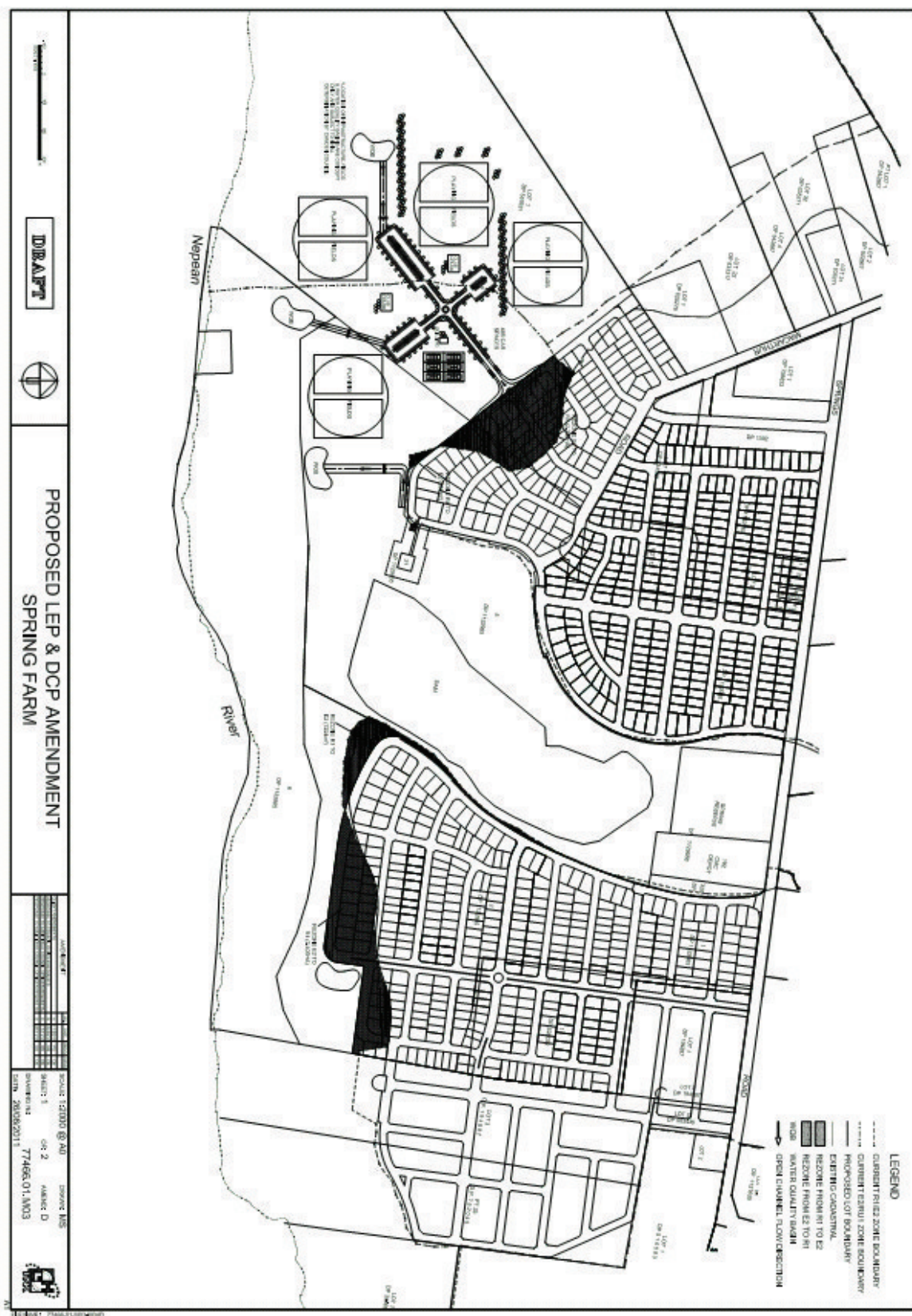


Attachment 1 – Proposed Master Plan



Attachment 2 – Net Community Benefit Test

Key Criteria	Assessment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)? Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The LEP is considered to be compatible with the Sydney Metropolitan Plan 2036 and the Draft South West Subregional Strategy by supporting increased opportunities for residential housing within the Spring Farm Release Area without compromising environmental objectives. It would also be consistent with the Notes accompanying the Minister's s94E direction to look at opportunities for additional residential land at Spring Farm.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	Due to the site specific nature of the proposal and the circumstances of the case, the LEP amendment would be unlikely to create a precedent.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	There are no other spot rezonings being considered for the Spring Farm Release Area other than a request made on behalf of Cornish Group, Landcom & Mirvac Homes to correct zone mapping anomalies contained in Camden LEP 2010.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The LEP amendment does not facilitate permanent employment generating activity. It would not result in a loss of employment lands.

Key Criteria	Assessment
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LEP would have a positive affect on residential land & housing supply and affordability by increasing dwelling yield in the Spring Farm Release Area, reducing the amount of flood prone open space to be acquired and in turn the amount of 'per lot' s94 levies applicable.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The existing and planned public infrastructure would be considered capable of absorbing the additional demand created by the minor expansion of the Spring Farm residential area. Development would readily integrate with planned pedestrian and cycle access and public (bus) transport within Spring Farm. Amplification of existing services (water, sewer, electricity) can be undertaken to service future development.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Changes to the car distances travelled by customers, employees and suppliers would be negligible in terms of greenhouse gas emissions, operating costs issues. Road safety improvements reasonably attributable to the proposal would be undertaken as part of any future DA.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	It would not be anticipated that future development arising from the proposed amendments would adversely affect patronage of significant Government infrastructure or services investment.

Key Criteria	Assessment
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	Vegetation mapping undertaken as part of initial environmental investigations for Spring Farm does not identify the proposal as it relates to Lots 1, 2, 5 and 6 DP 1132985 and Lot 1 DP 587631 as having an impact on high biodiversity conservation lands. The areas affected are either currently used for sand mining related activities or previously sand mined areas with grass cover. Development of the additional proposed R1 zoned land will require additional filling to achieve the adopted floor level (Post Mining) of RL 74.3m AHD. This is discussed in greater detail in Part 3 Section C9 and Attachment 4 of this report. In summary it is considered that the loss of flood storage caused by the required filling would be more than compensated for by material to be extracted from the flood plain under current sand extraction approvals.

Key Criteria	Assessment
Will the LEP be compatible /complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The proposed rezoned R1 land would readily integrate with and form part of the planned southern & western villages of the Spring Farm Release Area. The resulting amenity and public domain impacts caused by the minor extension of the planned villages is considered negligible.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	This LEP amendment is proposed in light of the Minister's direction to investigate opportunities for decreasing open space and increasing developable land (through flood plain works). In attempts to reduce Section 94 levies, and coincidentally land affordability, allowing an opportunity to reduce the open space to which contributions required are considered to be in the public interest. Should the draft plan not proceed at that time, it would mean the loss of an opportunity to reduce contributions and provide higher affordability residential developments within the Spring Farm Residential Release.

Attachment 3 – Applicable section 117 directions

Direction	Objective	Response
1.2 Rural Zones	<u>Objectives:</u> (1) the objective of this direction is to protect the agricultural production value of rural land. <u>What a relevant planning authority must do:</u> (4) A planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone.	The proposed alterations to the Master Plan involve the use of some rural lands, however this is not inconsistent with the initial Planning Principles and Objectives for the Spring Farm Residential Release.
1.3 Mining, Petroleum Production and Extractive Industries	<u>Objective:</u> (1) the objective of this direction is to ensure that the future extraction of State or regional significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. <u>What a relevant planning authority must do:</u> (4) in the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: (i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional	There are two areas of consideration. These are coal mining and sand extraction. Having regard to these, it can be noted that the whole site is located within a Mine Subsidence District and any future subdivision development would not preclude underground coal mining. The sand extraction will continue with normal operations until resources are extinguished which would then permit the planned development of the land for residential and recreation purposes.

Direction	Objective	Response
	significance, and (ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: (i) development of resources identified under (4)(a)(i), or (ii) existing development identified under (4)(a)(ii). (5) where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must: (a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions. (b) allow the Director-General of DPO a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Director-General of DPO with the statement to the Director-General of the Department of Planning (or an officer of the Department	

Direction	Objective	Response
	nominated by the Director-General) before undertaking community consultation in satisfaction of section 557 of the Act.	
2.1 Environment Protection Zones <u>Objective:</u> (1) The objective of this direction is to protect and conserve environmentally sensitive areas. <u>What a relevant planning authority must do:</u> (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for the minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”		The areas nominated for additional residential development are not environmentally significant. Proposed environmental management measures to be incorporated as part of the Spring Farm Release Area e.g. Water Quality Management can be readily amended to include the proposed additional residential land. The land affected by the proposed rezoning is not environmentally significant.
2.3 Heritage Conservation	<u>Objective:</u> (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. <u>What a relevant planning authority must do:</u> (4) A planning proposal must contain provisions that facilitate the conservation of:	The subject site is located adjacent to a heritage item (house and curtilage) at 196 Macarthur Rd. It is anticipated that the subject development will not impact on the curtilage of the heritage item which is defined by the lot boundary and Heritage Map of Camden’s LEP 2010.

Direction	Objective	Response
	(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	
3.1 Residential Zones	<u>Objective:</u> (1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	The proposal seeks to rezone parts of the subject site from E2 Environmental Protection Zone to R1 General Residential. The accompanying Master Plan provides an indicative lot layout appropriate to Councils objectives in maximising the efficiency of the land and providing appropriate housing types. The masterplan, whilst being altered in the lot layout, does not alter the sequencing of the delivery of the residential release. Therefore, allowing appropriate servicing of the land as development sprawls throughout the residential release.

Direction	Objective	Response
	<u>What a relevant planning authority must do:</u> (4) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, (b) make more efficient use of existing infrastructure and services, (c) reduce the consumption of land for housing and associated urban development on the urban fringe, (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	
3.4 Integrating Land Use & Transport	<u>Objective:</u> (1) The objectives of this direction ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following	The proposed rezoning will only be minor extensions to an already zoned residential release area and therefore will not affect transport.

Direction	Objective	Response
	planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. <u>What a relevant planning authority must do:</u> A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	
4.2 Mine Subsidence & Unstable Land	<u>Objective:</u> (1) The objective of this direction is to prevent damage to life, property, and the environment on land identified as unstable or	The proposed LEP amendment would permit a minor extension of residential areas consistent with that already agreed to by the Mine Subsidence Board. Proposed finished levels would be compliant with the post-mining 1% AEP flood level of RL74.3m AHD

Direction	Objective	Response
	potentially subject to mine subsidence. <u>What a relevant planning authority must do:</u> (4) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must: (a) consult the Mine Subsidence Board to ascertain: (i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and (ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and (b) Incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and (c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	previously adopted for the Spring Farm Release Area.
4.3 Flood Prone Land	<u>Objectives:</u> (1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent	In accordance with the ministerial direction to investigate opportunities for development on flood liable land, this Planning Proposal proposes an appropriate response. The reconfiguration of the sports

Direction	Objective	Response
	with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. <u>What a relevant planning authority must do:</u> (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas). (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. (6) A planning proposal must not contain provisions that apply to the flood planning areas which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land,	grounds allow unburdened land to be released for the purposes of residential development, whilst making full use of the flood liable land to its environmental capacity. Notwithstanding this, a Flood Impact Report accompanies this Planning Proposal demonstrating the compatibility of the uses given the site constraints. In this regard, it is demonstrated that the Planning Proposal is consistent with the objective of this direction.

Direction	Objective	Response
	(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. (7) 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 for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General). (8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	
4.4 Planning for Bushfire Protection	<u>Objectives:</u> (1) The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of	Whilst portions of the subject land are bushfire affected, the additional residential development created as a result of the rezoning will be subject to the same bushfire assessment procedures as the rest of the bushfire affected lots in the release area.

Direction	Objective	Response
	incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas. <u>What a relevant planning authority must do:</u> (4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, (5) a planning proposal must: (a) have regard to <i>Planning for Bushfire Protection 2006</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. (6) a planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of	

Direction	Objective	Response
	the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Out Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed (f) introduce controls on the placement of combustible materials in the Inner Protection Area.	
6.1 Approval and Referral Requirements	<u>Objective:</u> (1) The objective of this direction is to ensure that LEP	The planning proposal does not seek to include further provisions to CLEP 2010 in respect to the

Direction	Objective	Response
	provisions encourage the efficient and appropriate assessment of development. <u>What a relevant planning authority must do:</u> (4) A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of s.57	concurrence, consultation or referral of development applications to a Minister or public authority.

Direction	Objective	Response
6.2 Rezoning land for Public Purposes	of the Act. <u>Objectives:</u> (1) The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservation of land for public purposes where the land is no longer required for acquisition <u>What a relevant planning authority must do:</u> (4) A planning proposal request must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).	Whilst the planning proposal is seeking to rezone lands for the purposes of public recreation to a residential purpose, this is in accordance with the ministerial direction issued. This s94E direction issued by the Minister for Planning encourages Council to look for opportunities to decrease open space and increase developable land. Further details on this are discussed in the Background information section contained in this Planning Proposal.
7.1 Implementation of the Metropolitan Strategy	<u>Objective:</u> (1) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy. <u>What a relevant planning authority must do:</u> (1) Planning proposals shall be consistent with:	We note that the City of Cities metropolitan strategy has been superseded by the Metropolitan Plan 2036. Please refer to Section 3.0 of this Planning Proposal for the discussion of how the planning proposal is consistent with the metropolitan plan.

Direction	Objective	Response
	(a) the NSW Government's Metropolitan Strategy: City of Cities, A Plan for Sydney's Future, published in December 2005 ('the Metropolitan Strategy').	