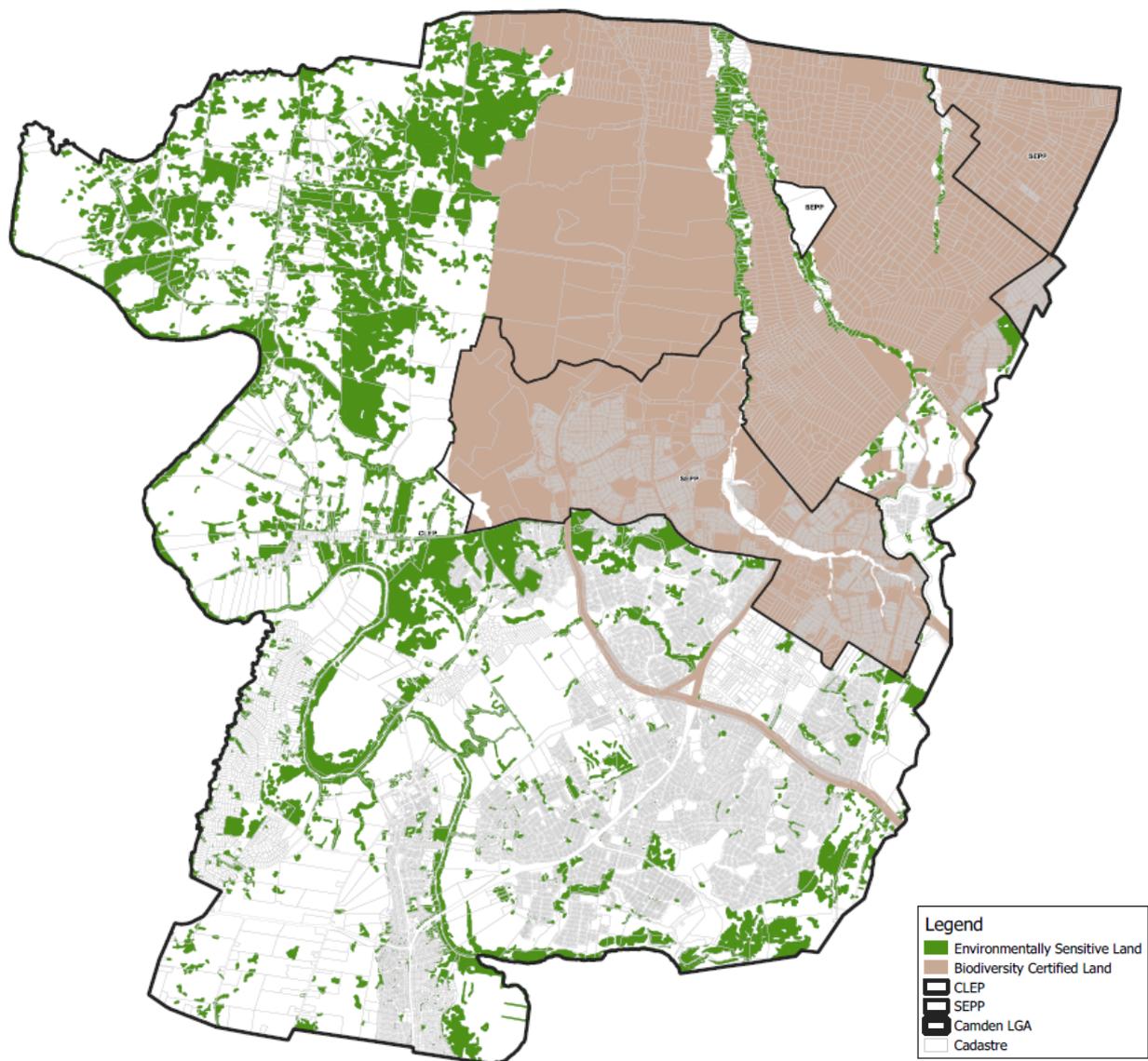


Figure 2: Proposed Terrestrial Biodiversity Map.

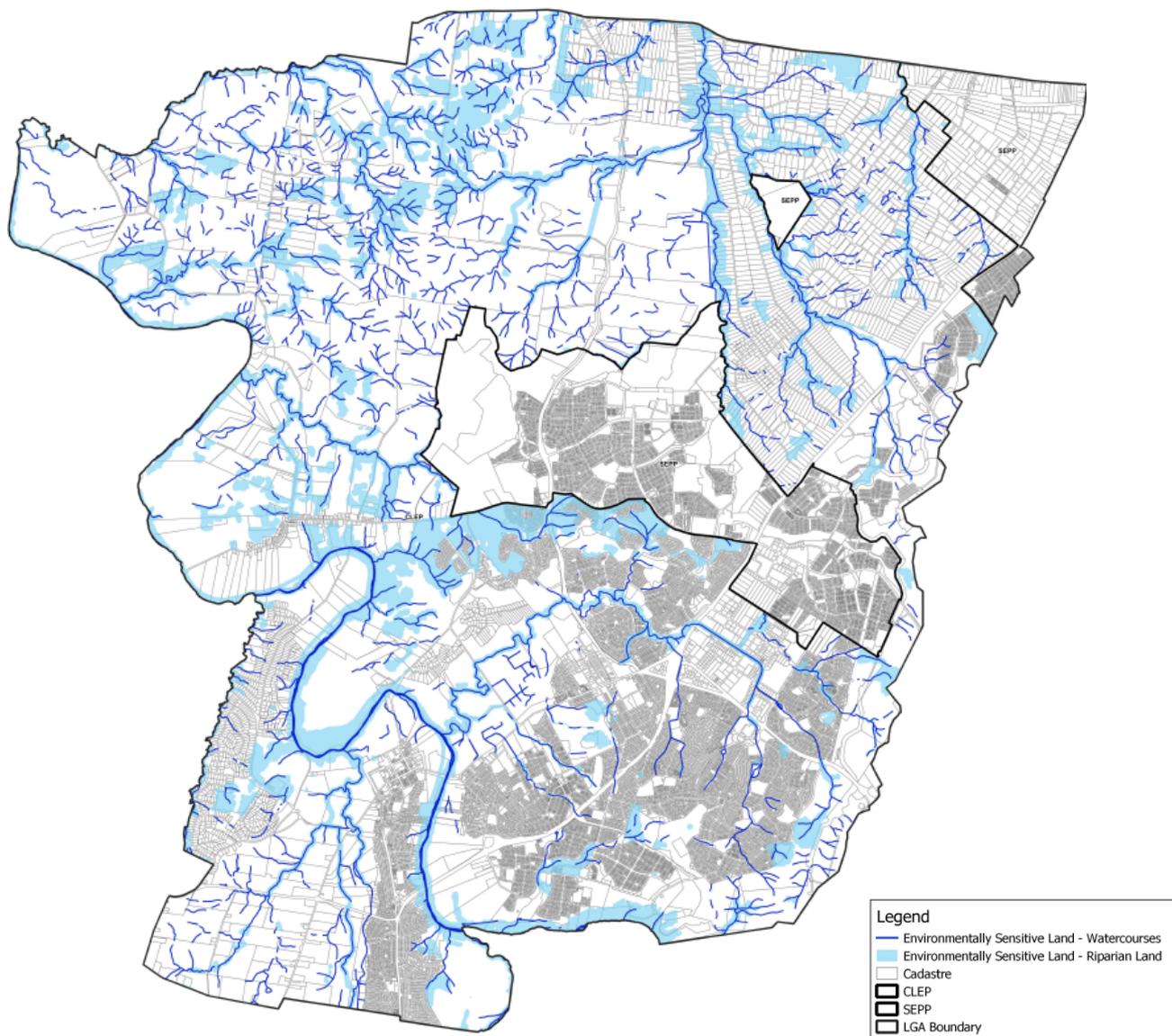


Figure 3: Proposed Riparian Lands and Watercourse Map.

Department Comment:

The proposed new provisions and associated mapping are supported as these will provide appropriate protection of environmentally sensitive lands. This proposal is also supported as it is consistent with the Western City District Plan. The inclusion of biodiversity mapping is 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 Department recommends that Council consults the Environment, Energy and Science Group on this provision and that Council include a note in the planning proposal indicating the draft clause is subject to legal drafting and may change.

Item 2: Introduce a new Floodplain Risk Management clause

The proposed clause will align Camden LEP 2010 with the adopted Upper South Creek Floodplain Risk Management Study and Plan (FRMS&P) and any additional flood plan without the need for future LEP amendments.

The South Creek catchment covers a significant north-eastern portion of the Camden LGA and Council is preparing a FRMS&P for the Nepean River and Narellan Creek catchment areas.

The proposed clause is outlined below.

Floodplain risk management

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

(a) in relation to development with particular evacuation or emergency response issues—to enable evacuation of land subject to flooding in events exceeding the flood planning level,

(b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events.

(2) This clause applies to:

(a) land between the flood planning level and the level of the probable maximum flood, and

(b) flood islands that are caused by water rising to the flood planning level and surrounding the land, and

(c) land to which Councils adopted floodplain risk management plan applies.

(3) Development consent must not be granted to development, unless the Council is satisfied that the development will not affect the safe occupation of, and evacuation from, the land, as detailed in Councils adopted floodplain risk management plan.

(4) In this clause:

flood planning level means the level of a 1% AEP (Annual Exceedance Probability) flood event plus 0.5 meters freeboard, or other freeboard determined by an adopted floodplain risk management plan.

probable maximum flood has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.

Note. The probable maximum flood is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

Department Comment:

This proposal is consistent with the Western City District Plan's Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change and Local Priority S6- Improving Camden's resilience to natural hazards and extreme weather events of the draft LSPS. Further, the item would achieve the following action of the draft LSPS: "Council will review planning controls related to flood prone land".

However, this item is not in accordance with Section 9.1 Direction 4.3 Flood Prone Land and it is recommended that it be removed from the planning proposal to allow further consideration to be given to this item by Council. The direction seeks to ensure that LEPs do not contain provisions that impose flood related development controls above the residential flood planning level for residential development, unless

Council provides adequate justification for the controls to the satisfaction of the Director General (now Secretary) or nominated delegate.

As the flood controls proposed by Council seek to regulate development, including residential development, on land above the 1% AEP, it would be necessary for Council to submit a case for exceptional circumstances. This approach is in accordance with Planning Circular PS 07-003 (31 January 2007) (**Attachment Circular**), which also requires agreement by the Department of Natural Resources (now the Environment, Energy and Science Group).

Therefore, this proposed amendment is not support and Council is required to remove this from the planning proposal until the above can be completed.

Item 3: Inclusion of health objectives

The proposal seeks to introduce health objectives as follows:

- in Clause 1.2 of Camden LEP 2010 – *“to protect and promote the health and well-being of current and future residents of Camden”*; and
- in the Land Use Table for the B1 Neighbourhood Centre zone – *“to encourage a safe, attractive, accessible and efficient pedestrian environment”*.

The proposed objectives aim to facilitate a greater focus on health and wellbeing within the built form of the Camden LGA. It is noted that the B1 Neighbourhood Centre zone does not have an objective related to walkability unlike the B2 Local Centre and B4 Mixed Use zones, which contain objectives to maximise public transport patronage and encourage walking and cycling.

Department Comment:

This proposed amendment is supported. 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 draft LSPS.

Item 4: Introduce objectives to the RU1 Primary Production and RU2 Rural Landscape zones to permit 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 ecotourist facilities.

The proposal seeks to replace the existing objective in both zones from:

“To permit non-agricultural uses which support the primary production purposes of the zone”

with

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

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 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.

Department Comment:

This proposal is supported as it is generally consistent with Action 41 the Western City District Plan, i.e. Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation.

Item 5: Permitting with consent the development of eco-tourist facilities within the RU1 Primary Production and RU2 Rural Landscape zones and activating Clause 5.13 Eco-tourist facilities

The proposal seeks to:

- remove eco-tourist facilities as prohibited land uses within the RU1 Primary Production and RU2 Rural Landscape zones; and
- insert the compulsory standard instrument clause 5.13 Eco-tourist facilities, which provides heads of consideration for this permitted use.

Eco-tourist facilities are considered appropriate in the RU1 and RU2 zones due to their low-impact nature. Similar visitor accommodation options (bed and breakfast and farm stay accommodation) are currently permitted in the RU1 and RU2 zones. Consequently, permitting eco-tourist facilities in these zones will further encourage visitor accommodation options within Camden.

To accompany this proposed eco-tourist facilities amendment to the Land Use Table, the proposal also seeks to 'activate' the mandated standard instrument clause 5.13 Eco-tourist facilities.

The proposal states that this clause is currently within the LEP, but as eco-tourist facilities are not currently permitted, the clause is not active. The proposed clause for eco-tourist facilities has been modelled on other council's LEPs where these uses are currently permitted.

Department Comment:

A review of Camden's LEP indicates that this clause is not included in Camden LEP 2010, i.e. has not been adopted in that instrument. Further, the draft clause in the proposal is a compulsory clause in the Standard Instrument – Principle Local Environmental Plan, i.e. mandated where eco-tourist facilities are permitted with consent.

Consequently, a recommended Gateway determination condition requires Council, prior to exhibition, to amend the proposal clarifying that the proposal seeks to include mandated clause 5.13 Eco-tourist facilities within Camden LEP.

The low impact nature of eco-tourist facilities is supported as an appropriate land use for the RU1 and RU2 zones. Further, and as indicated, these items are generally consistent with Action 41 the Western City District Plan, i.e. Consider opportunities to enhance the tourist and visitor economy in the District, including a coordinated approach to tourism activities, events and accommodation.

Item 6: Amending the land use table objectives for the IN2 Light Industrial Zone to discourage land use conflicts

The proposed amendment seeks to replace the existing Light Industrial zone objective from:

“To minimise any adverse effect of industry on other land uses”

with

“To minimise the impacts of development on surrounding residential or other sensitive land uses”

Council has been investigating various options to manage land use conflict issues between industrial land uses and surrounding sensitive uses, including residential uses. Council recognise that the objective needs to be strengthened to mitigate land use conflict at residential/industrial interfaces.

It is proposed that this objective be replaced to ensure that the impact of industrial development on residential and sensitive land uses is a clear consideration for future development proposals. It will also reinforce 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.

Department Comment:

This proposal is supported as it is generally consistent with the Western City District Plan Action 28: to manage the interface of industrial areas.

Item 7: Amending seven allotments owned by Sydney Water from the existing zoning to SP2 Infrastructure.

The proposal seeks to rezone specific Sydney Water owned sites to SP2 Infrastructure to provide the community with better clarity on the ongoing use of the site and preserves the use of the site for permanent infrastructure. The sites are identified, as follows:

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

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 existing zoning of the identified sites cause confusion from nearby owners 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.

Department Comment:

This proposal is supported as it will provide an appropriate zone for each of the sites containing Sydney Water permanent infrastructure. Further, the proposal is consistent with the LEP Planning Practice Note PN10-001 Zoning for Infrastructure in LEPs, dated 14 December 2010, for sewage treatment plants and waste disposal sites that supports land of this nature to be zoned to 'special purpose' zone (i.e. SP2 Infrastructure).

It is recommended that Council consults Sydney Water on the proposal as it seeks to rezone land owned by this agency.

Item 8: Amending the heritage listing on the St. John's Church Precinct

The proposal seeks to:

- amend Schedule 5 to correctly list St John's Church Precinct as a State heritage item; and
- correct a minor spelling error in the item description to properly identify the lych gates.

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

Additionally, a minor spelling error exists in the item description. It is proposed to correct the listing to properly identify the lych gates.

Department Comment:

These minor housekeeping amendments are supported. This item is consistent with the Western City District Plan, for example, Action 56(I) seeks to ensure that heritage items are appropriately conserved and heritage significance is correctly interpreted. It is also recommended that Council consults Heritage, Department of Premier and Cabinet on this proposed amendment.

2.3 Mapping

The proposal seeks to introduce the following maps:

- Environmentally Sensitive Land – Terrestrial Biodiversity; and
- Environmentally Sensitive Land – Riparian Lands and Watercourses

These draft maps are included in Appendix 5 of the planning proposal.

The planning proposal will also amend the Land Zoning Maps to rezone the seven allotments owned by Sydney Water from the existing zone to SP2 Infrastructure. The

existing and proposed zoning maps are located at Appendix 6 [pp. 43-46) of the planning proposal.

These maps are considered suitable for exhibition purposes.

3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is not the result of a strategic study. The proposal is a housekeeping amendment that seeks to align it with the Western City District Plan and draft Camden LSPS and resolve several minor errors, anomalies and to improve readability of the Camden LEP 2010.

A planning proposal is the best way to achieve these outcomes.

4. STRATEGIC ASSESSMENT

4.1 District

Western City District Plan

In March 2018, the GSC published the Western City District Plan. It is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The Western City District Plan informs the assessment of planning proposals and provides the link between regional and local planning.

The planning proposal is consistent with the Western City District Plan as it aligns Camden LEP 2010 with the planning priorities set in the District Plan, as described in section 2.2 of this report.

4.2 Local

Draft Camden Local Strategic Planning Statement

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 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.

The planning proposal is consistent with relevant Camden Council local strategic planning policies and seeks to implement Stage 1 of the LEP review. It is noted that the GSC's assurance letter endorsing the draft LSPS has not yet been issued.

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

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

Camden Local Planning Panel

The planning proposal was reported to the Camden Local Planning 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.

4.3 Section 9.1 Ministerial Directions

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres. This direction applies as the proposal affects land zoned IN2 Light Industrial.

The proposal consistent with this direction as it seeks to introduce an objective into the IN2 zone to minimise land use conflict between industrial land uses and surrounding land uses. This proposed objective will also ensure that the impact of industrial development on residential development and sensitive land uses is a clear consideration for future development proposals.

Direction 1.2 Rural Zones

The objective of this direction is to protect the agricultural production value of rural land. This direction applies as the proposal seeks to rezone a lot owned by Sydney Water, comprising a reservoir, from RU4 Primary Production Small Lots to SP2 Infrastructure.

The planning proposal is considered to be consistent with this direction as it does not increase the permissible density of rural land and does not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

Direction 2.1 Environment Protection Zones

The objective of this direction is to protect and conserve environmentally sensitive areas. The planning proposal facilitates the protection of environmentally sensitive

land through the proposed terrestrial biodiversity and riparian lands and watercourse mapping. It is considered that the proposal is consistent with the direction.

Direction 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The planning proposal seeks to identify a local heritage item as a State heritage item and amend a minor spelling error. The amendment is consistent with the direction as it assists in meeting the objective of the direction as it does not decrease the heritage controls for the site.

Direction 4.3 Flood Prone Land

The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard.

As indicated in section 2.2 of this report, a planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification and this justification is endorsed.

It is noted that Council's intention includes residential development and the Direction applies. To not delay the planning proposal proceeding, it is recommended that this item be removed from the proposal and Council be given the opportunity to put forward a case for exceptional circumstances. Should subsequent endorsement be given, this item may be incorporated within a following planning proposal.

Direction 4.4 Planning for Bushfire Protection

The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas. This direction applies as the proposed Terrestrial Biodiversity mapping and rural zone amendments affect bushfire prone land.

The planning proposal is generally consistent with this direction as it will not significantly increase density in bushfire prone land or alter the existing bushfire controls under the LEP or DCP.

However, in accordance with the requirements of this direction, Council is required to consult the NSW Rural Fire Service prior to public exhibition to ensure it does not object to the progression of the planning proposal.

Direction 7.8 Implementation of new Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan

The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan). This direction applies to the Camden LGA therefore applies to this planning proposal.

The proposal affects land within the Aerotropolis including mapping of terrestrial biodiversity, tourism uses in the rural zones, and rezoning Sydney Water owned land to SP2 Infrastructure.

The Department notes that these amendments will not impact the strategic intent of the Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan therefore is consistent with this direction.

4.4 State environmental planning policies (SEPPs)

The proposal is consistent with the relevant SEPPs as follows:

State Environmental Planning Policy No 19—Bushland in Urban Areas

The proposal includes the introduction of the proposed terrestrial biodiversity mapping that will protect significant vegetation.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The proposal includes the introduction of the proposed terrestrial biodiversity mapping that will protect significant vegetation.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social

The planning proposal introduces health-related objectives into the Aims of the Plan and the B1 Neighbourhood Centre zone to encourage healthy, pedestrian focused neighbourhoods.

The amendment of Schedule 5 to correctly list the St John's Church Precinct on the State heritage register will assist with heritage protection and conservation within the LGA.

5.2 Environmental

The planning proposal seeks to include terrestrial biodiversity and riparian lands and watercourse mapping to the whole LGA, with the exception of land subject to the Growth Centres SEPP.

In order to preserve ecological communities and important biodiversity corridors, the new provisions and associated mapping will allow an additional layer of protection for the LGA's environmentally sensitive lands which are a key contributor to the scenic and landscape qualities of Camden.

The proposal also seeks to reduce land use conflicts between IN2 Light Industrial zoned land and surrounding sensitive land uses, by the addition of a new objective

5.3 Economic

The planning proposal seeks to introduce objectives and land uses to the RU1 Primary Production and RU2 Rural Landscape zones to support and permit tourism uses in these zones. The permissibility of tourism-focused uses within Camden's rural areas creates opportunities for diversification in the rural economy and leverages from the natural landscape that is valued by the community and visitors.

The planning proposal seeks to reinforce the purpose of the IN2 zone is to provide light industrial uses, to protect the viability of these zones and to reduce land use conflicts.

6. CONSULTATION

6.1 Community

Council advised that the planning proposal and associated documents will be publicly exhibited for a period of 28 days. The proposal is considered low impact and it is recommended that the Ministers delegate agrees to the length of the proposed exhibition period.

The exhibited material will be available at various locations includes libraries and published on Council's website. Notifications will also be placed in the local newspaper.

6.2 Agencies

Consultation with the following agencies is recommended:

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

7. TIME FRAME

Council is required to submit the planning proposal to the Department for finalisation prior to 30 June 2020.

8. LOCAL PLAN-MAKING AUTHORITY

Council has not requested for authorisation for local plan-making authority. As the planning proposal is for Stage 1 of a comprehensive review of Camden LEP 2010, authorisation for Council to be the local plan-making authority is not recommended.

9. CONCLUSION

The preparation of the planning proposal is supported, with conditions. The proposal appropriately seeks to align Camden's LEP with the planning priorities of the Western City District Plan. Further, the proposal seeks to appropriately resolve several minor errors, anomalies and improve the clarity of the LEP.

10. RECOMMENDATION

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
 - (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. The planning proposal should be made available for community consultation for a minimum of 28 days.
 3. Consultation is required with the following public authorities:
 - Greater Sydney Commission;
 - NSW Rural Fire Service;
 - Environment, Energy and Science Group;
 - Heritage, Department of Premier and Cabinet; and
 - Sydney Water.
 4. Council is required to submit the planning proposal to the Department for finalisation prior by 30 June 2020.
 5. Given the nature of the planning proposal, Council is not authorised to exercise delegation to make this plan.



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