



Camden LEP 2010 Amendment No.39 - LGA boundary realignment between Camden and Campbelltown LGA's

Proposal Title : **Camden LEP 2010 Amendment No.39 - LGA boundary realignment between Camden and Campbelltown LGA's**

Proposal Summary : **The proposal seeks to amend the relevant planning maps under Camden LEP 2010 to reflect the realignment of the LGA boundary between Camden and Campbelltown Councils.**

PP Number : **PP_2015_CAMDE_003_00** Dop File No : **16/01361**

Proposal Details

Date Planning Proposal Received : **08-Dec-2015** LGA covered : **Camden**
Region : **Metro(Parra)** RPA : **Camden Council**
State Electorate : **CAMDEN** Section of the Act : **55 - Planning Proposal**
LEP Type : **Housekeeping**

Location Details

Street :
Suburb : City : Postcode :
Land Parcel : **Refer to Attachment C of the Planning Proposal - Schedule A of NSW Government Gazette No 106 of 27 November 2015**

DoP Planning Officer Contact Details

Contact Name : **Lillian Charlesworth**
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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Terry Doran**
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Land Release Data

Growth Centre : Release Area Name :
Regional / Sub **Metro South West subregion** Consistent with Strategy : **Yes**
Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment : To the best of the Regional Team's knowledge, there has not been any contact with registered lobbyists regarding this proposal.

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The proposal seeks to amend the relevant maps under Camden Local Environmental Plan 2010 to reflect the amended Local Government Area boundary between Camden and Campbelltown Local Government Areas.

It is recommended that the Statement of Objectives is to be amended prior to public exhibition to identify the existing planning controls that apply to land at Emerald Hills and the justification for any changes to existing land use zones, height limits and minimum lot size controls.

An E2 Environmental Conservation Zone will apply to land that will be subject to a Biobanking Agreement as part of the development of Emerald Hills. The RU2 Rural Landscape Zone will be applied to that portion of the Sydney Upper Canal Catchment lot that was formerly in Campbelltown Council area to match the zoning that currently applies to the remainder of the lot.

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

Is an explanation of provisions provided? Yes

Comment : The proposal will amend the relevant Land Application Map, Land Zoning Maps, Height of Buildings Maps, Lot Size Maps, Land Reservation Acquisition Maps, Heritage Maps, Additional Permitted Uses Maps and Urban Release Area Map under Camden Local Environmental Plan 2010 to reflect a boundary realignment with the Campbelltown Local Government Area.

There will be no change to the existing planning controls for land affected at East Leppington/Willowdale.

For certain land at Emerald Hills, the following changes to planning controls will occur:

- apply an E2 Environmental Conservation, RU2 Rural Landscape and SP2 Water Supply System zoning (currently part E3 Environmental Management and part SP2 Water Supply System);
- apply a height limit of 9.5m (currently 9m); and
- apply a minimum lot size of 2ha and 40ha (currently 100ha).

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA : **2.1 Environment Protection Zones**

* May need the Director General's agreement

Is the Director General's agreement required? **No**

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

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

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

SECTION 117 DIRECTIONS

2.1 ENVIRONMENT PROTECTION ZONES: This Direction does apply to the planning proposal as it will affect land within an environment protection zone or land otherwise identified for environment protection purposes. The proposal is considered to be **CONSISTENT** with this direction.

2.3 HERITAGE CONSERVATION: This Direction does apply to the planning proposal as it affects the Sydney Upper Canal which is a State heritage listed item. The proposal is considered to be **CONSISTENT** with this direction.

SEPP (Sydney Region Growth Centres) 2006: This amendment applies to land near the East Leppington South West Growth Centre precinct, but will not make any changes to the SEPP. The proposal is considered to be **CONSISTENT** with this SEPP.

The planning proposal is consistent with all relevant Section 117 Directions and State Environmental Planning Policies.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The maps provided are inadequate and should be amended prior to public consultation as follows:**

- all maps are to be numbered, labelled and identified on the contents page;
- all maps are to clearly indicate the boundaries of the land affected by the planning proposal; and
- for each map to be amended, show an extract of the existing and proposed maps on the same page. The existing map extracts must include the current planning controls applied by Campbelltown Council to the land affected by the proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council intends that the planning proposal be exhibited for 28 days, notified in the local**

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newspaper, exhibited at the Narellan and Camden customer service centres and libraries and that landowners be notified.

Given that a similar planning proposal must be prepared by Campbelltown Council and that the proposals will need to come into effect simultaneously (to avoid dual controls or no controls applying to affected land), Council should be encouraged to liaise with Campbelltown Council to coordinate a joint public exhibition of both proposals.

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Camden Local Environmental Plan 2010 was notified on 3 September 2010.**

Assessment Criteria

Need for planning proposal :

The Local Government Area boundary adjustment that was notified on 27 November, 2015, arose as part of an agreement between the Camden and Campbelltown Councils to enable the following land to lie fully within the Camden Council Local Government Area boundary, rather than be bisected by it:

- 1. the residential development at East Leppington/Willowdale; and**
- 2. the entire environmental conservation/biobanking lot, the Ingleburn Dam catchment lot and the Sydney Upper Canal lot at Emerald Hills.**

Consistency with strategic planning framework :

The proposal is consistent with all relevant strategic plans.

Environmental social economic impacts :

Given the amendments are minor and generally administrative in nature, the proposal is unlikely to generate any adverse impacts.

The reduction in the minimum lot size controls will not generate any additional lots as:

- the land to be zoned RU2 Rural Landscape with a 40ha min lot size is already below 40ha in size; and**
- the land to be zoned E2 Environmental Conservation is a 20.2ha parcel that is intended to be subdivided into two 10ha lots that will each be sold with an existing adjoining 2ha R2 Low Density parcel.**

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Assessment Process

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

Timeframe to make LEP : **9 months** Delegation : **RPA**

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

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Camden - cover letter.pdf	Proposal Covering Letter	Yes
Camden - planning proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **2.1 Environment Protection Zones**

Additional Information : **DELEGATION OF PLAN MAKING FUNCTIONS
Council has requested that it exercise the Minister's plan making functions for this planning proposal and this request is supported.**

RECOMMENDATION

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

1. Prior to exhibition, Council is to amend the planning proposal as indicated

below:

- (a) all maps are to be numbered, labelled and identified on the Contents page;
- (b) all maps are to clearly indicate the boundaries of the land affected by the planning proposal;
- (c) for each map to be amended, show an extract of the existing and proposed maps on the same page. The existing map extracts must include the current planning controls applied by Campbelltown Council to the land affected by the proposal; and
- (d) the Statement of Objectives is to be amended to identify the existing planning controls that apply to land at Emerald Hills and the justification for any changes to existing land use zones, height limits and minimum lot size controls.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Office of Environment and Heritage;
- NSW Office of Environment and Heritage (Heritage Branch);
- Sydney Metropolitan Catchment Management Authority; and
- Campbelltown Council.

Each public authority 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 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal is supported as it is required to ensure that the Camden Local Environmental Plan 2010 maps are consistent with the recently gazetted re-alignment of the Camden and Campbelltown Local Government Area boundaries.

Signature:



Printed Name:

L. Charlesworth
Acting Team Leader

Date:

5/2/16