



# Camden Council

## Attachments

### Ordinary Council Meeting

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### 11 August 2020

Please note due to COVID-19 restrictions this meeting is being held as a teleconference. The public can view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>





# ORDINARY COUNCIL

## ATTACHMENTS - ORDINARY COUNCIL

<b>ORD01</b>	<b>Stage 1 Camden LEP Review - Post Exhibition</b>	
	<b>Attachment 1:</b> Draft Planning Proposal - Stage 1 Camden LEP 2010 LEP Review - Post Exhibition .....	4
	<b>Attachment 2:</b> Stage 1 LEP Review - Council Report 8 October 2019 .....	73
	<b>Attachment 3:</b> Agency Submission Response Table .....	84
	<b>Attachment 4:</b> LEP Review Stage 1 General Submission Issues Table .....	104
	<b>Attachment 5:</b> LEP Review Stage 1 - Public Agency Submissions .....	124
<b>ORD02</b>	<b>Companion Animal Policy - New - Post Exhibition</b>	
	<b>Attachment 2:</b> Draft Companion Animal Policy .....	201
<b>ORD03</b>	<b>On-Site Sewage Management Policy - Revised - Post Exhibition</b>	
	<b>Attachment 4:</b> Draft On-Site Sewage Management Policy .....	212
<b>ORD05</b>	<b>Place and Road Naming Policy</b>	
	<b>Attachment 1:</b> Place and Road Naming Policy .....	250
<b>ORD08</b>	<b>Camden Region Economic Taskforce Ltd - Appointment of Directors</b>	
	<b>Attachment 1:</b> CRET - Request for Special Meeting .....	258
	<b>Attachment 2:</b> CRET - Notice of Special Meeting .....	259
	<b>Attachment 3:</b> Proxy Form .....	261



ORD01

Attachment 1



camden  
council

# Camden Council Planning Proposal

## Camden Local Environmental Plan (LEP )

2010 Review – Stage 1

Version ~~31~~ **32**

~~August~~ **June** 2020



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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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## 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	<u>August 2020</u>	<u>Revised Planning Proposal in response to public exhibition</u>	<u>20/236188</u>
4			

ORD01

Attachment 1

## Table of Contents

Introduction .....	1
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>6</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 .....	<del>88</del>
3.4 State and Commonwealth Interests .....	8
<b>Part 4 Mapping .....</b>	<b><del>99</del></b>
<b>Part 5 Community Consultation .....</b>	<b>9</b>
<b>Part 6 Project Timeline .....</b>	<b>109</b>
<b>Part 7 Conclusion and Recommendations .....</b>	<b>1140</b>
<b>Part 8 Appendices .....</b>	<b>1244</b>
<b>Appendix 1: Greater Sydney Regional Plan - Directions and Objectives &amp; Western City District Planning Priorities and Objectives .....</b>	<b>1342</b>
<b>Appendix 2: Consistency against State Environmental Planning Policies .....</b>	<b>2049</b>
<b>Appendix 3 : s9.1 Directions .....</b>	<b>2322</b>
<b>Appendix 4: Detailed Explanation of Provisions .....</b>	<b>2726</b>
<del><b>Appendix 5: Proposed Environmentally Sensitive Land Mapping .....</b></del>	<del><b>3635</b></del>
<b>Appendix <del>56</del>: Sydney Water Sites – Zoning Comparison Table .....</b>	<b>3736</b>
<b>Appendix <del>67</del>: Camden Local Planning Panel Minutes – 17 September 2019 .....</b>	<b>4140</b>
<b>Appendix <del>78</del>: Camden Council Meeting Report and Minutes – 8 October 2019 .....</b>	<b>4244</b>
<b>Appendix <del>89</del>: DPIE Gateway Determination and Alteration .....</b>	<b>4342</b>
<b>Appendix <del>940</del>: NSW RFS Pre-Exhibition Consultation Correspondance .....</b>	<b>4443</b>

## 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>6</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 .....	<del>88</del>
3.4 State and Commonwealth Interests .....	8
<b>Part 4 Mapping.....</b>	<b><del>99</del></b>
<b>Part 5 Community Consultation.....</b>	<b>9</b>
<b>Part 6 Project Timeline.....</b>	<b><del>109</del></b>
<b>Part 7 Conclusion and Recommendations .....</b>	<b><del>1140</del></b>
<b>Part 8 Appendices.....</b>	<b><del>1244</del></b>
<b>Appendix 1: Greater Sydney Regional Plan - Directions and Objectives &amp; Western City District Planning Priorities and Objectives.....</b>	<b><del>1342</del></b>
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<b>Appendix 3 : s9.1 Directions .....</b>	<b><del>2322</del></b>
<b>Appendix 4: Detailed Explanation of Provisions.....</b>	<b><del>2726</del></b>
<del><b>Appendix 5: Proposed Environmentally Sensitive Land Mapping.....</b></del>	<del><b>3635</b></del>
<b>Appendix <del>56</del>: Sydney Water Sites – Zoning Comparison Table.....</b>	<b><del>3736</del></b>
<b>Appendix <del>67</del>: Camden Local Planning Panel Minutes – 17 September 2019 .....</b>	<b><del>4140</del></b>
<b>Appendix <del>78</del>: Camden Council Meeting Report and Minutes – 8 October 2019.....</b>	<b><del>4244</del></b>
<b>Appendix <del>89</del>: DPIE Gateway Determination and Alteration .....</b>	<b><del>4342</del></b>
<b>Appendix <del>940</del>: NSW RFS Pre-Exhibition Consultation Correspondance .....</b>	<b><del>4443</del></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 June 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 include 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.

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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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 67**.

On 8 October 2019, Council endorsed the Stage 1 Planning Proposal for Gateway Determination by the Department of Planning, Industry and Environment (DPIE). The Council report and resolution is provided as **Appendix 87**.

A Gateway Determination was received by the Department of Planning, Industry and Environment on 28 February 2020. The Gateway Determination is provided in **Appendix 98**.

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 65** 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.

## 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).

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Planning Proposal for Camden LEP 2010 Review – Stage 1

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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 Stage 2 Planning Proposal:

- Housing Strategy
- [Employment and Centres and Employment Lands](#) Strategy
- Green and Blue Grid Analysis
- Heritage Review
- Scenic and Visual Analysis

## Planning Proposal for Camden LEP 2010 Review – Stage 1

## 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
<del>4.</del>	<del>Environmentally Sensitive Land Mapping and Part 7 Additional Local Provisions</del>	<del>This item seeks to introduce two new clauses under Part 7 Additional Local Provisions, and associated mapping, to identify areas of terrestrial biodiversity, riparian lands and watercourses. This item does not apply to land zoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.</del>	<del><u>Proposed clauses:</u>  — Environmentally Sensitive Land— Terrestrial Biodiversity — Environmentally Sensitive Land— Riparian Lands and Watercourses  <u>Mapping:</u>  — Terrestrial Biodiversity Map — Riparian Lands and Watercourses Map</del>
<del>12.</del>	Health objectives	This item seeks to include health objectives in relevant clauses in the LEP.	Include the following objectives in the following clauses:  1.2 Aims of the Plan  <i>“to protect and promote the health and well-being of current and future residents of Camden”</i>  Land Use Table - B1 <u>Neighbourhood Centre</u>  <i>“to encourage a safe, attractive, accessible and efficient pedestrian environment”</i>
<del>23.</del>	Permissibility of tourism uses	This item seeks to amend the RU1 Primary Production and RU2 Rural Landscape zone objectives to allow for appropriate non-	Amend the Land Use Table to replace the following existing zone objective:  <i>“To permit non-agricultural uses which support the primary production purposes of the</i>

## Planning Proposal for Camden LEP 2010 Review – Stage 1

Amendment	Name of item	Proposal	Changes
		agricultural land uses within the zone, and amend the land use table to permit eco-tourist facilities	zone.”  With the following objective:  <i>“To permit non-agricultural uses (including tourism-related uses) that are compatible with the agricultural, environmental and conservation values of the land.”</i>  for the RU1 Primary Production and RU2 Rural Landscape zones.
<u>34.</u>	Eco-tourist facilities	The item seeks to adopt the compulsory drafting of clause 5.13 Eco-tourist facilities under the Standard Instrument – Principle Local Environmental Plan to contain provisions for these developments.	Include provisions for the consideration of eco-tourist facilities
<u>45.</u>	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.
<u>56.</u>	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>
<u>67.</u>	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	Change level of significance from local to State.  Correct spelling error of lych gate

Planning Proposal for Camden LEP 2010 Review – Stage 1

Amendment	Name of item	Proposal	Changes
		<p>August 2018.</p> <p>The item also corrects a spelling error in the schedule for St John's Church Precinct.</p>	

**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':

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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- Key Direction 1: Actively Managing Camden LGA's Growth;
- ~~- Key Direction 2: Healthy Urban and Natural Environment;~~
- 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 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
- ~~- 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~~

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)?*

Planning Proposal for Camden LEP 2010 Review – Stage 1

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.

~~The Planning Proposal seeks to include terrestrial biodiversity and riparian lands and watercourse mapping to the whole LGA in order to preserve ecological communities and important biodiversity corridors.~~

*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 draft 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 409**.

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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In accordance with condition 3 of the Gateway Determination, consultation will be 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.

### 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

~~New map sheets will also be introduced to identify:~~

- ~~— Environmentally Sensitive Land – Terrestrial Biodiversity~~
- ~~— Environmentally Sensitive Land – Riparian Lands and Watercourses~~

### 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 5 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 zones.

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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

~~The Planning Proposal and associated documents will be publicly exhibited for a period of 42 days. A notice advising of the public exhibition period and copy of the exhibition material will be placed on Council's website. Written notification will be limited to those landowners affected by the Planning Proposal.~~

### 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	June-July 2020
Timeframe for consideration of submissions	July 2020
Post-exhibition report to Council	August 2020
Date of submission to the department to finalise the LEP	<del>September 30</del> <u>August 2020</u>

## 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;
- ~~Protects environmentally sensitive land within Camden LGA;~~
- 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:** Proposed Environmentally Sensitive Land Mapping~~

**Appendix 65:** Sydney Water sites - Zoning Comparison Table

**Appendix 76:** Camden Local Planning Panel Minutes– 17 September 2019

**Appendix 87:** Camden Council Meeting Report and Minutes – 8 October 2019

**Appendix 98:** DPIE Gateway Determination and Alteration

**Appendix 109:** NSW RFS Pre-Exhibition Consultation Correspondence

## Planning Proposal for Camden LEP 2010 Review – Stage 1

## 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	

## Planning Proposal for Camden LEP 2010 Review – Stage 1

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	<del>Yes</del> N/A	<del>The Planning Proposal seeks to introduce riparian lands and watercourse mapping in order to protect these environmentally sensitive areas.</del>
26: A cool and green parkland city in the South Creek corridor	<del>Yes</del> N/A	<del>The Planning Proposal seeks to introduce terrestrial biodiversity mapping which will protect important vegetation within Camden and contribute to a cooler and greener parkland city.</del>
27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	<del>Yes</del> N/A	<del>The proposed terrestrial biodiversity mapping will protect environmentally sensitive bushland and remnant vegetation.</del>
28: Scenic and cultural landscapes are protected	N/A	

## Planning Proposal for Camden LEP 2010 Review – Stage 1

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	YesN/A	<del>The proposed terrestrial biodiversity mapping will protect remnant vegetation which will contribute to the urban canopy.</del>
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	YesN/A	<del>The proposed environmentally sensitive land mapping will contribute to the broader Green and Blue Grid.</del>
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	

Western City District Plan Priority		
Planning Priority	Objective	Comment
<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</b>	5 - Benefits of growth realised by collaboration of governments,	N/A

## Planning Proposal for Camden LEP 2010 Review – Stage 1

collaboration.	community and business.	
<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, GOP 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</b>	20 - Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City. 24 - Economic sectors are	The Planning Proposal seeks to introduce tourism objectives within the RU1 and RU2 zones with the aim of providing appropriate tourism opportunities

## Planning Proposal for Camden LEP 2010 Review – Stage 1

<b>Aerotropolis</b>	targeted for success.	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>	20 - Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City.  21 - Internationally competitive health, education, research and innovation precincts.  22 - Investment and business activity in centres.	N/A
<b>W10: Maximising freight and logistics opportunities and planning and managing industrial and urban services land.</b>	16 - Freight and logistics network is competitive and efficient.  23 - Industrial and urban services land is planned, retained and managed.	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.  The inclusion of this objective will ensure that industrial uses are able to be carried out, and industrial land retained.
<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.	<del>The Planning Proposal seeks to introduce riparian lands and watercourse mapping in order to protect these environmentally sensitive areas.</del> N/A
<b>W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial</b>	26 - A cool and green parkland city in the South Creek corridor.	<del>The Planning Proposal seeks to introduce terrestrial biodiversity mapping which will protect important vegetation within Camden and contribute to a cooler and greener parkland</del>

## Planning Proposal for Camden LEP 2010 Review – Stage 1

element.		city-N/A
<b>W14: Protecting and enhancing bushland and biodiversity.</b>	27 - Biodiversity is protected urban bushland and remnant vegetation is enhanced.	<del>The proposed terrestrial biodiversity mapping will protect environmentally sensitive bushland and remnant vegetation</del> N/A.
<b>W15: Increasing urban tree canopy cover and delivering Green Grid connections.</b>	30 - Urban tree canopy cover is increased. 32 - The Green Grid links parks, open spaces, bushland and walking and cycling paths.	<del>The proposed environmentally sensitive land mapping will contribute to the urban tree canopy and the broader Green and Blue Grid</del> N/A
<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	N/A

ORD01

## Planning Proposal for Camden LEP 2010 Review – Stage 1

	are managed.	
<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 delivery of the plan.</b>	40 - Plans refined by monitoring and reporting	N/A

Attachment 1

## Planning Proposal for Camden LEP 2010 Review – Stage 1

## Appendix 2: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	N/A	
19. Bushland in Urban Areas	Yes	<del>Significant vegetation will be protected through the proposed terrestrial biodiversity mapping. The Planning Proposal is not inconsistent with this SEPP.</del>
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.

## Planning Proposal for Camden LEP 2010 Review – Stage 1

SEPP (Concurrences) 2018	N/A	
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.

~~Council has considered the relationship between the LEP and the SEPP. The proposed amendments seek to provide consistent land use objectives across the Camden LGA, whether the land is subject to the SEPP or the~~

## Planning Proposal for Camden LEP 2010 Review – Stage 1

		<del>LEP.</del>
SEPP (Three Ports) 2013	N/A	Does not apply to the Camden LGA.
SEPP (Urban Renewal) 2010	N/A	
SEPP (Vegetation in Non-Rural Area) 2017	Yes	<del>Significant vegetation will be protected through the proposed terrestrial biodiversity mapping.</del>
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.

## Planning Proposal for Camden LEP 2010 Review – Stage 1

## 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	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.  The inclusion of this objective will ensure that industrial uses are able to be carried out, and industrial land retained.
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 <del>facilitates the protection of environmentally sensitive land through the proposed terrestrial biodiversity and riparian lands and watercourse mapping</del> is not inconsistent with the <u>Direction</u> .
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.

Planning Proposal for Camden LEP 2010 Review – Stage 1		
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	The proposed amendments will not impact on this Direction.  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.
<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	Yes	The Planning Proposal is consistent with

## Planning Proposal for Camden LEP 2010 Review – Stage 1

Plans		the Greater Sydney Region Plan.
5.11 Development of Aboriginal Land Council land	N/A	
<b>6.0 Local Plan Making</b>		
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	
<b>7.0 Metropolitan Plan Making</b>		
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	N/A	Does not apply to the Camden LGA

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Planning Proposal for Camden LEP 2010 Review – Stage 1

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**Attachment 1**



## 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.*

### ~~4. Environmentally Sensitive Land Mapping and Part 7 Additional Local Provisions~~

~~The Planning Proposal seeks to introduce Environmentally Sensitive Land mapping for terrestrial biodiversity and watercourses and riparian land, as well as introduce two new clauses under Part 7 Additional Local Provisions for environmentally sensitive land. These clauses outline heads of consideration that must be considered when assessing 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 new clauses do not apply to land subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.~~

~~The purpose of the new clauses and associated mapping is to 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 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.~~

~~Planning Priority W12 aims to protect and improve the environmental health of waterways, and outlines that identifying and mapping environmentally sensitive areas of waterways and the use of additional local provisions are one such way to provide these protections. Through the incorporation of riparian land and watercourse mapping and protections into the Camden LEP 2010, Council will achieve Action 67 of the District Plan.~~

~~Planning Priority W14 outlines that bushland and remnant vegetation throughout the District's urban and rural areas provide habitat, help cool the environment and support cleaner waterways and air. There are valuable areas of bushland and remnant vegetation within the urban and rural parts of the Camden LGA. Through the incorporation of terrestrial biodiversity mapping in the Camden LEP 2010, Council will achieve Action 72 of the District Plan.~~

~~Council's draft Local Strategic Planning Statement (LSPS) further acknowledges the importance of these 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 controls and mapping into the CLEP 2010 Council will achieve the following actions of the 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.~~

Planning Proposal for Camden LEP 2010 Review – Stage 1

~~The proposed mapping is provided as Appendix 5. The Terrestrial Biodiversity Mapping is based on the Environmentally sensitive lands mapping within the Camden Council Local Biodiversity Strategy (2013), which has been updated by Council staff based on a desktop analysis which has identified newly developed areas and vegetation removal. The proposed mapping does not apply to land identified as certified on the South West Growth Centre Biodiversity Certification map under the *Threatened Species Conservation Act 1995*.~~

~~The Riparian Lands and Watercourses Mapping is based on information prepared by the Science Division of the Department of Planning, Industry and Environment and provided to Council. The map 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*.~~

~~The draft wording of the proposed clauses is identified below. This wording has been modelled on existing clauses in other Council's LEPs.~~

~~**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:~~

Planning Proposal for Camden LEP 2010 Review – Stage 1

~~(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~~

Planning Proposal for Camden LEP 2010 Review – Stage 1

~~(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.~~

### **2.1. 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.

### **3.2. 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.

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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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.”*

#### **4.3. 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.*

Planning Proposal for Camden LEP 2010 Review – Stage 1

(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.*

#### 5.4. 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.

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 Planning Proposal for Camden LEP 2010 Review – Stage 1
 

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### 6.5. 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 56**.

**7.6. 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: Proposed Environmentally Sensitive Land Mapping~~

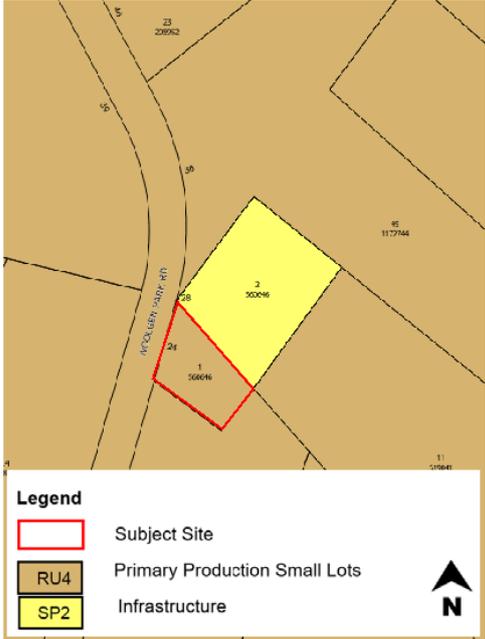
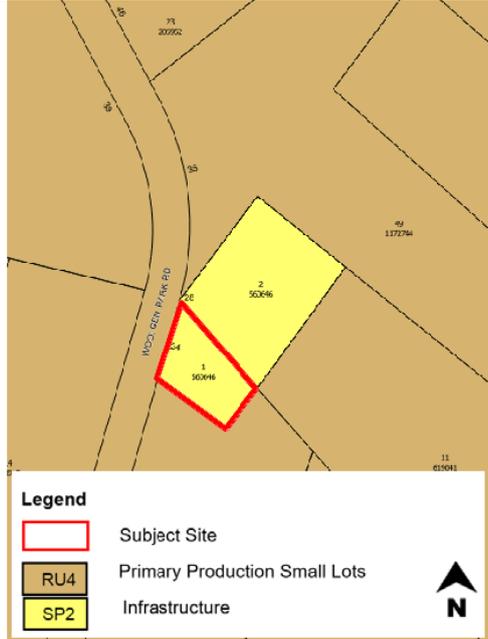
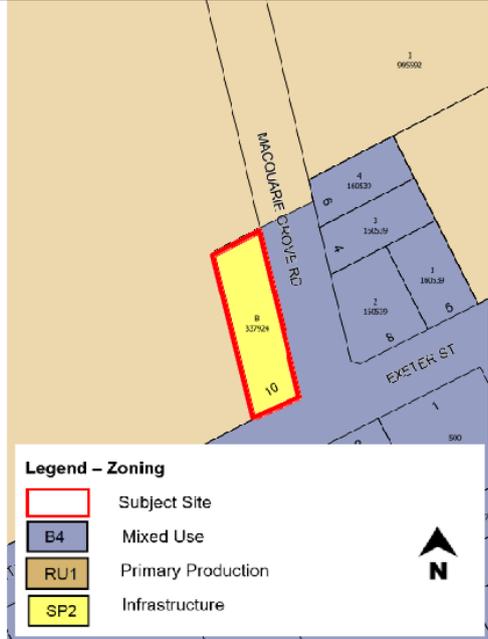
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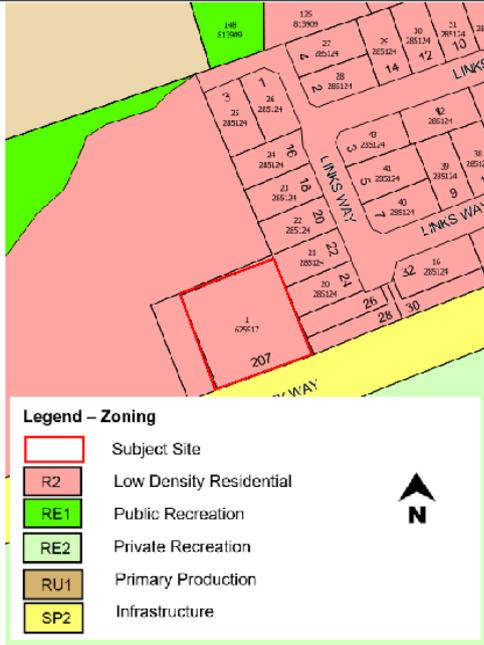
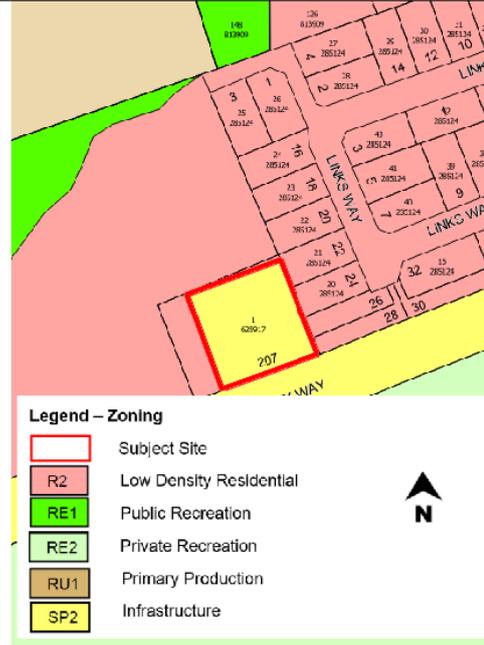
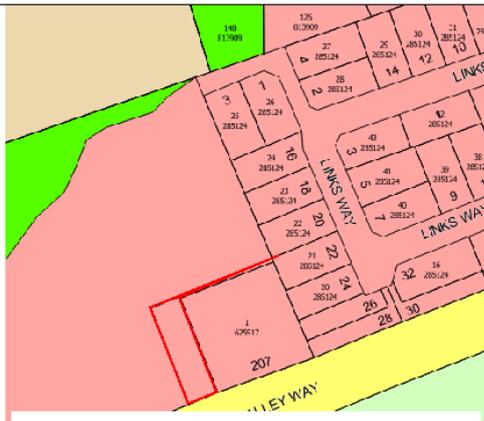
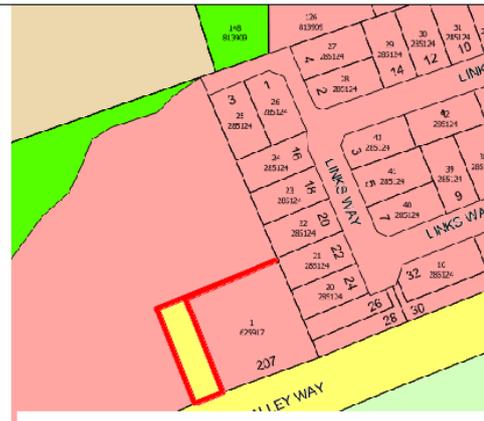


Planning Proposal for Camden LEP 2010 Review – Stage 1

Appendix 65: Sydney Water Sites – Zoning Comparison Table

Site Address Lot and DP	Existing Zoning	Proposed Zoning
24 Woolgen Park Road Leppington Lot 1 DP 560646		
10 Exeter Street, Camden Lot B DP 337924		

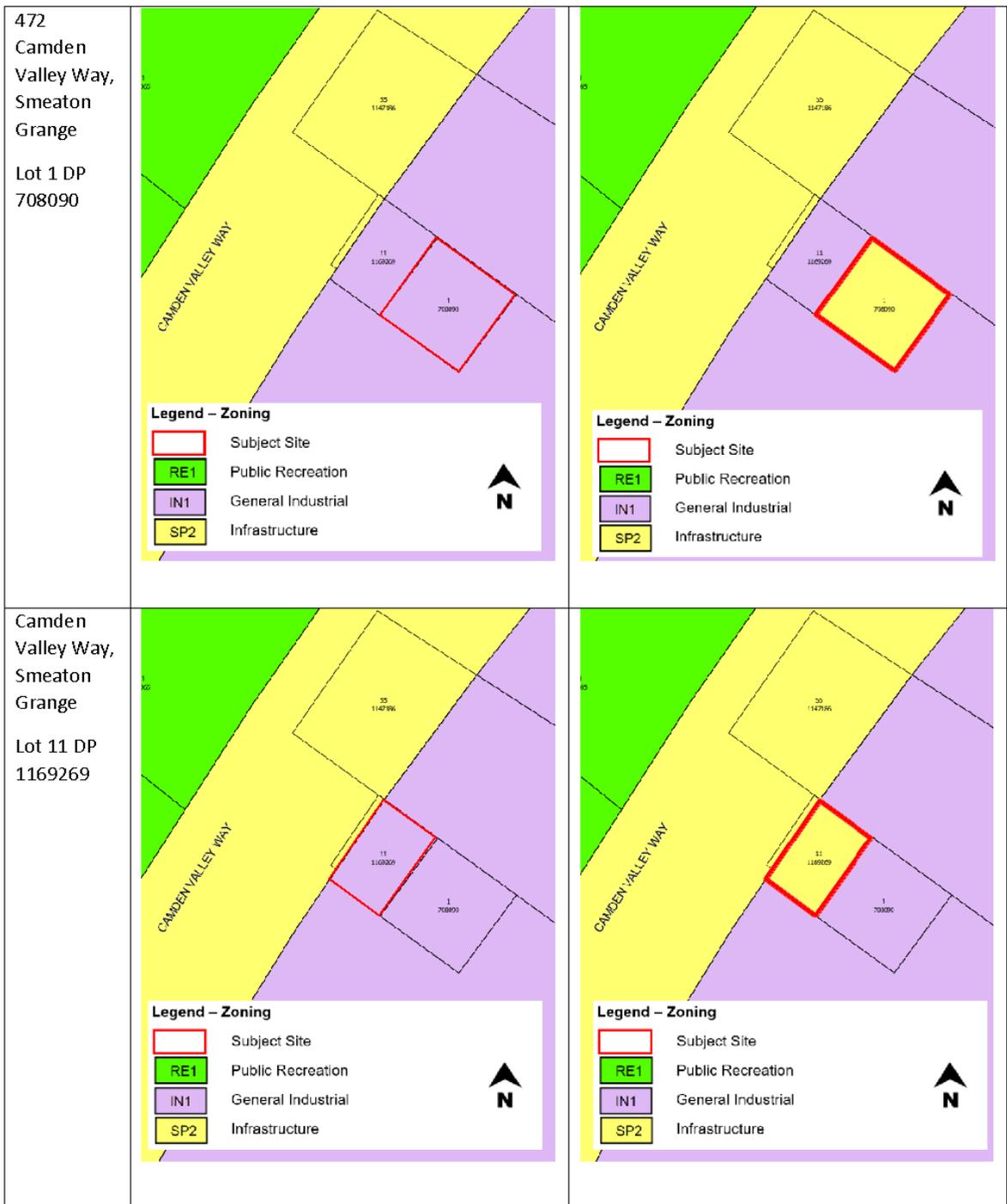
Planning Proposal for Camden LEP 2010 Review – Stage 1

<p>207 Camden Valley Way, Narellan</p> <p>Lot 1 DP 625917</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Site</li> <li><span style="background-color: #f08080; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R2 Low Density Residential</li> <li><span style="background-color: #00ff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE1 Public Recreation</li> <li><span style="background-color: #90ee90; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE2 Private Recreation</li> <li><span style="background-color: #d2b48c; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RU1 Primary Production</li> <li><span style="background-color: #ffff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> SP2 Infrastructure</li> </ul>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Site</li> <li><span style="background-color: #f08080; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R2 Low Density Residential</li> <li><span style="background-color: #00ff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE1 Public Recreation</li> <li><span style="background-color: #90ee90; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE2 Private Recreation</li> <li><span style="background-color: #d2b48c; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RU1 Primary Production</li> <li><span style="background-color: #ffff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> SP2 Infrastructure</li> </ul>
<p>207 Camden Valley Way, Narellan</p> <p>Lot 100 DP 1143373</p>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Site</li> <li><span style="background-color: #f08080; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R2 Low Density Residential</li> <li><span style="background-color: #00ff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE1 Public Recreation</li> <li><span style="background-color: #90ee90; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE2 Private Recreation</li> <li><span style="background-color: #d2b48c; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RU1 Primary Production</li> <li><span style="background-color: #ffff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> SP2 Infrastructure</li> </ul>	 <p><b>Legend – Zoning</b></p> <ul style="list-style-type: none"> <li><span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Site</li> <li><span style="background-color: #f08080; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> R2 Low Density Residential</li> <li><span style="background-color: #00ff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE1 Public Recreation</li> <li><span style="background-color: #90ee90; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RE2 Private Recreation</li> <li><span style="background-color: #d2b48c; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> RU1 Primary Production</li> <li><span style="background-color: #ffff00; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> SP2 Infrastructure</li> </ul>

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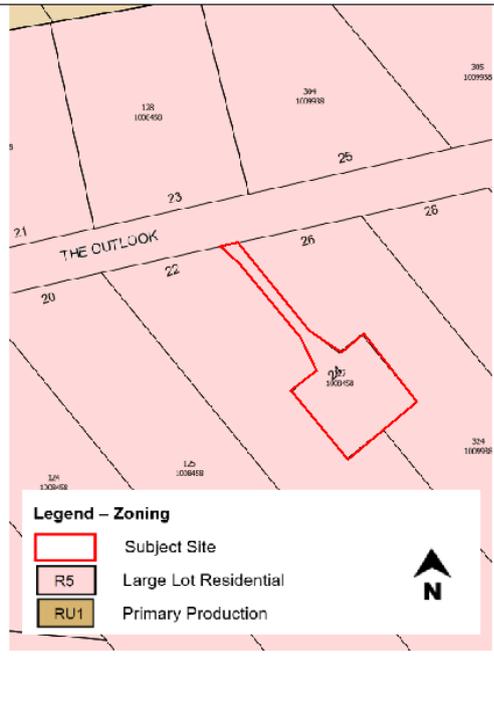


Planning Proposal for Camden LEP 2010 Review – Stage 1



Planning Proposal for Camden LEP 2010 Review – Stage 1

24 The Outlook, Kirkham  
Lot 127 DP 1008458



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Attachment 1

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Planning Proposal for Camden LEP 2010 Review – Stage 1

Appendix ~~7~~6: Camden Local Planning Panel Minutes – 17 September 2019

Attachment 1



**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.

ORD01

Planning Proposal for Camden LEP 2010 Review – Stage 1

Appendix **7&**: Camden Council Meeting Report and Minutes – 8 October 2019

Attachment 1



ORD04



ORD01

## 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.

This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 28

Attachment 1



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.

ORD04



ORD01

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.

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 30

Attachment 1



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:

ORD04



- *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

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 32

ORD01

Attachment 1



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

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 33

ORD04



ORD01

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**

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 34

Attachment 1



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**

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 35

ORD04



ORD01

Attachment 1

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:

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 36



- 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.)

ORD01

Planning Proposal for Camden LEP 2010 Review – Stage 1

Appendix 98: DPIE Gateway Determination and Alteration

Attachment 1





Planning,  
Industry &  
Environment

ORD01

PP\_2019\_CAMDE\_005\_00/IRF19/7015

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.

Attachment 1

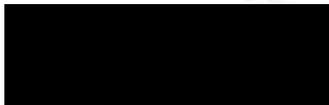
Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 3.1 Residential Zones and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made. As required by Direction 4.4 Planning for Bushfire 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

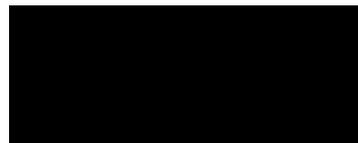
must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).

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\_CAMDE\_005\_00 (IRF19/7015)



Planning,  
Industry &  
Environment

ORD01

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



15-5-2020

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

Encl: Alteration of Gateway Determination

Attachment 1



## 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

[Planning proposal PP\_2019\_CAMD\_005\_01] (IRF20/2053)

Appendix ~~109~~: NSW RFS Pre-Exhibition Consultation Correspondance

ORD01

Attachment 1



ORD01



## 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**

1

**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)

ORD04



ORD01

## 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.

This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 28

Attachment 2



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.

ORD04



ORD01

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.

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 30

Attachment 2



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:

ORD04



- *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

ORD01

Attachment 2



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

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 33

ORD04



ORD01

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**

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 34

Attachment 2



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**

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 35

ORD04



ORD01

Attachment 2

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:

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This is the report submitted to the Ordinary Council held on 8 October 2019 - Page 36



- 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.)

## Attachment 3

ORD01

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
<b>Submission 1</b>				
Department of Primary Industries - Agriculture	20/204491	The amendment to the objective for the RU1 zone will weaken the intent of the current objective which requires non-agricultural land uses to support primary production.	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	No changes to the Planning Proposal are recommended as a result of this submission.
		Objects to permitting eco-tourist facilities in the RU1 zone. It considers that the proposal is inconsistent with action 102 of the Camden LSPS as it will not minimise the potential for land use conflict.		
		Permitting eco-tourist facilities in the RU1 zone is considered to be inconsistent with the action in		

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>the Camden Rural Lands Strategy to “investigate and promote activities to support and promote viable and sustainable agriculture” as eco-tourist facilities are generally unrelated to agricultural production.</p> <p>There is limited RU1 zoned land in the LGA and it contains Biophysical Strategic Agricultural Land and existing intensive agricultural land uses.</p>	<p>fresh food, it also acknowledges other benefits such as tourism.</p>	
		<p>There is limited RU1 zoned land in the LGA and it contains Biophysical Strategic Agricultural Land and existing intensive agricultural land uses.</p>	<p>The SEPP (Mining, Petroleum Production, and Extractive Industries) 2007 applies to land identified as Biophysical Strategic Agricultural Land. There is portion of land set off the Nepean River that is applicable to the SEPP. Clause 12 of the SEPP provides matters of consideration for other land uses when considering development applications within these areas. The clause clearly sets out considerations where other land uses must not provide significant impact and ways other land uses are compatible with existing intensive uses.</p>	<p>Further, as previously stated ‘eco-tourist facilities’ are intended to ensure compatibility with other permissible land uses and would be considered on site-specific merit basis.</p>
		<p>There is limited RU1 zoned land in the LGA and it contains Biophysical Strategic Agricultural Land and existing intensive agricultural land uses.</p>	<p>The SEPP (Mining, Petroleum Production, and Extractive Industries) 2007 applies to land identified as Biophysical Strategic Agricultural Land. There is portion of land set off the Nepean River that is applicable to the SEPP. Clause 12 of the SEPP provides matters of consideration for other land uses when considering development applications within these areas. The clause clearly sets out considerations where other land uses must not provide</p>	<p>where other land uses must not provide</p>

Attachment 3  
ORD01

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
			significant impact and ways other land uses are compatible with existing intensive uses.	
			Further, as previously stated 'eco-tourist facilities' are intended to ensure compatibility with other permissible land uses and would be considered on site-specific merit basis.	
		Farmstay accommodation and bed and breakfast accommodation are already permissible in the RU1 zone.	Noted.	
		There is no objection to these changes occurring in the RU2 Rural Landscape zone.	Noted.	
		It is noted that there is limited RU2 zoned land in the LGA. Should Council believe that some of the land currently zoned RU1 is not suitable for agriculture and may be suitable for eco-tourist facilities, it should consider rezoning this land to RU2. This would enable a strategic approach to locating eco-tourist facilities in the LGA.	Noted.	
		Council should also await the completion of the work between Department of Planning, Industry and Environment and the NSW Small Business Commissioner relating to agritourism land uses in rural areas before considering if there is a need to permit non-agricultural land uses in RU1 zones.	Noted. It is important that the rural economy is supported with additional benefits as identified in the RLS. Additional uses such as 'eco-tourist facilities' will help support the viability of rural businesses by whilst providing educational and informative means in compatibility with the existing land uses.	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
			It should be noted that the Sydney Peri Urban Network (SPUN) which Camden Council is a part of is currently looking at actions to further explore tourism opportunities and understanding the socio-economic values of rural tourism.	
<b>Submission 2</b>				
South Western Sydney Local Health District (SWSLHD)	20/221136	<p>SWSLHD recognises the importance of the built and social environment in influencing health outcomes and in creating healthy, liveable and connected communities.</p> <p>It is very important that health considerations are being integrated into a range of key Council documents such as the CSP, LSPS and now inclusion into the draft LEP Review.</p>	Noted.	No action.
		<p>It is supported to amend the land use tables in the LEP to embed health considerations around walking and cycling into the zone objectives for B1 neighbourhood centres. These proposed zone objectives give greater clarity to the aims of health objectives and will ensure future development reflects the intent of the LEP.</p> <p>It is noted that Council is showing a strong commitment to putting people's health and wellbeing at the heart of planning and designing communities. SWSLHD look forward to continuing it's partnership with Council's to help ensure planning, design and policy considers the overall aims of health in developing new communities.</p>	The support of SWSLHD is noted and Council will continue to consult and collaborate with SWSLHD to improving the health and wellbeing of the Camden LGA residents.	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
<b>Submission 3</b>				
Department of Primary Industries – Fisheries	20/224066	DPI Fisheries is pleased that the amendment makes provisions to allow additional protection for environmentally sensitive land through the identification of Environmentally Sensitive Land (ESL) mapping.  Riparian lands and watercourses is included in the proposed provisions under section 2. (c) the land included in this section is land 40m from the top of the bank. Policy and Guidelines for Fish Habitat Conservation and Management (2013) section 6.1.4 Protecting urban riparian vegetation and 6.1.4.1 3) a) specifically details the riparian buffer required depending on the type and class of water way, ranging from 10m to 100m. So, a 40m width may not necessarily meet the DPI Fisheries requirements.	It is noted that DPI - Fisheries have provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands.  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.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
<b>Submission 4</b>				
Department of Education	20/223522	SINSW is generally supportive of the overall direction and land-use controls contained in the draft CLEP 2020, subject to the considerations identified which will assist with the appropriate provision of school infrastructure to respond to population growth.	It is noted that the Department of Education has provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands.  The Department of Education has requested that the proposed ESL maps be reviewed and updated to consider impacts on existing and future infrastructure.  It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>SINSW notes the introduction of Environmentally Sensitive Land (ESL) mapping and the additional provisions within Part 7 of the Camden LEP for ESL to preserve ecological communities and important biodiversity corridors within the LGA.</p> <p>Several existing school sites will be impacted by the updated mapping, including:</p> <ul style="list-style-type: none"> <li>• Camden Public School</li> <li>• Camden South Public School</li> <li>• Harrington Park Public School</li> <li>• Mount Annan High School</li> <li>• Mawarra Public School</li> <li>• Narellan Public School</li> <li>• Elderslie Public School</li> </ul> <p>None of the above sites are currently identified as containing terrestrial biodiversity under the Camden Local Environmental Plan 2010 (CLEP 2010), nor are these mapped on the Department of Planning, Industry and Environment's Biodiversity Values Map.</p> <p>SINSW requests that further clarification be provided regarding the biodiversity values present on the above sites, in particular, advice on surveys that have been undertaken to inform the proposed mapping. This does not appear to</p>	<p>recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p> <p>The Department of Education has requested that the proposed ESL maps be reviewed and updated to consider impacts on existing and future infrastructure.</p> <p>It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p>	

## Attachment 3

ORD01

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>be specified within the updated Camden Council Local Biodiversity Strategy (2013).</p> <p>Further, SINSW requests that ESL listings and maps that apply to school sites, only apply to those parts of the site that are environmentally sensitive and not to parts of the site where there are existing buildings and therefore not environmentally sensitive land. This will ensure that vital alterations and additions to school elements can be carried out more efficiently as exempt or complying development under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, where appropriate.</p>		
		<p>SINSW supports the correction of various errors in Schedule 5 of the draft CLEP, including updating site addresses.</p> <p>SINSW requests that during review of the heritage listings, consideration be given to limiting the listings and mapping on schools to only reflect the elements of significance rather than the entire site.</p> <p>Accurate listings will ensure vital alterations and additions to non-heritage significant school elements can be carried out more efficiently as exempt or complying development under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, where appropriate.</p>	<p>Noted, the Planning Proposal includes the following update for heritage only:</p> <ul style="list-style-type: none"> <li>Updating the level of significance of St Johns Church Camden from local to State, reflecting its listing on the State Heritage register.</li> </ul> <p>Not further updates for heritage are included in the current Planning Proposal.</p> <p>It should be noted that Council has identified the need for a Heritage Review to be undertaken as part of the Stage 2 LEP Review. Department of Education will be further consulted on any potential changes to the heritage listings of their sites.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		SINSW requests that Council consider reviewing the relevant section 7.11 or 7.12 Plan to confirm suitable road upgrades, active and public transport infrastructure is provided to service any uplift associated with and future zoning changes as a result of the Stage 2 LEP Review.	Noted, this submission will be forwarded to Council's Contributions Planning branch for consideration in any future review of the current 7.11 plans.	
<b>Submission 5</b>				
Sydney Water	20/224068	<p>Sydney Water is aware of the rezoning of property in Camden from water infrastructure to SP2 Infrastructure and discussions regarding these rezoning submissions have already occurred between Sydney water and Council.</p> <p>Sydney Water supports the new Environmentally Sensitive Land (ESL) clauses and mapping proposed and will consider the objectives of ESL if planning for works in the six properties listed by Council. This will be consistent with Sydney Water's current practice to avoid, minimise, mitigate and offset residual impacts framework.</p> <p>Sydney Water welcomes the opportunity to comment on future LEP amendments and where proposed changes may trigger an increase in dwellings and jobs within the Camden local government area.</p>	<p>Noted.</p> <p>It is noted that Sydney Water has provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands.</p> <p>It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p> <p>Noted.</p> <p>Sydney Water will be consulted as part of Stage 2 of the LEP Review and the Local Housing Strategy.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.

## Attachment 3

ORD01

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
<b>Submission 6</b>				
Endeavour Energy	20/224897	The proposed amendments affect Endeavour Energy's following four sites (in alphabetical order of suburb) with three being network and one being a non-network site which are shown in the below site plans from Endeavour Energy's G/Net master facility model. Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plans is indicative only. In addition, it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model.	Noted. It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
		275 Cawdor Road, Cawdor	Noted. See above.	
		The current Cawdor Zone Substation curtilage can support a third transformer but at this time based on the limited load growth expansion is quite unlikely.  The watercourse traversing the site is small and any future development / expansion of the zone substation is unlikely to adversely impact the watercourse.		
		130 Alma Road, Leppington	Noted. See above.	
		This area is still marked to be developed and a zone substation will be required here at some point in the future. Supply for the new zone substation is likely to be supplied by 132,000 volt / 132 kilovolt (kV) Feeder 9L4 Nepean		

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>Transmission Substation – North Leppington Zone Substation, which is the line running from the south-west to the north-east in diagram.</p> <p>Typically a 132 / 11 kV zone substation requires a site area of about 12,000 m<sup>2</sup>. The future substation should be outside the riparian land and watercourse (even with the 40 m buffer).</p>		
		<p>17 McPherson Road, Smeaton Grange</p> <p>Narellan Field Service Centre is an operational hub that is home to Distribution, Transmission and Systems Operations staff. The FSC operates 24 hours a day, 7 days a week to support the communities within the surrounding region. Narellan is a key FSC at the heart of the South West Priority Growth Area and services a large industrial customer base. There are currently no proposed major alterations or additions proposed for the FSC.</p>	<p>Noted.</p> <p>See above.</p>	
		<p>156 Springs Road, Spring Farm</p> <p>Areas to the east and west of Nepean Transmission Substation (TS) are existing protected Elderslie Banksia Scrub Forests.</p> <p>The area marked for biodiversity to the east of Nepean TS is one of the main 132 kV transmission routes for the TS. Currently, Nepean TS has 5 x 132 kV transmission bays with no spares. Future extension works are likely to be required to maintain long-term supply security for Camden &amp; Wollondilly Council LGAs. The feeder</p>	<p>Noted.</p> <p>See above.</p>	

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>works are unlikely to impact the area marked for biodiversity.</p> <p>There are currently no plans to extend Nepean TS and no other planned works that would be within the proposed biodiversity area.</p>		
		<p>In regard to Endeavour Energy's easements which may traverse Environmentally Sensitive Land:</p> <ul style="list-style-type: none"> <li>For overhead power lines safety clearances and access must be maintained. Trees, plants or shrubs with a mature height that do not exceed 3 metres may be planted within the easement area provided they are no closer than 5 metres from the nearest structure. Mature trees must be a minimum 3 metres from the vertical projection of the overhead power line. No plants are permitted in an area where they may obstruct access.</li> <li>For underground cables access must be maintained. The planting of trees or the cultivation of shrubs with extensive root systems will not be permitted within the easement area. However, the planting of small shrubs and tilling of soil with a maximum root system 400mm deep may be considered in underground easements, except within 2 metres of joint bays, surface installations, cable marker plates and posts.</li> </ul>	<p>Noted. See above.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
<b>Submission 7</b>				
WaterNSW	20/225527	<p>The biodiversity mapping and related provisions will help reduce development pressure on the Upper Canal, thereby protecting the Canal corridor and water quality within the Canal. WaterNSW is concerned that the biodiversity mapping includes areas within the Upper Canal corridor. WaterNSW requests Council exclude the corridor from the mapping, as the corridor provides critical water supply infrastructure. Vegetation along the corridor may need to be removed for operational and maintenance purposes.</p> <p>To improve biodiversity outcomes, WaterNSW is willing to work with Council to help facilitate the use of natural wildlife corridors where these already occur in the landscape.</p>	<p>It is noted that WaterNSW has provided general support for the intention of the Planning Proposal to protect Camden's environmentally sensitive lands.</p> <p>WaterNSW has requested that the proposed ESL maps be reviewed and updated to consider impacts on existing and future infrastructure.</p> <p>It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
		<p>The Upper Canal is zoned SP2 Water Supply System, enabling water supply to be operated and maintained without the need for development consent. WaterNSW requires this SP2 zoning to be retained.</p>	<p>There is no change proposed to the zoning of the Upper Canal as part of this LEP amendment.</p>	
		<p>WaterNSW has been undertaking a fencing replacement program along sections of the Upper Canal which may impede the movement of fauna.</p>	Noted.	
		<p>Opportunities should be encouraged to direct land based fauna away from the open parts of the Canal in order to avoid wildlife drownings and associated water quality impacts.</p>	Noted.	

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>The proposal would benefit by more clearly articulating the scale of resolution and criteria used in the mapping.</p> <p>WaterNSW notes and supports the fact that the Canal is not mapped as a watercourse given that it is an artificial channel used for transfer of water supply.</p> <p>The mapped hydrology appears to vary from that used by WaterNSW (based on LPI mapping) and shows numerous drainage features affecting the upper canal. The mapping includes the canal in some instances but excludes in others.</p> <p>If mapping is associated with High Ecological Value as stated then any of the artificially channelled watercourse crossings of the Canal should be excluded.</p> <p>Outside the Upper Canal, many watercourses are also mapped in a truncated or discontinuous manner. The Planning Proposal may benefit by elaborating further on how the Science Division undertook the watercourse mapping. The Planning Proposal may benefit by clarifying whether HEV criterion was applied for watercourses.</p> <p>Some areas of riparian vegetation appear as isolated islands and seem to not be associated with any watercourse. Mapping of these areas need to be verified. Some of these areas may be 'wetlands', it may be useful to include wetlands as a third category on the map sheet to</p>	<p>It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p>	

Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>distinguish and clarify that they are isolated from a drainage network and not perceived as an anomaly.</p> <p>A number of watercourses presented on the map occur as straight lines suggesting that they have had the natural flow path varied by urban development.</p> <p>WaterNSW notes that the proposed riparian lands and watercourses clause includes consideration of 'any future rehabilitation of the watercourse and riparian areas'. WaterNSW notes that rehabilitation of waterways and riparian areas in proximity to the Upper Canal Corridor could affect stormwater flows.</p>		
		<p>The protection of watercourses and riparian lands is challenged by the expansion of urban growth as evidenced by the mapping. To address water quality impacts on downstream uses and waterways arising from urban development, Council may wish to introduce a separate Stormwater management clause in its local provisions.</p> <p>Council could also consider including a dedicated Essential Services clause within its LEP.</p> <p>Essential Services and a Stormwater clause would support the proposed health-based objectives and proposed provisions for watercourses and riparian lands. Both the Stormwater Management and Essential Services</p>	<p>Noted.</p> <p>WaterNSW will be consulted as part of Stage 2 of the LEP Review and any further consideration of stormwater management clauses and Essential Services clause.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		clause could be considered under the Stage 2 LEP Review.		
<b>Submission 8</b>				
Transport for New South Wales (TfNSW)	20/225527	<p>All existing TfNSW corridors and reservations need to be maintained and appropriately reflected in the Land Zoning and Land Reservation Acquisition maps as SP2 Infrastructure.</p> <p>Council may wish to consider a range of travel demand management measures for certain new developments/locations including the requirement of green travel plans to encourage the use of sustainable transport within the LGA.</p>	<p>There is no change proposed to the zoning and reservation for acquisition for existing TfNSW corridors.</p> <p>Noted, to be considered as part of the Stage 2 LEP Review.</p> <p>Council has identified in the following actions in the LSPS to address sustainable transport within the LGA.</p> <ul style="list-style-type: none"> <li>• Action 112 commits Council to investigating initiatives to reduce vehicle emissions.</li> <li>• Action 18 commits Council to working with TfNSW to support travel behaviour change programs to manage demand on the transport network and will advocate for sustainable transport choices in new developments.</li> </ul>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
		<p>Council should consider encouraging future higher density and mixed use developments in accessible locations to maximise current and future public transport patronage and further encourage walking and cycling.</p>	<p>Noted, to be considered as part of the Stage 2 LEP Review.</p> <p>The LSPS identifies a number of actions which Council will look to implement to encourage future higher density and mixed-use developments in accessible locations.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
			<p>Action 23 of the LSPS commits Council to work with the Department of Planning, Industry and Environment and TfNSW to identify future centres around planned railway stations which will include consideration higher density and mixed use developments.</p> <p>Further, Local Priority P3 considers the strengthening the Strategic Centres of Narellan and Leppington. Actions deriving from this priority will ensure jobs and homes are provided with great access to public transport such as rail.</p> <p>Local Priority 12 considers connecting Camden through integrated transport solutions. A number of actions deriving from this priority will ensure public transport patronage and walking and cycling to ensure greater integration and accessibility across the LGA and Western City District.</p>	
		<p>Council may wish to investigate and implement measures to reduce dependency on private vehicle use and encourage public transport use through travel demand management measures.</p>	<p>Noted, to be considered as part of the Stage 2 LEP Review.</p> <p>Council has identified the following action in the LSPS to address sustainable transport within the LGA. Action 112 commits Council to investigating initiatives to reduce vehicle emissions.</p>	

## Attachment 3

ORD01

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>Council should consider inclusion of requirements in the DCP for new developments to assess the demand for freight and servicing generated by the development and demonstrate to the satisfaction of Council / TfNSW.</p>	<p>Noted, to be considered as part of the Stage 2 LEP Review. Council will consult with TfNSW as part of the Stage 2 LEP Review.</p> <p>Action 9 of the LSPS commits Council to investigating opportunities to support freight movement on state and regional roads within the Camden LGA.</p>	
		<p>TfNSW is supportive of initiatives to give effect to actions contained in the District Plan on protecting freight corridors and industrial land from encroachment by sensitive land uses and managing the interfaces of industrial areas, trade gateways and intermodal facilities.</p>	<p>Noted.</p> <p>Action 12 of the LSPS commits Council to ensure that the Corridor preservation of the M9 Orbital are included in relevant planning instruments when confirmed by the State Government.</p>	
		<p>Council may wish to consider incorporating principles and objectives into the future LEP and DCP amendments, which will reinforce/strengthen the actions contained in the District Plan regarding the protection of freight corridors and industrial land from the encroachment by sensitive land uses.</p>	<p>Noted, to be considered as part of the Stage 2 LEP Review. Council will consult with TfNSW as part of the Stage 2 LEP Review.</p>	
		<p>TfNSW requests Council to liaise closely with Sydney Trains throughout each stage of the future strategic planning process, in particular in the development of the Stage 2 LEP amendment and supporting DCP.</p>	<p>Noted, to be considered as part of the Stage 2 LEP Review. Council will consult with TfNSW as part of the Stage 2 LEP Review.</p> <p>Local Priority 13 considers planning for the delivery of the North South Rail and South West Rail link extension. A number of actions support this priority and Council will consult with the relevant Stage agencies regarding any future LEP or DCP amendment.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>TfNSW recommends that Council review the suitability of the proposed riparian land at this property. The proposed amendments appear to be inconsistent with recent changes to the site that are associated with the Northern Road and Bringelly Road Stage 2 upgrade project.</p>	<p>It is recommended that the proposed ESL maps be reviewed and updated to consider all existing and proposed future infrastructure. It is recommended that the proposed ESL maps and associated clauses be deleted from the Stage 1 Planning Proposal. This will enable the ESL maps to be reviewed and updated to reflect recent developments and approvals, along with any recent and future infrastructure projects.</p>	
		<p>TfNSW requests that any proposed major increase to dwellings and employment yields is supported by a comprehensive transport assessment. This should consider and identify the required transport infrastructure to support additional growth.</p>	<p>Noted. Council is currently preparing a Local Housing Strategy and Local Centres and Employments Strategy. Noted. TfNSW will be consulted as part of Stage 2 of the LEP Review and the Local Housing Strategy.</p>	
<b>Submission 9</b>				
DPIE - Environment, Energy and Science Group (EES)	20/207445	<p>Council's proposed clauses for environmentally sensitive lands (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 Council's maps should explicitly state that it excludes the area subject to the Growth Centres SEPP and a note on these maps should say the Growth Centres SEPP continues to apply.</p>	<p>The submission from DPI-Environment, Energy and Science Group, the existing provisions of the Growth Centres SEPP and the Bio certification 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 maps and associated clauses be deleted from the Stage 1 Planning Proposal.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
		<p>EES requests this amendment because currently the PP is inconsistent with the Growth Centres SEPP, Part 6 and the Biocertification Order 2007 Relevant Biodiversity Measures (RBMs), that</p>	<p>Noted. As above.</p>	

ORD01

## Attachment 3

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
		<p>afford greater protection to ENV and Part 5 of the Growth Centres SEPP 2006 currently applies to flood prone and major creeks lands.</p> <p>Camden's proposed LEP maps only excludes the certified land subject to the Growth Centres SEPP and a parcel of land zoned Public Recreation – Regional at Alma Road, Leppington. This parcel zoned RE1 under the Growth Centres SEPP is also non-certified land and marked with red hatching to be acquired as shown on the Biodiversity Certification Order Maps. This parcel is zoned in the SEPP because this parcel was identified as a conservation area to be acquired by the NSW Government. Precinct planning has yet to occur for the rest of the South West Growth Centre as such other land is not zoned under the GC SEPP.</p>	<p>Noted. As above.</p>	
		<p>For consistency, all the land subject to the Growth Centres SEPP (not just the zoned parcel) needs to be excluded from the draft ESL terrestrial biodiversity and riparian lands and watercourses map. The proposed LEP maps must exclude:</p> <ul style="list-style-type: none"> <li>• non-certified land under the Order;</li> <li>• red hatched land under the Order;</li> <li>• existing native vegetation (ENV) land protected under the Order and shown on the Growth Centres Commission draft conservation plan Figure 5 as vegetation and protected.</li> <li>• the land zoned Public Recreation – Regional at Alma Road, Leppington under the GC SEPP.</li> </ul>	<p>Noted. As above.</p>	

## Stage 1 LEP Review Planning Proposal – Public Agency Submissions

Agency	EDMS Ref No.	Issue/Comment	Officer response	Proposed Action
DPIE - Environment, Energy and Science Group (EES) - Addendum	20/235790	<ul style="list-style-type: none"> <li>land subject to the Growth Centres SEPP Parts 5 and 6 (which includes the non-certified land identified as floods and major creeks lands under the Growth Centres SEPP).</li> </ul>	Noted.	
		<p>A further submission has been received by EES Group.</p> <p>The submission provides feedback on the extent of ESL mapping within the SWGA.</p> <p><i>ESL-Terrestrial Biodiversity mapping</i> – EES confirms that the removal of all land within the SWGA is supported and consistent with the Sydney Region Growth Centres SEPP, Part 6 and the Biocertification Order 2007 Relevant Biodiversity Measures (BMI)</p> <p><i>ESL-Riparian Land and Watercourses mapping</i> – EES confirms that it supports the removal of the ESL mapping to the following land within the Sydney Region Growth Centres SEPP:</p> <ul style="list-style-type: none"> <li>flood prone and major creeks land (non-certified land)</li> <li>land zoned under the Sydney Region Growth Centres SEPP currently; and</li> <li>transitional land.</li> </ul>	As above.	
<b>Submission 10</b>				
DPIE - Crown Lands	20/227243	No comments are provided for this proposal at this time.	Noted.	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<b>General ESL</b>			
Concerned over the impact the proposal will have on value of land and any ongoing impact from the exhibition of the draft controls.	195	<p>The ESL maps and proposed clauses do not rezone land or change the type of development that is currently permissible on land.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p> <p>The ESL maps will be reviewed, validated and updated with further ground truthing to reflect recent 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.</p> <p>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.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerned about the impact the ESL controls will have over the ability to develop their land.	107	<p>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.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerned over the lack of research, detail in mapping and consistency of the proposed ESL mapping.	182		Removal of the proposed ESL mapping and local

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerns were also raised that surveying and analysis was not undertaken to inform the proposed ESL mapping.		strategies. It is acknowledged however that in some areas, the maps do not accurately reflect all recent developments and approvals.  As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.	clauses from the Planning Proposal is recommended.
Invite Council to undertake a site visit to the property to confirm affected land.	65	As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerned that ESL is not applicable for land zoned under the Sydney Region Growth Centres SEPP 2006 SWGA.  Suggests that the LEP Review should be pre-emptive of the Growth Area Precincts and recently gazetted rail corridor.	101	The Planning Proposal does not apply to land currently zoned under the Sydney Region Growth Centres SEPP.  Significant objection was received from landowners within the SWGA to the inclusion of the proposed ESL clauses and maps.  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 (LPPs) 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.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerns as to why the changes are required. There is also concern that the implications of the proposal were not detailed in the Planning Proposal.	72	The objective of the Stage 1 Planning Proposal was to align the Camden LEP 2010 with the planning priorities within the Western City District Plan and Camden Local Strategic Planning Statement.	Removal of the proposed ESL mapping and local clauses from the

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerns that the proposal has not taken in a consideration of existing controls.		Specifically Planning Priority W12 and W14 of the District Plan along with Local Priority S2 and Local Priority S4 of the Camden LSPS, all encourage the protection of environmentally sensitive land and protecting biodiversity.  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 EP&A Act, the provisions of the Biodiversity Conservation Act 2016, the controls within the Camden DCP 2019 and Council's Biodiversity Strategy.  As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.	Planning Proposal is recommended.
Concerns that Development Application approvals and rezoning of land have not been considered in the preparation of the draft ESL mapping. Further, general concerns have been raised that the mapping does not take into consideration of the current environment.	40	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 however that in some areas, the maps do not accurately reflect all recent developments and approvals.  As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerns regarding how the environmentally sensitive land provisions were determined.	19	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 however that in some areas, the maps do not accurately reflect all recent developments and approvals.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerns that flooding has not been identified on the property but has still been determined as environmentally sensitive land.	22	<p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p> <p>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 however that in some areas, the maps do not accurately reflect all recent developments and approvals.</p> <p>The proposed clauses provided criteria for consideration when assessing DAs and require development to try and avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL maps and two associated clauses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concern that landowners affected by ESL should be compensated or Council should pay market value for land as rated residential if acquiring is necessary.	15	<p>The ESL maps and proposed clauses do not rezone land or change the type of development that is currently permissible on land. The proposed clauses provide criteria for consideration when assessing DAs and require development to try and avoid, minimise, mitigate and offset impacts to terrestrial biodiversity, watercourses and riparian lands.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concern over the application of the ESL mapping in regard to the recently	16	The Planning Proposal only applies to land zoned under Camden LEP 2010. It does not apply to land zoned under the State Environmental Planning Policy (Major Infrastructure Corridors) 2020.	Removal of the proposed ESL mapping and local

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
gazetted South West Rail link extension.		The land identified as part of the South West Rail Link Extension is now zoned under State Environmental Planning Policy (Major Infrastructure Corridors) 2020, therefore the Planning Proposal no longer applies to that land.	clauses from the Planning Proposal is recommended.
Concerned that the application of the ESL clauses and mapping will prevent certain complying development codes from being carried out.	19	<p>Clause 1.19 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2006 identifies that Complying Development may not be undertaken on land containing environmentally sensitive land. Further to this, Clause 1.19(6) states that the clause does not prevent complying development from being carried out on part of a lot that is not land affected by ESL.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerned that certain land zoned under the Growth Centres SEPP has been excluded from the proposal.	13	<p>The Planning Proposal applies to land zoned under Camden LEP 2010. It does not apply to land already zoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).</p> <p>A number of precincts within the SWGA have already been zoned under the Growth Centres SEPP, such as Oran Park, Leppington, Turner Road and East Leppington. The environmental protection within these precincts is included in the provisions of the Growth Centres SEPP.</p>	No action.
Specific concern was raised by some submitters around the exclusion of the large area bounded by Anthony and Alma Road that was shown white on the proposed ESL maps. Concerns were also raised over the	3	<p>The Planning Proposal applies to land zoned under Camden LEP 2010. It does not apply to land already zoned under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP).</p> <p>A number of precincts within the SWGA have already been zoned under the Growth Centres SEPP, such as Oran Park, Leppington,</p>	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<p>delay in acquisition of this land by the State Government.</p>		<p>Turner Road and East Leppington. The environmental protection within these precincts is included in the provisions of the Growth Centres SEPP.</p> <p>The land located along the corner of Anthony and Alma Road is already zoned Public Recreation – Regional under the Growth Centres SEPP. The acquisition of this land is determined by the State Government.</p>	
<p>Concerned that previous development has not been accounted for in regard to protecting environmentally sensitive land.</p>	18	<p>The LSPS has identified that clearing for agriculture and urban development has reduced the extent of tree cover across the Camden LGA. In addition to cooling of urban areas, remnant vegetation plays an important role in the biodiversity of the area, provides habitat for fauna, and contributes to local character.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerned with the accuracy of the mapping in regard to the ongoing Northern Road and Bringelly Road upgrades. Further concern has been raised regarding the flooding issues associated with the road upgrades.</p> <p>Concern is also raised that the removal of earthworks from the ongoing road upgrades at the submitter's property was at their cost and they have never been compensated for it.</p>	13	<p>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 the recently developed areas), the maps do not accurately reflect all current developments and approvals.</p> <p>As detailed in the Council report, it is recommended that the Planning Proposal be amended to delete the ESL maps and two associated clauses.</p> <p>The submissions which expressed concern regarding flooding issues and removal of earthworks in Bringelly will be forwarded to the relevant Council branch for investigation.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<p>Concerned that the proposal is inconsistent with the Greater Sydney Region Plan, Western City District Plan and Camden Local Strategic Planning Statement.</p>	5	<p>The inclusion of the local clauses and ESL mapping is consistent with:</p> <ul style="list-style-type: none"> <li>• The Greater Sydney Region Plan. The proposal is consistent with objective 25 and objective 27 which aim to ensure waterways are protected and healthier and biodiversity is protected, urban bushland and remnant vegetation is enhanced;</li> <li>• The District Plan, Planning Priority W12 – Protecting and improving the health of the District's waterways and W14 – Protecting and enhancing bushland and biodiversity; and</li> <li>• The Camden LSPS 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 enhancing biodiversity.</li> </ul>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerns that the proposed provisions duplicate existing controls and safeguards such as those in the <i>Water Management Act 2002</i> and <i>Biodiversity Conservation Act 2016</i>.</p>	25	<p>It is recommended that the Planning Proposal be amended to delete the ESL maps and two associated clauses.</p> <p>The Camden LSPS identified that Council needs to further protect and enhance environmentally sensitive land.</p> <p>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 EP&amp;A Act, the provisions of the Biodiversity Conservation Act 2016, the controls within the Camden DCP 2019 and Council's Biodiversity Strategy.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL maps and two associated clauses.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerns that they were not notified of the proposed provisions. The submitter asserts that although not directly affected by the provisions, the</p>	16	<p>Council sent approximately 2,800 letters to landowners affected by the proposed environmentally sensitive land provisions.</p>	<p>Removal of the proposed ESL mapping and local clauses from the</p>

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
proposal provides impacts among the wider community.		<p>A number of submissions have been received from residents who are not affected but live within the general area of the proposed ESL mapping.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Planning Proposal is recommended.
Concerns that the proposed provisions will add additional costs and approval delays associated with Development Applications.	17	<p>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 EP&amp;A Act, the provisions of the Biodiversity Conservation Act 2016, the controls within the Camden DCP 2019 and Council's Biodiversity Strategy.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerns raised that the Leppington Precinct has already been gone through detailed investigations as to the suitability of land uses across the Precinct. The proposed provisions should not be considered in regards of the Leppington Precinct.	10	<p>The Leppington Precinct was exhibited in 2013 and included draft zones which were informed by detailed studies for the precinct. Stage 1 of Leppington Precinct was rezoned in 2015. However, stages 2 – 5 of the Leppington Precinct were not progressed and are currently zoned under the Camden LEP 2010.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerns that the property is already restricted by flooding controls. Why are additional restrictions being implemented which will further	3	<p>The Camden LSPS identifies that Council needs to further protect and enhance environmentally sensitive land.</p>	Removal of the proposed ESL mapping and local clauses from the

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<p>complicate the Development Application process.</p>		<p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	<p>Planning Proposal is recommended.</p>
<p>Concerns that the proposed provisions will be reflected on a Section 10.7 planning certificate.</p>	4	<p>Clause 1.19 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2006 identifies that Complying Development may not be undertaken on the part of the land containing environmentally sensitive land, land outside of the identified ESL mapping is able to undertake Complying Development.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses. As such, no changes to the Section 10.7 Planning Certificates will be made relating to ESL.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerns that the proposed ESL provisions will impact on existing and future operations which are currently permissible (such as forestry and grazing) in the rural zones.</p>	6	<p>Council officer's note that there are concerns regarding the application of the ESL provisions in the context of rural land uses.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerns that the proposed ESL provisions will raise insurance premiums and impact upon clearing of hazardous land in light of the recent bushfire events.</p>	5	<p>The ESL clauses 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.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	<p>Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.</p>
<p>Concerned that the proposed provisions will further fragment land</p>	5	<p>Significant objection was received from landowners within the SWGA to the inclusion of the proposed ESL clauses and maps.</p>	<p>Removal of the proposed ESL</p>

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
which is already significantly fragmented.		<p>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.</p> <p>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.</p>	mapping and local clauses from the Planning Proposal is recommended.
Noted that the Camden Local Planning Panel considered the Stage 1 LEP Review Planning Proposal which has regard to certainty regarding future opportunities and constraints for development.	2	<p>The Stage 1 LEP Review Planning Proposal was considered for advice by the Camden Local Planning Panel (The Panel) on 17 September 2019. And provided the following recommendation:</p> <p><i>“The Panel was 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 considered it appropriate to progress the Planning Proposal which included terrestrial biodiversity and riparian lands and watercourse mapping in the LEP in order to be consistent with the District Plan and to provide landowners certainty about constraints and opportunities for future development.”</i></p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
<b>Community Consultation</b>			
Concerns regarding Council's approach to community consultation during the current COVID 19 Pandemic.	214		No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
		<p>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 during the public exhibition.</p> <p>In accordance with the LEP review program determined by the DPIE, the Planning Proposal is required to be submitted to DPIE by 31 August 2020.</p>	
<p>Concerns that the proposal should be in multiple languages and correspondence from Council should include access to translation services.</p>	23	<p>Noted.</p> <p>A Translation and Interpreting Service is currently available for landowners to help understand Council correspondence.</p>	No action.
<p>Concerns that the exhibition material should be more accessible and considerate of affected land owners that are not computer literate.</p>	9	<p>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 EP&amp;A Amendment (Public Exhibition) Regulation 2020 and the Gateway Determination issued by DPIE.</p> <p>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 during the public exhibition.</p>	No action.
<p>Requests a public hearing under Section 3.34 (2) of the EP&amp;A Act be undertaken by Council.</p>	76	<p>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 EP&amp;A Amendment (Public Exhibition) Regulation 2020 and the Gateway Determination issued by DPIE.</p>	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerned that no definitions were provided in the exhibition material regarding ESL.	14	The definition of environmentally sensitive land was provided in a fact sheet attached to the notification letter, as follows: <i>Land may be considered environmentally sensitive for a variety of reasons, including the presence of endemic and protected ecological communities or populations, its location as a link between larger bushland and remnants, or its location adjacent to watercourses or other significant natural features.</i>	No action.
Concerns with the contents of the Planning Proposal notification letter. Generally, concerns were raised that the letter was not explained well enough, there was a lack of detail/mapping to understand the extent of land affected on a site-specific basis, and that the letter did not discuss the implications of the proposal.  Concerned that the timing of the letter left them with minimal time to understand and form a position on the exhibition material.	23	The concerns are noted with the contents of the Planning Proposal notification letter. Council will consider the contents of these submissions and feedback in future planning proposal communication.  To assist the community Council provided an interactive map to allow affected landowners to determine the exact extent of ESL that would be applied to the property.  In accordance with the LEP program set by the DPIE, the Planning Proposal is required to be submitted to the DPIE by 31 August 2020.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
<b>ESL – Riparian land and Watercourse</b>			
Concerned regarding the accuracy of the Riparian lands mapping.	162	The data used in preparing the ESL maps was derived from existing publicly available data from various government sources and strategies. It is acknowledged however that in some areas, the maps do not accurately reflect all recent developments and approvals.  It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.

## Attachment 4

ORD01

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerned regarding the identification of a Watercourse on the property.	135	<p>The ESL maps will be reviewed, validated and updated with further ground truthing to reflect recent 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.</p> <p>The data used in preparing the ESL maps was derived from existing publicly available data from various government sources and strategies. It is acknowledged however that in some areas, the maps do not accurately reflect all recent developments and approvals.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p> <p>The ESL maps will be reviewed, validated and updated with further ground truthing to reflect recent 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.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concern that stream order guidelines as set out in the Guidelines for riparian corridors on waterfront land should have been considered in preparation of the proposed ESL provisions.	20	<p>The data used in preparing the ESL maps was derived from existing publicly available data from various government sources and strategies. It is acknowledged however that in some areas, the maps do not accurately reflect all recent developments and approvals.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
Concerns also raised that draft ESL mapping is inconsistent with Growth Centres SEPP Flood prone and	2	<p>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.</p>	Removal of the proposed ESL mapping and local

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
major creeks mapping as 1st and 2nd order streams are not shown.		For land within the SWGA that has not undergone precinct planning, detailed studies will be prepared to inform the zoning and indicative layout plans (LPs) 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.	clauses from the Planning Proposal is recommended.
Concerns that the proposal is contrary to the Upper South Creek Flood Risk Management Plan. Further, general concerns are raised that a more updated study should be completed to reflect the ongoing development within the South Creek catchment area before an amendment to the LEP is considered.	7	<p>In 2019, Council adopted the Upper South Creek Flood Risk Management Plan which informs floodplain management options for future development within the catchment.</p> <p>Council officers have commenced a review of the Upper South Creek Flood Study in the context of the ongoing development. This study will seek to confirm flood behaviour within the Upper South Creek Catchment, given the current and ongoing development.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
<b>ESL – Terrestrial Biodiversity</b>			
Concern regarding the accuracy of the Terrestrial Biodiversity mapping.	36	<p>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 however that in some areas, the maps do not accurately reflect all recent developments and approvals.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p> <p>The ESL maps will be reviewed, validated and updated with further ground truthing to reflect recent developments and approvals, along</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
A greater understanding of what Biodiversity certification is and how it was applied is sought.	14	<p>with any changes that may arise following the finalisation of the Blue and Green Grid Analysis and a review of Council's Biodiversity Strategy.</p> <p>In 2007, the SWGA underwent a Biodiversity Certification process, which means a Biodiversity Certification Order was issued under the Threatened Species Conservation Act 1995.</p> <p>Biodiversity certification:</p> <ul style="list-style-type: none"> <li>removes the need for further threatened species assessments before developing land in 'Certified' lands; and</li> <li>identifies areas of native vegetation in the Growth Centres to be retained and areas where losses could be offset by protecting land inside or outside the Growth Centres with similar ecological characteristics.</li> </ul> <p>More information regarding biodiversity certification can be found on the Department of Planning, Industry and Environment's website: <a href="https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/South-West-Growth-Area/Historical-documents">https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/South-West-Growth-Area/Historical-documents</a></p>	No action.
<b>Rural Lands</b>			
General support has been received in relation to the amendments to rural zone (RU1 and RU2) objectives to broaden permissible non-agricultural land uses such as eco-tourist facilities. Submitter's have noted that providing more flexibility will assist the rural economy especially in light of increased tourism which will be	3	<p>Noted.</p> <p>The Camden LSPS identifies that Council will work to increase tourism and grow the local visitor economy. The introduction of 'eco-tourism facilities' in the RU1 zone is considered to be consistent with the priorities and intent of the Camden LSPS.</p> <p>Further to this, the Camden Rural Lands Strategy (RLS) identifies Camden's rural land as important, due to its role in providing Sydney</p>	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<p>facilitated from the development of the Western Sydney Airport.</p> <p>Submitter has suggested the addition of 'eco-tourist' facilities should accompany land use compatibility controls.</p>		<p>with fresh food but also other benefits such as tourism and cultural landscape values, further noting strong growth potential.</p> <p>General support was received regarding the change in the zoning objectives for the RU1 and RU2 zones. The proposed changes seek to allow more flexibility for tourism uses (limited to eco-tourist facilities) to influence the rural economy and leverage off opportunities such as that presented by the Western Sydney Airport.</p> <p>It is further noted that there is general support for the addition of 'eco-tourist' facilities to the rural zones (RU1 and RU2). The objectives of the proposed 'eco-tourist facilities' clause is to minimise the potential for land use conflict and will support agricultural production remaining viable and sustainable. Specific controls are proposed to ensure 'eco-tourist facilities' minimise the potential for land use conflict and hence consistency with the LSPS.</p>	
<p>Concerned that landholdings in Bringelly are to be considered in the context of the Camden Rural Land Strategy.</p>	1	<p>The Planning Proposal does not include any provisions relating to the application of the Camden Rural Lands Strategy on specific sites.</p> <p>It is recommended that the submitter make further contact with Council officers to confirm the application of the Rural Lands Strategy.</p>	No action.
<p>Suggest that Council consider permitting a broader range of tourism related uses by permitting 'tourist and visitor accommodation' in the RU1 Primary Production zone. The submitter states that this is entirely consistent with the amendment to the RU1 objective. This will enable landowners in the RU1 zone to establish tourism related uses and facilities that can attract and cater to what will be a growing visitor</p>	1	<p>Noted.</p> <p>Council understands the importance of the rural economy for the LGA. Council officers will look to consider providing more flexibility for rural businesses to help support the rural economy. This will be considered as part of Stage 2 of the LEP Review.</p>	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
economy brought on by the delivery of the airport.			
There is general support for enabling tourism related uses to the RU1 and RU2 zones.	1	The general support for the changes to the RU1 and RU2 zones is noted. However, the Planning Proposal does not include any proposed changes to the RU4 zone, and the scope of the proposal is not able to be changed to include it.	No action.
Suggests that the scope of changes to the objective in the RU1 and RU2 zones include the RU4 zone.		It should be noted that the RU4 zoned area of the LGA is located within the SWGA and is subject to future urban development. Future land uses within this area will be determined as part of the SWGA Precinct Planning process.	
<b>Industrial Lands</b>			
Concerns regarding the strengthening of the IN2 Light Industrial zone objectives to resolve existing land use conflicts. The proposal does not clearly spell out what incidents have informed this change, nor does it provide significant additional clarity to the industry going forward. The submitter proposes this matter be deferred to the Stage 2 for further explanation and inclusion in Council's Employment and Centres Strategy.	1	Council has been investigating various options to manage land use conflict issues between industrial land uses and surrounding sensitive uses, including residential uses.  At it's meeting of 12 September 2017 and 26 September 2017 Council resolved the following:  <i>"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".</i>  As part of this comprehensive LEP Review, Council officers are preparing a Centres and Employment Lands Strategy. This work will consider longer term options for Camden's employment lands which includes industrial lands. The outcomes of the Strategy will inform Stage 2 of the Camden LEP Review.	No action.
<b>Other issues</b>			

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
<p>General concerns were raised regarding the change of the natural environment as a result of development of new urban areas. This includes changes to the natural flow of water and stormwater runoff. The submitter has stated that Council should look at conducting better practices in regard to ensuring run off of urban areas does not negatively impact the overall quality of water in Camden's waterways.</p>	6	<p>Local Priority S2 of the Camden Local Strategic Planning Statement looks to protect and enhance the health of Camden's waterways.</p> <p>Several LSPS Actions have been identified to protect and enhance water quality. These include, developing a program for ongoing water quality monitoring and investigating opportunities to reinstate natural conditions in highly modified urban waterways.</p>	No action.
<p>Concerns that Council should investigate unauthorised works which are degrading environment.</p>	1	<p>Action 100 and 108 of the Camden LSPS includes developing a community education program to build awareness and understanding of the importance of water quality and biodiversity issues.</p> <p>Council officers recommend the submitter contact the relevant branch of Council to further discuss specific sites where unauthorised works have been undertaken.</p>	No action.
<p>The submitter does not support the amendment to the initial DPIE Gateway Determination.</p>	1	<p>The intent of the Planning Proposal as submitted to the DPIE was to apply to all land subject to the Camden LEP 2010. A Gateway Alteration was issued by DPIE to reflect the intention of the original proposal.</p> <p>It is recommended that the Planning Proposal be amended to delete the ESL clauses and maps for terrestrial biodiversity and riparian land and watercourses.</p>	Removal of the proposed ESL mapping and local clauses from the Planning Proposal is recommended.
<p>Submitter suggests that the state significant development and rezoning proposal for their land should form part of LEP Review.</p>	1	<p>It is noted the future demand the Western Sydney Airport will bring to the Camden LGA. However, Council officers consider that any proposal to develop the submitter's land falls outside the scope of the Stage 1 LEP Review Planning Proposal.</p>	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Suggests that Council should investigate rezoning of open space to RE1 – Public Recreation to ensure certainty that existing land open space and recreation land remains as intended.	1	Council officers note that land across the LGA being used as open space and public recreation is not necessarily zoned as RE1 – Public Recreation. Council is currently in the process of reviewing its open space and recreation land and Council officers will consider this request as part of Stage 2 of the Camden LEP Review.	No action.
Concerns that the Stage 1 LEP Review Planning Proposal does not consider the need to deliver housing for the Camden LGA. Council should set out its planned timeframe for completion of the next phase of the LEP update, being the completion of its LHS.	1	Noted. The Local Housing Strategy is currently being prepared. The Local Housing Strategy (LHS) will be exhibited later in 2020. Outcomes of the exhibition period and the finalisation of the LHS will inform Stage 2 of the Camden LEP Review.	No action.
Generally supportive of embedding health outcomes in the LEP. However, such an approach will provide more clarity to industry if it is translated into specific built form outcomes through Council's Development Control Plan.	1	Noted. The inclusion of the health objectives 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 and socially connected community of the LSPS. Whilst built form outcomes can be most effectively implemented at the design stage of development, there is an opportunity to reflect the focus on health placemaking within the broader aims of the Camden LEP. The submitters comments will be considered in a future amendment to the Camden DCP as part of the Stage 2 LEP Review process.	No action.

## Stage 1 LEP review Planning Proposal – Summary of General Submission Issues

Matter raised in submission	No of Submissions	Officer response	Proposed Action
Concerns with the recently built car park at the rear of Rossmore Public School. The submitter is concerned that the car park was constructed without notifying the adjoining residents. There is also concern that the car park has restricted and impacted the privacy of the submitter and that the car park has altered the natural flow of water in the area.	2	Noted. The submitter's concerns will be forwarded to the relevant Council branch for investigation.	Forward to the relevant Council branch for investigation.
Concerns as to why the Catherine Fields North Precinct has not been included in current planning and development of Precincts?	3	The Catherine Fields North Precinct is located within the South West Growth Area and is not yet released for precinct planning by the State Government.  There is currently no timeframe on when the Precinct will be released. Council will continue to work with the State Government agencies to identify timeframes for the release of further SWGA Precincts.  Landowners will be further informed and consulted when timeframes have been identified.	No action.

ORD01

**LEP Review Stage 1 – Public Agency Submissions**

- 1 Department of Primary Industries - Agriculture
- 2 Many Williams - SW Sydney Local Health District
- 3 Department of Education
- 4 Department of Primary Industries - Agriculture
- 5 Sydney Water
- 6 Endeavour Energy
- 7 WaterNSW
- 8 tfNSW
- 9 Land Minerals Department
- 10 Climate Change & Sustainability -DPIE

Attachment 5



1. Agency

ORD01

OUT20/7823

The General Manager  
(Att: Bradley Colling)  
Camden Council  
PO Box 183  
CAMDEN NSW 2570

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

Dear Mr Colling

**Submission to Planning Proposal for Stage 1 Amendment to Camden LEP 2010  
PP\_2019\_CAMDE\_005\_00**

Thank you for your correspondence dated 15 June 2020 providing the opportunity to comment on the planning proposal for the Stage 1 amendment to the Camden Local Environmental Plan 2010.

The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend.

DPI Agriculture has reviewed the proposal and notes the intention to permit eco-tourist facilities with consent in zones RU1 Primary Production and RU2 Rural Landscape, and amend an objective for these zones relating to non-agricultural uses.

DPI Agriculture objects to amendment number 3 of the planning proposal to amend the objective relating to non-agricultural land uses and permit eco-tourist facilities with consent in the RU1 Primary Production zone. DPI Agriculture objects to these proposed amendments for the following reasons:

1. the amendment to the objective for the RU1 zone will weaken the intent of the current objective which requires non-agricultural land uses to support primary production;
2. permitting eco-tourist facilities in the RU1 zone is considered to be inconsistent with action 102 of the Camden Local Strategic Planning Statement as it will not minimise the potential for land use conflict;
3. permitting eco-tourist facilities in the RU1 zone is considered to be inconsistent with the action in the Camden Rural Lands Strategy to "investigate and promote activities to support and promote viable and sustainable agriculture" as eco-tourist facilities are generally unrelated to agricultural production;
4. there is limited RU1 zoned land in the Camden local government area (LGA) and it contains Biophysical Strategic Agricultural Land and existing intensive agricultural land uses. Given the future pressure expected to be placed on rural land in the Camden LGA the existing RU1 zoned land should be retained for agricultural purposes; and

Attachment 5

ORD01

5. farmstay accommodation and bed and breakfast accommodation are already permissible in the RU1 zone. These forms of tourist accommodation are considered appropriate as they are limited in size and are unlikely to prevent the ongoing use of land for agricultural purposes.

DPI Agriculture has no objection to these changes occurring in the RU2 Rural Landscape zone.

It is noted that there is limited RU2 zoned land in the Camden LGA. Should Council believe that some of the land currently zoned RU1 is not suitable for agriculture and may be suitable for eco-tourist facilities, it should consider rezoning this land to RU2. This would enable a strategic approach to locating eco-tourist facilities and other non-agricultural land uses in the LGA and ensure that agricultural land is retained for agriculture and compatible land uses in the RU1 Primary production zone.

Council should also await the completion of the work between the Department of Planning, Industry and Environment and the NSW Small Business Commissioner relating to agritourism land uses in rural areas before Council considers whether there is a need to permit additional land uses in the RU1 zone.

Should you require clarification on any of the information contained in this response, please contact Paul Garnett, Agricultural Land Use Planning Officer, on 0429 864 501 or by email at [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au)

Yours sincerely



**Christine Tumney**  
**Group Director Agricultural Resources**  
**Department of Primary Industries - Agriculture**

Attachment 5



Health  
South Western Sydney  
Local Health District

## 2. Agency

SWD20/069674

The General Manager  
(Att: Bradley Colling)  
Camden Council  
PO Box 183, CAMDEN NSW 2570  
[mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

Dear Mr Moore,

### **Public Exhibition of Draft Stage 1 Planning Proposal – Local Environmental Plan (LEP) Review (PP/2019/11/1)**

Thank you for the opportunity to provide comment on the Draft Stage 1 Planning Proposal for the LEP review. South Western Sydney Local Health District (SWSLHD) recognises the importance of the built and social environment in influencing health outcomes and in creating healthy, liveable and connected communities.

We applaud the inclusion of the health-focussed objective “to protect and promote the health and well-being of current and future residents of Camden” within the LEP review document. We are encouraged to see health considerations being integrated into a range of key council documents, such as the CSP and more recently in the Local Strategic Planning Statement (LSPS), and draft LEP review documents. This model of integration is one that we are working hard to translate to other councils across the Western Parkland City. Both Wollondilly and Campbelltown councils have included a similar health objective within their draft LEP amendment documents.

We were pleased to see that the *Camden LEP 2011 Land Use Table* will be amended to embed health considerations around walking and cycling into the zone objective for neighbourhood centres (bringing it into line with other zones). These proposed zone objectives give greater clarity to the overall aim of the health objective and will ensure that future development proposals reflect the intent of the LEP.

Council should be commended on its strong commitment to explicitly putting people’s health and wellbeing at the heart of planning and designing communities. The Healthy Places team within Population Health, SWSLHD have developed a range of co-funded partnerships with our councils with the aim of embedding health into Council’s planning, design and policy and would welcome the opportunity to explore this model with you further. We have recently sponsored 3 council staff from Camden Council to complete the internationally recognised *Healthy Streets* training and we look forward to supporting joint projects that emerge as a result.

South Western Sydney Local Health District acknowledges the traditional owners of the land.

#### **General Correspondence**

**Email:** [SWSLHD-ESU@health.nsw.gov.au](mailto:SWSLHD-ESU@health.nsw.gov.au)

**Website:** [www.swslhd.health.nsw.gov.au](http://www.swslhd.health.nsw.gov.au)

#### **South Western Sydney Local Health District**

ABN 46 738 965 845

Liverpool Hospital Eastern Campus  
Locked Bag 7279 Liverpool BC 1871  
Tel 612 8738 6000 Fax 612 8738 6001

ORD01

Attachment 5

ORD01

Should you require further information, please contact Ms Jennie Pry, Manager – Healthy Places, SWSLHD, on 8738-5702 or via email [jennie.pry@health.nsw.gov.au](mailto:jennie.pry@health.nsw.gov.au).

Regards,



Mandy Williams  
**A/Director, Population Health**  
Date: 17/7/2020

Attachment 5

## 3. Agency



ORD01

20<sup>th</sup> July 2020

Camden Council  
PO Box 183,  
Camden NSW 2570

Attn: Strategic Planning Team, Camden Council

Dear Sir/Madam,

**SUBMISSION TO STAGE 1 CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) REVIEW 2020**

School Infrastructure NSW (SINSW), as part of the Department of Education (DoE), welcomes the opportunity to provide feedback on the draft Stage 1 Camden Local Environmental Plan (LEP) Review 2020.

SINSW is generally supportive of the overall direction and land-use controls contained in the draft CLEP 2020, subject to the considerations identified which will assist with the appropriate provision of school infrastructure to respond to population growth.

**Draft CLEP 2020 Recommendations:**

Environmentally Sensitive Land

SINSW notes the introduction of Environmentally Sensitive Land (ESL) mapping and the additional provisions within Part 7 of the Camden LEP for ESL to preserve ecological communities and important biodiversity corridors within the LGA.

Several existing school sites will be impacted by the updated mapping, including:

- Camden Public School
- Camden South Public School
- Harrington Park Public School
- Mount Annan High School
- Mawarra Public School
- Narellan Public School
- Elderslie Public School

None of the above sites are currently identified as containing terrestrial biodiversity under the *Camden Local Environmental Plan 2010* (CLEP 2010), nor are these mapped on the Department of Planning, Industry and Environment's Biodiversity Values Map.

SINSW requests that further clarification be provided regarding the biodiversity values present on the above sites, in particular, advice on surveys that have been undertaken to inform the proposed mapping. This does not appear to be specified within the updated Camden Council Local Biodiversity Strategy (2013).

Attachment 5



Further, SINSW requests that ESL listings and maps that apply to school sites, only apply to those parts of the site that are environmentally sensitive and not to parts of the site where there are existing buildings and therefore not environmentally sensitive land. This will ensure that vital alterations and additions to school elements can be carried out more efficiently as exempt or complying development under *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*, where appropriate.

#### Heritage

SINSW supports the correction of various errors in Schedule 5 of the draft CLEP, including updating site addresses.

SINSW requests that during review of the heritage listings, consideration be given to limiting the listings and mapping on schools to only reflect the elements of significance rather than the entire site.

This consideration is sought as often only a portion of the site or school development contains elements or fabric of heritage significance. Accurate listings will ensure vital alterations and additions to non-heritage significant school elements can be carried out more efficiently as exempt or complying development under *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*, where appropriate.

#### Infrastructure Delivery

SINSW requests that Council consider reviewing the relevant section 7.11 or 7.12 Plan to confirm suitable road upgrades, active and public transport infrastructure (i.e. walking and cycling infrastructure, wayfinding, bus shelters etc.) is provided to service any uplift associated with and future zoning changes as a result of the Stage 2 LEP Review.

Should you require further information about SINSW or this submission, please contact Lincoln Lawler at [Lincoln.Lawler@det.nsw.edu.au](mailto:Lincoln.Lawler@det.nsw.edu.au)

Yours Sincerely,



Alix Carpenter  
Director - Statutory Planning



Your Ref: PP/2019/11/1

20 July 2020

The General Manager  
Camden City Council  
Attn: Mr Bradly Colling  
c/o: [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

**Consultation for Camden LEP Review Stage 1 Amendment to Camden LEP 2010**

Thank you for your referral seeking comment on the proposal from DPI Fisheries, a division of NSW Department of Primary Industries on the proposed works stated above. This notification complies with s.199(1)(a) of the *Fisheries Management Act 1994* (FM Act) concerning the proposed dredging and reclamation activities.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the amendment and makes the following comments:

- DPI Fisheries is pleased that the amendment makes provisions to allow additional protection for environmentally sensitive land through the identification of Environmentally Sensitive Land (ESL) mapping.
- Noted that there are two classes outlined under Part 7 Additional Local Provisions:
  1. Terrestrial biodiversity;
  2. Riparian lands and watercourses.
- In Appendix 4 – Detailed explanation of provisions, Environmentally Sensitive Land – Riparian lands and watercourses under section 2. (c) the land included in this section is land 40m from the top of the bank. *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* section 6.1.4 Protecting urban riparian vegetation and 6.1.4.1 3) a) specifically details the riparian buffer required depending on the type and class of water way, ranging from 10m to 100m. So, a 40m width may not necessarily meet the DPI Fisheries requirements.

If you require any further information, please contact Josi Hollywood on (02) 4222 8311.

Yours sincerely,

A black rectangular box redacting the signature of Josi Hollywood.

**Josi Hollywood**  
Fisheries Manager, Coastal Systems

**DPI Fisheries**

Mail to: R. Philips, 1243 Bruxner Hwy, Wollongbar NSW 2477  
Email: [ahp.central@dpi.nsw.gov.au](mailto:ahp.central@dpi.nsw.gov.au)  
ABN 20770707468

Page 1 of 1

## 5. Agency



ORD01

Attachment 5

10 July 2020

**Martin Cooper**  
Manager Strategic Planning  
Camden Council  
E: [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

**RE: Planning Proposal PP/2019/11/1 – Camden LEP 2010 Review Stage 1**

Thank you for referring planning proposal PP/2019/11/1 to Sydney Water which proposes Stage 1 amendments to the Camden Local Environmental Plan (LEP) 2010 to adopt the Camden Local Strategic Planning Statement (LSPS) and the Western City District Plan.

Sydney Water have reviewed the planning proposal and supporting documents and have concluded the two issues raised relating to Sydney Water owned land is of no concern to us.

- Sydney Water is aware of the rezoning of our property in Camden from water infrastructure to SP2 Infrastructure and discussions regarding these rezoning submissions have already occurred between Sydney water and Council.
- Sydney Water supports the new Environmentally Sensitive Land (ESL) clauses and mapping proposed and we will consider the objectives of ESL if planning for works in the six properties listed by Council. This will be consistent with Sydney Water's current practice to apply our avoid, minimise, mitigate and offset residual impacts framework.

Sydney Water have determined that this LEP amendment does not require further assessment at this stage as all existing principal development standards and controls will be retained under this LEP amendment. Sydney Water understands that Council are currently undertaking studies to support the Camden LSPS and inform future amendments to the Camden LEP 2010. As a result, further planning proposals may arise as a result of PP/2019/11/1 and the following studies:

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

Sydney Water welcomes the opportunity to comment on future LEP amendments and the above studies, particularly where proposed changes may trigger an increase in dwellings and jobs within the Camden local government area.

Sydney Water looks forward to continuing engagement and collaboration with Council. For future communications, including notifications on planning proposals, please contact the Growth Planning Team at [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

Yours sincerely,



**Kristine Leitch**  
Growth Intelligence Manager  
City Growth and Development, Liveable City Solutions  
Sydney Water, 1 Smith Street, Parramatta NSW 2150

## 6. Agency



Document No: MDI 0044

Amendment No: 1

## Mains Design Instruction

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# Easements and Property Tenure

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## MAINS DESIGN INSTRUCTION

<b>ASSET STANDARDS &amp; DESIGN</b>	Document No Amendment No Approved By Approval Date	MDI 0044 1 GMAM 06/03/2017
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### MDI 0044 – Easements and Property Tenure

#### CONTENTS

1.0	PURPOSE.....	5
2.0	SCOPE.....	5
3.0	REFERENCES.....	5
4.0	DEFINITIONS AND ABBREVIATIONS.....	6
4.1	Abbreviations.....	6
4.2	Definitions.....	6
5.0	ACTIONS.....	7
5.1	General Requirements.....	7
5.2	Management process of easements.....	8
5.3	Minimum easement widths.....	9
5.3.1	Minimum easement required for overhead lines.....	9
5.3.2	Minimum easement required for network assets.....	10
5.3.3	Parallel overhead feeders.....	11
5.3.4	Request for dispensation to the minimum easement width.....	12
5.3.5	Indoor substations.....	12
5.3.6	Padmount substations and switching stations.....	12
5.4	Assets within special areas.....	12
5.4.1	Assets within the road verge.....	12
5.4.2	Assets within roadways.....	13
5.4.3	Overhead lines crossing private property.....	13
5.4.4	Easement over Railway Corridor land.....	13
5.4.5	Easements over National Park Land.....	14
5.4.6	Easements over Forestry Land.....	14
5.4.7	Easements in water catchment areas.....	14
5.4.8	Community Title developments.....	14
5.5	Easement creation.....	15
5.6	Easement terms.....	15

Easements and Property Tenure		Amendment no. 1
<b>5.7</b>	<b>Other types of Property Tenure</b> .....	15
<b>5.8</b>	<b>Modifying assets with an easement</b> .....	16
<b>5.9</b>	<b>Easement release</b> .....	16
<b>5.10</b>	<b>Easement height</b> .....	16
<b>5.11</b>	<b>Rights granted by the Electricity Supply Act</b> .....	17
5.11.1	<i>Protection of assets installed before May 2006</i> .....	17
5.11.2	<i>General protection of network assets</i> .....	17
<b>5.12</b>	<b>Works on assets without a registered easement</b> .....	17
<b>5.13</b>	<b>General requirements on encroachment management</b> .....	18
<b>5.14</b>	<b>Encroachments on overhead line easements</b> .....	19
5.14.1	<i>Minimum safety requirements for overhead line easements</i> .....	19
5.14.2	<i>Prohibited activities / encroachments</i> .....	20
5.14.3	<i>Permitted activities / encroachments</i> .....	20
5.14.4	<i>Controlled activities / encroachments</i> .....	20
<b>5.15</b>	<b>Encroachments on underground easements</b> .....	26
5.15.1	<i>General information for underground asset easements</i> .....	26
5.15.2	<i>Minimum safety requirements for underground asset easements</i> .....	26
5.15.3	<i>Prohibited activities / encroachments</i> .....	26
5.15.4	<i>Permitted activities / encroachments</i> .....	27
5.15.5	<i>Controlled activities / encroachments</i> .....	27
<b>5.16</b>	<b>Encroachments on Padmount Substation or Switching Station easements</b> .....	29
5.16.1	<i>General information for padmount substation easements</i> .....	29
5.16.2	<i>Minimum safety requirements for padmount substation easements</i> .....	29
5.16.3	<i>Prohibited activities / encroachments</i> .....	30
5.16.4	<i>Permitted activities / encroachments</i> .....	30
5.16.5	<i>Controlled activities / encroachments</i> .....	30
<b>5.17</b>	<b>Transfer earth hazards</b> .....	31
<b>5.18</b>	<b>Encroachment management process</b> .....	32
5.18.1	<i>Existing encroachment management process</i> .....	32
5.18.2	<i>Applications for controlled encroachments</i> .....	33
<b>5.19</b>	<b>Access and Rights of Way</b> .....	34
5.19.1	<i>Locking arrangements for shared access gates</i> .....	34
<b>5.20</b>	<b>Recording of easements in GIS</b> .....	35
<b>5.21</b>	<b>Drawings</b> .....	35
<b>6.0</b>	<b>AUTHORITIES AND RESPONSIBILITIES</b> .....	36
<b>7.0</b>	<b>DOCUMENT CONTROL</b> .....	36
<b>Annexure 1</b>	<b>STANDARD EASEMENT TERMS</b> .....	37

<b>Easements and Property Tenure</b>		<b>Amendment no. 1</b>
<b>Annexure 2</b>	<b>Terms of Restrictions on the Use of Land</b> .....	<b>41</b>
<b>Annexure 3</b>	<b>COMMUNITY TITLE BY-LAWS</b> .....	<b>46</b>
<b>Annexure 4</b>	<b>Typical easement layouts</b> .....	<b>47</b>
	<b>A4.1 - Underground assets</b> .....	<b>47</b>
	<b>A4.2 – UGOH and Stay pole easements</b> .....	<b>48</b>
	<b>A4.3 - Padmount easements and clearances</b> .....	<b>49</b>
<b>Annexure 5 –</b>	<b>Encroachment reference guide</b> .....	<b>51</b>

**ORD01**

**Attachment 5**

**Easements and Property Tenure****Amendment no. 1****1.0 PURPOSE**

To set out Endeavour Energy's design requirements for new easements, other property tenure requirements, and the management of existing easements.

**2.0 SCOPE**

This instruction covers:

- The rights Endeavour Energy has within its own easements;
- The determination of the minimum easement size for an asset;
- Process for acquiring, modifying and removing easements;
- The definition of controls for the safe operation of activities within easements; and,
- The definition of activities which are prohibited within easements.

The instruction does not cover:

- The release process of easements, which is covered in Company Policy 9.2.4.
- The process for managing existing encroachments, which is defined in Company Procedure GAM 0098.

**3.0 REFERENCES****Internal**

- Company Policy 9.2.3 – Property Tenure for Network Assets
- Company Policy 9.2.4 – Network Easement Release
- Company Procedure GAM 0098 – Management of Existing Encroachments
- Company Procedure GAM 0114 – Granting Dispensation for Engineering Documents
- Environmental Management Standard EMS 0006 - Maintenance and construction of access tracks
- Mains Construction Instruction MCI 0006 – Underground distribution construction standard
- Mains Design Instruction MDI 0028 – Underground distribution design
- Mains Design Instruction MDI 0031 – Overhead distribution: Design standards manual
- Mains Design Instruction MDI 0047 – Overhead transmission design
- Substation Design Instruction SDI 100 – Distribution Earthing Design, Construct and Test
- Endeavour Energy General Terms & Conditions for Connection of Public Lighting Assets (March 2011)
- Network Management Plan November 2013

**External**

- *Electricity Supply Act 1995\**
- *Roads Act 1993\**
- *Land Acquisition (Just Terms Compensation) Act 1991\**
- *Conveyancing Act 1919\**
- State Environmental Planning Policy (Infrastructure) 2007
- ISSC 20 - Guidelines for the Management of Activities within Electricity Easements and close to Electricity Infrastructure (April. 2012)
- ENA National Electricity Network Safety Code (Doc 001-2008)

**Easements and Property Tenure**

Amendment no. 1

- AS / NZS 7000:2016 Overhead Line Design – Detailed procedures
- AS / NZS 4853:2012 – Electrical hazards on metallic pipelines

\* - Act current as of 19/02/2016

**4.0 DEFINITIONS AND ABBREVIATIONS****4.1 Abbreviations****EPR**

Earth Potential Rise

**HV**

High voltage

**LV**

Low voltage

**LPI**

Land and Property Information

**4.2 Definitions****Easement**

An easement is an encumbrance on the title of land (which may be limited in width and height above or below the land) conferring a right to inspect, construct, operate, maintain, repair, renew, replace or upgrade electrical infrastructure.

**Positive Covenant**

A type of property tenure that requires expenditure by the land owner is required to meet the terms of the covenant.

**Property tenure**

A broad term covering the rights of the company to carry out network operations within land not owned by the company – exercising statutory rights in accordance with relevant legal requirements and the creation of appropriate recognised property rights. Typical property tenure include easements, Restrictions on Use, Positive Covenant and long term leases.

**Public road**

Defined under the Roads Act 1993. A road usually includes a vehicle carriageway and associated footpath areas on each side of the carriageway.

**Restrictions on use of land**

Conditions imposed on the use of the land, to inform the landowner and put limitations on the use of land due to the risk that exists by the electrical asset being located within the burdened lot.

**Easements and Property Tenure****Amendment no. 1****5.0 ACTIONS****5.1 General Requirements**

This standard covers two aspects of easement (and other types of property tenure) management:

- The design requirements relating to easements – easement size, creation, modification and release, rights of way and community titles.
- The management of existing easements – encroachments, transfer hazards and rights granted by the Electricity Supply Act 1995.

The general philosophy behind Endeavour Energy's approach to design and management of easements is to secure both the safe operation of the electrical network and, the safety of its employees, contractors and the public. Where a design, activity or proposal could compromise the electrical network or put an employee or the public at risk, the Electricity Supply Act 1995 allows Endeavour Energy to restrict and/or prohibit the activity. Refer to Clause 5.11 for further details.

All Endeavour Energy easements must comply with the requirements of this document, which is based on ISSC 20 "Guidelines for the Management of Activities within Electricity Easements and close to Electricity Infrastructure". However, where this standard and ISSC 20 differ, this standard will take precedence.

All new/proposed transmission and distribution infrastructure, which is not constructed on public roads, an easement in favour of Endeavour Energy must be created in accordance with the requirements of this standard.

5.2 Management process of easements

The following flowchart details the management process for easements.

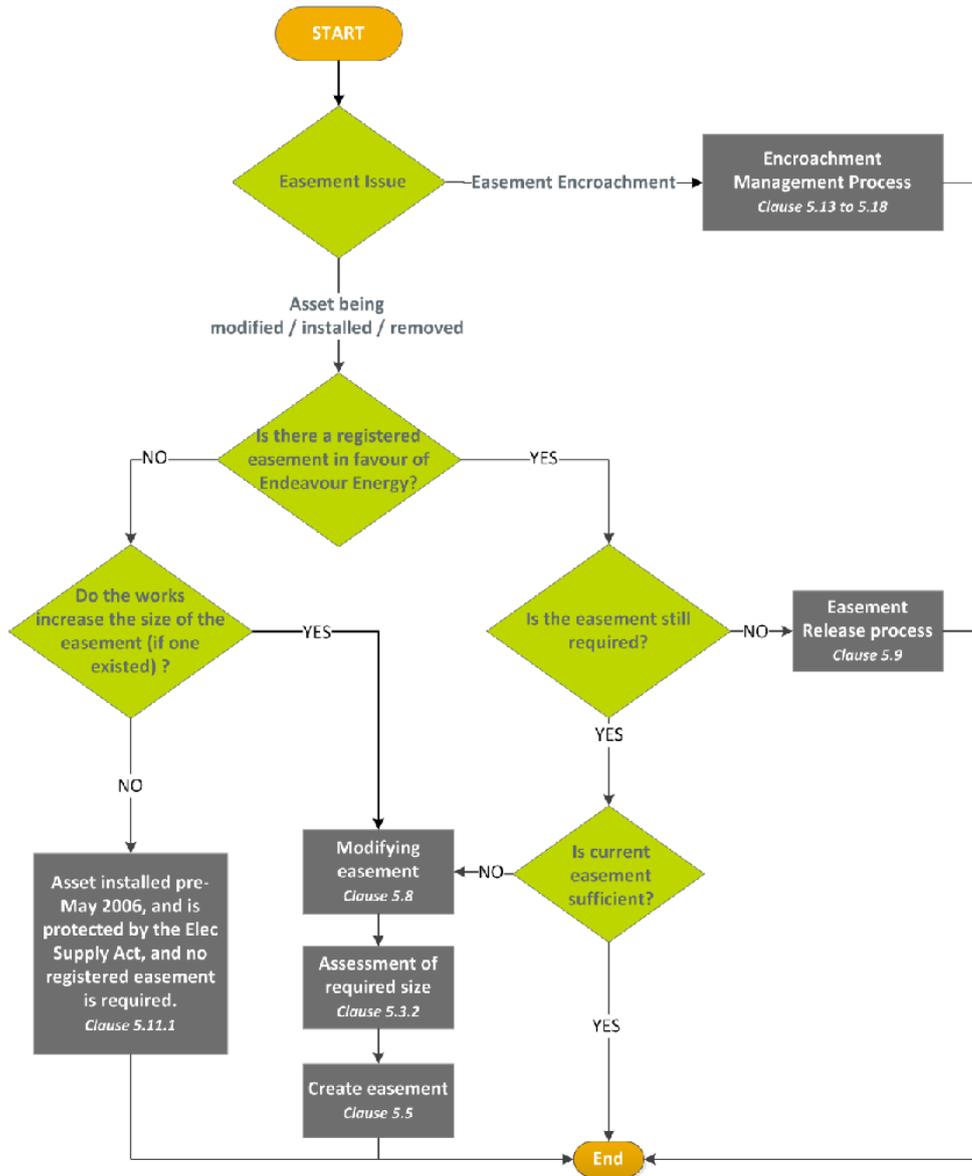


Figure 1 - Easement Management Flowchart

Easements and Property Tenure

Amendment no. 1

5.3 Minimum easement widths

The minimum easement widths are specified in Table 1. Larger easements may be specified and/or required on a project by project basis. All designs must certify that the easement widths in Table 1 are suitable for the span lengths / conductors used in the design.

5.3.1 Minimum easement required for overhead lines

For overhead lines, the minimum easement width for each span must be the greater width of the following three criteria:

- The width of the structure plus, two (2) times the sum of:
  - Conductor blowout, including insulator swing where applicable, (at 50°C and 500 Pa wind pressure); and,
  - The appropriate clearance from Table 3.7 of AS/NZS 7000 (Refer to Figure 2)
- Minimum maintenance requirements for the type of construction.
- The easement widths specified in Table 1.

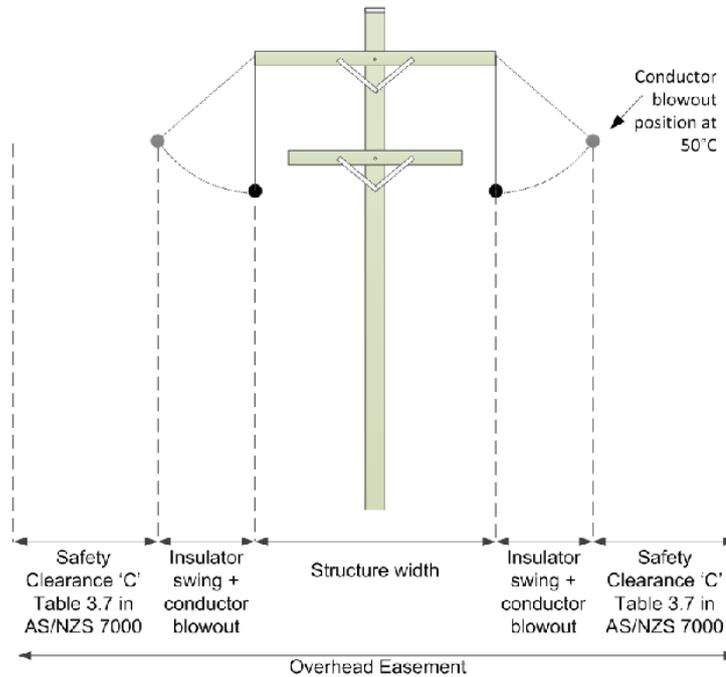


Figure 2 - Minimum overhead easement

New overhead assets must be fully contained within an easement (or other types of property tenure) and not encroach adjoining properties. Existing lines encroaching a property (without a formal easement) are permitted to remain, and may be replaced or uprated, as long as there is no increase in this encroachment. Refer to Figure 5.

## Easements and Property Tenure

Amendment no. 1

## 5.3.2 Minimum easement required for network assets

The table below details the minimum easement widths for various network assets. Refer to Annexure 4 for graphical representation for a cable joint system; pole stay and padmount clearances.

Table 1 - Minimum easement widths

	Voltage	Asset Type	Construction	Minimum Easement (m)
Overhead Assets	400V– 22kV	Bare Construction	All	9
		ABC		
		CCT		
	33kV / 66kV	Bare conductor (see Note 2)	Line post insulators	18
			33kV Suspension Insulators	18
			66kV Suspension Insulators	25
			H pole Structures	30
	132kV	Bare conductor (see Note 2)	Line post insulators	25
			H pole Structures	30
			Steel tower	30
Underground Assets	400V - 22kV	Cables	Underbore / Ducted / Direct buried	3
			Ducted < 100m and with concrete protection (min 50 mm concrete cover at standard burial depth)	1
	33kV - 132kV	Cables (single feeder only)	Ducted / Direct buried	5
			Cable Pits / Joint Bays	6
	-	Communications cables	Ducted / Direct Buried	1
		Earthing conductors		1
		Bonding leads		1
		Link Box / Comms Pit		2.0 x 2.0
Other	-	Streetlight Column / Service Pillar	1.0 x 1.0	
		Switching Station	2.75 x 2.75 (see clause 5.3.6)	
		Padmount Substation	2.75 x 5.5 (see clause 5.3.6)	
		Auto Transformer	See clause 5.3.5	
		Indoor Substation	See Note 2	
		Pole stays / Ground stays	See Note 2	
	Rights of Access	Vehicle access tracks easement in rural areas (see Note 3)	5	
		Vehicle access in urban areas	5 (see Note 5)	
		Pedestrian access only	1.2	

MDI 0044

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Page 10 of 52

Easements and Property Tenure

Amendment no. 1

Notes:

1. All Network assets, except for padmounts / switching stations, must be positioned in the centre of the easement. Refer to Drawings 016665 and 282551 for easement details of padmounts and switching stations. For non-symmetrical assets, such as post insulators, the centre must be measured from the position of the conductors at rest.
2. The easement for a termination pole/structure or for an aerial / ground stay must extend at least half the easement width beyond the last network pole or stay.
3. For further details regarding the construction and maintenance requirements of access tracks, refer to EMS 0006.
4. For an overhead line which its operating voltage differs from its constructed voltage, the easement must be for the constructed voltage.
5. Applies to straight line of access only. If angles or bends are required in the access path, then width to be determined by assessing a truck turning diagram, and gaining approval from the relevant Endeavour Energy Operations Manager.

5.3.3 Parallel overhead feeders

When considering overhead lines installed in parallel, an optimised easement width may be determined in accordance with the following principles:

- It is not necessary to consider the lines blowing toward each other with the maximum wind load. Instead consider the line with the larger sag blowing under maximum wind load toward the other line in its vertical position.
- Allowance must be given for physical movement of the line (conductors and insulators swinging), as well as electrical clearances and climbing corridors.
- Minimum horizontal separation between the two centrelines of the two feeders must be no less than 10m.

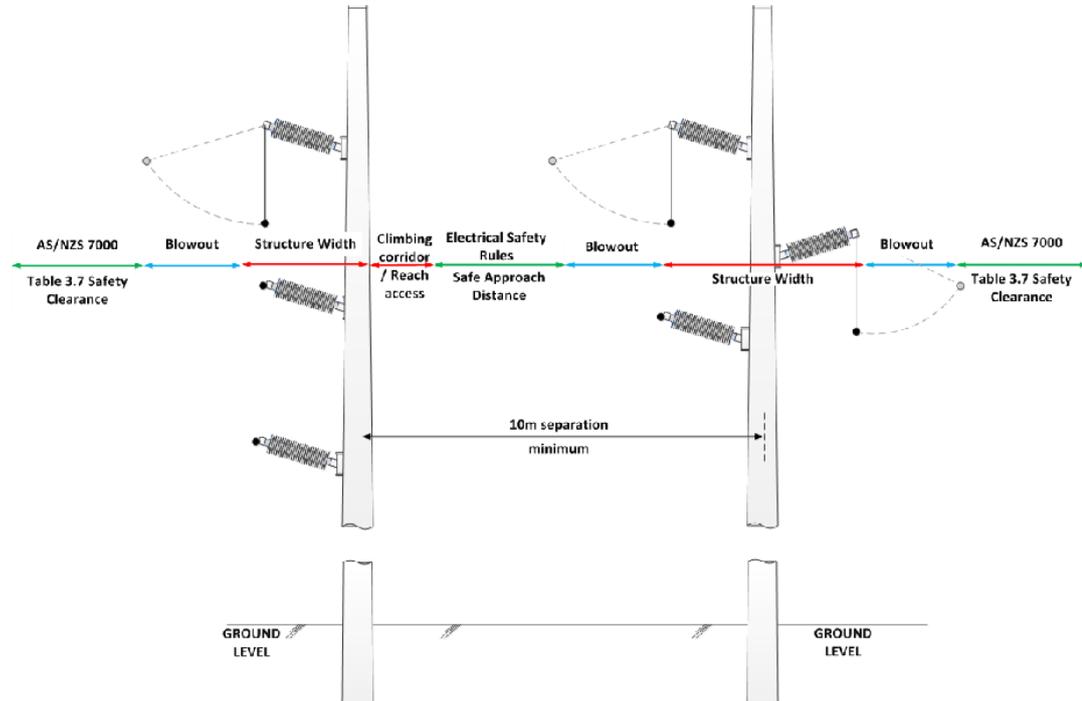


Figure 3 – Easement requirements for parallel feeders  
 (Structure on the right assumed to have the greatest conductor blowout)

**Easements and Property Tenure****Amendment no. 1****ORD01****5.3.4 Request for dispensation to the minimum easement width**

A request for dispensation must be made to Endeavour Energy's Mains Assets Manager for any proposed easement that is smaller than the stated minimum width listed in Table 1. The submission must show there is no reduction in access for maintenance purposes and that the easement provides adequate electrical clearance to any existing and/or planned structures that may be built adjacent to the easement.

All designs must consider the following factors when determining an easement width:

- Electrical safety clearance
- Insulator and conductor blowout
- Access for maintenance, repair and upgrading
- Future requirement for additional feeder(s)
- Public safety based on potential earth potential rise (EPR) and electromagnetic field (EMF) issues
- Radio and television interference
- Audible noise
- Cable duct / jointing bay requirements

**5.3.5 Indoor substations**

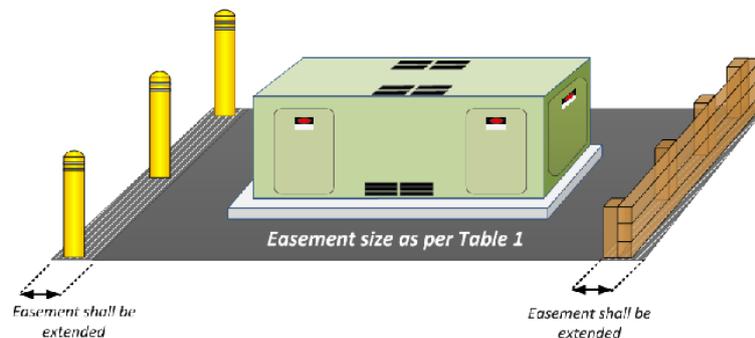
The boundaries of an easement for indoor substation must be defined by the internal face of the walls, ceiling, floor, and cable trenches of the substation room.

An easement for the cables that enter and exit the substation room will also be required if they are not installed within public roads and/or existing Endeavour Energy easements.

A right of access may also be required to give Endeavour Energy employees, vehicles, and equipment unrestricted access to the indoor substation at all times.

**5.3.6 Padmount substations and switching stations**

The easement size for a padmount substation must be increased when a retaining wall or safety bollard has been installed/built to protect a padmount substation from vehicle impact, as indicated in Figure 4.



**Figure 4 - Easements to include retaining wall or safety bollard**

**5.4 Assets within special areas****5.4.1 Assets within the road verge**

Assets installed within a road carriageway cannot be provided with an easement. However, overhead assets proposed to be installed within the road verge still require the clearances specified in Table 1 and Clause 5.3.1.

**Attachment 5**

## Easements and Property Tenure

Amendment no. 1

As a minimum, the separation between the power line and the property line, must be the conductor blowout (at 50°C and 500 Pa wind pressure) and Safety Clearance 'C' from Table 3.7 of AS/NZS 7000.

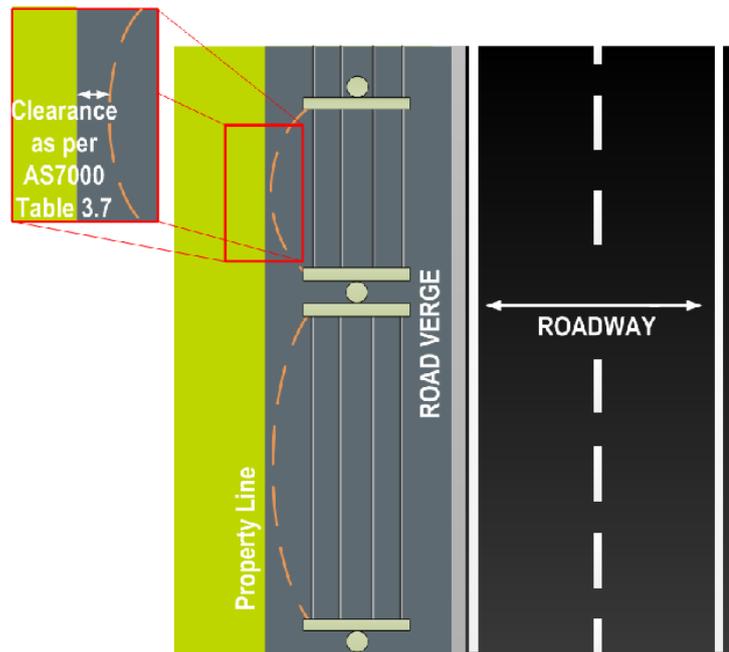


Figure 5 - Roadway requirements

#### 5.4.2 Assets within roadways

Assets installed within a public road (as defined in the *Roads Act 1993*) requires the consent of the appropriate road authority to be obtained prior to the construction of any electrical works. Neither the *Roads Act 1993* or the *Electricity Supply Act 1995* requires an easement within public roads.

#### 5.4.3 Overhead lines crossing private property

Where Endeavour Energy overhead lines cross private property, the line must be protected by a registered easement. The minimum width of this easement must be in accordance with the requirements in Clause 5.3.1 and 5.3.2.

#### 5.4.4 Easement over Railway Corridor land

In 2002, Endeavour Energy entered into a *Master Access Deed* with Transport for NSW (then Railcorp), covering all new and existing Endeavour Energy network assets located within any rail corridor. This deed defines a rail corridor as any land owned by Transport for NSW. Network assets located within a rail corridor under the provisions of the *Master Access Deed* do not require easements.

Transport for NSW may also permit developers to install network assets in a rail corridor under an *Individual Access Deed* or *Deed of Release and Indemnity*. Any deed between the developer and Transport for NSW, will need to provide the same minimum requirements as those under the *Master Access Deed* and be transferable to Endeavour Energy for any new network assets installed by the developer.

**Easements and Property Tenure****Amendment no. 1**

Transport for NSW's process for third party works within the rail corridor is documented on its website, which includes the application form. Applications for rail corridor access must be submitted to the Rail Corridor Management Group in Sydney.

The ARTC website must be consulted for contact information regarding proposed rail corridor access.

**5.4.5 Easements over National Park Land**

Land dedicated as a wilderness area, national park, state recreation area, regional park, or nature reserve is managed by the NSW Office of Environment & Heritage.

Endeavour Energy is usually required to enter into a Formal Deed of Easement under Section 153 of the National Parks & Wildlife Act 1974 whereby compensation or an annual rent may be payable. The minimum easement dimensions given in Table 1 still apply, however, specific requirements will need to be negotiated with NSW Office of Environment & Heritage.

**5.4.6 Easements over Forestry Land**

Land dedicated as state forest is managed by Forests NSW/Department of Primary Industries and may be subject to native title.

Forests NSW will grant a limited form of property tenure under an Occupation Permit and an annual rent may be payable. The minimum easement dimensions given in Table 1 still apply, however, specific requirements will need to be negotiated with Forests NSW.

**5.4.7 Easements in water catchment areas**

Land that is classed as a water catchment area by the Sydney Catchment Authority, the standard easement terms do not always apply fully. The minimum easement dimensions given in Table 1 still apply, however, specific requirements will need to be negotiated with Sydney Catchment Authority.

**5.4.8 Community Title developments****5.4.8.1 Asset ownership**

The ownership of electrical assets (both HV and LV) within a community title development will only be accepted (owned and maintained) by Endeavour Energy if they are installed in accordance with Endeavour Energy's standard requirements and installation practices.

Endeavour Energy will generally own and maintain all high voltage electrical equipment within the development.

Endeavour Energy or the Community Title Association may own and maintain the low voltage electrical equipment and/or street lighting network.

Annexure 3 outlines the relevant by-laws that must be incorporated into the Community Title Management Plans to define the ownership and access requirements for the electricity assets within the development.

Community title developments and their management associations or developers are not considered to be public lighting customers under the NSW Public Lighting Code and therefore must meet the requirements stated in Endeavour Energy's "General Terms and Conditions for Connection of Public Lighting Assets".

**5.4.8.2 Asset construction**

For all assets the installation must provide the same level of security and access as normally would be found in standard urban residential development, this includes:

- All cables / spare conduits being located in the standard allocation within the road verge

**Easements and Property Tenure****Amendment no. 1**

- All pillars, padmount substations and switching stations are located in acceptable areas as stated in MDI 0028.
- No other assets and/or utilities being installed directly above the electrical assets
- Minimum distances between electrical assets and other utility services being maintained
- Sufficient access for Endeavour Energy vehicles (including trucks and EWP's) to access and maintain the assets without the need to close and/or block private roads.

**5.4.8.3 Easements within Community Title developments**

All assets owned by Endeavour Energy within a Community Title development and not installed within a public road, are to be provided with an easement to allow for future maintenance and repair.

For assets other than underground cables, the minimum easement widths defined in Table 1 must be achieved. However, the minimum easement widths for underground cables defined in Table 1, do not apply to Community Title developments. An easement the size of the trench width plus 500mm either side must be achieved as a minimum,

All easements must be created under a Section 88B of the Conveyancing Act 1919.

**5.5 Easement creation**

Easements must be created in favour of Endeavour Energy and can be created by one of the following three methods:

- Creation by Section 88B of the Conveyancing Act;
- Creation by Deed or transfer granting easement; and,
- Creation by compulsory process.

The easement must be defined on a plan, and registered at LPI.

A restrictive or positive covenant cannot be compulsory acquired.

**5.6 Easement terms**

The easement terms defines the rights and restrictions for an easement for Endeavour Energy and the landowner. The terms of an easement must be defined to the landowner in writing. Annexure 1 contains the standard easement terms for Endeavour Energy's:

- Overhead Lines, Underground Cables, Padmounts, Switching Stations and streetlighting;
- Indoor Substations; and,
- Rights of Access.

There may be additional rights and restrictions required for certain easements so that Endeavour Energy interests are protected.

An owner may have specific site requirements that require amendment to the standard terms. The details of any proposed amendment are to be submitted to Endeavour Energy's Mains Assets Manager for review prior to certification of the design for approval.

**5.7 Other types of Property Tenure**

Restrictions on the use of land are sought by Endeavour Energy on land on which its infrastructure exists to protect the integrity and security of its network, whilst still allowing the landowner to own and make use of their land.

**Easements and Property Tenure****Amendment no. 1****ORD01**

A positive covenant is sought when Endeavour Energy will allow activities on the site but only with additional controls. An example of a positive covenant is requiring the installation of fire proof screen walls near Endeavour Energy's electrical assets.

In situations where Endeavour Energy requires covenants to be provided around electrical equipment / assets, the following standards terms defined in Annexure 3 must be used.

**5.8 Modifying assets with an easement**

Where an existing asset (post May 2006) is to be replaced/upgraded/modified, and there will be an increase to the existing easement size, then the designer must go through the process of applying for a new easement.

An easement may be reduced in size if:

- The easement meets the minimum size requirements as detailed in Table 1;
- If approval is sought and granted from Capacity Planning Manager, and the corresponding Regional Transmission/Distribution Manager.
- A design for the existing line demonstrating the asset will have sufficient access and clearance.

**5.9 Easement release**

Easements may be released if the need arises and the easement has no / limited benefit to Endeavour Energy. Easements releases must be managed in accordance with Company Policy 9.2.4.

**5.10 Easement height**

Easements do not have a specified height to which they apply. Endeavour Energy does not allow assets to be installed above its assets, as this presents access, safety and reliability risks. Where all other options have been exhausted, a dispensation must be submitted as described in Company Procedure GAM 0114.

**Attachment 5**

## Easements and Property Tenure

Amendment no. 1

**5.11 Rights granted by the Electricity Supply Act***5.11.1 Protection of assets installed before May 2006*

**Section 53** of the Electricity Supply Act 1995, protects Endeavour Energy infrastructure that was constructed prior to the commencement of the *Electricity Supply Amendment (Protection of Electricity Works) Act 2006* (26<sup>th</sup> May 2006), from action from the owner of the land in which Endeavour Energy infrastructure exists.

Endeavour Energy may maintain, operate, repair, replace or upgrade the infrastructure despite whether a registered easement exists. However, this protection does not exist for new assets which are constructed on private land after the 26<sup>th</sup> of May 2006, and as such, easements must be acquired for new assets.

*5.11.2 General protection of network assets*

The following summarises the powers Section 49 and 49A of the Electricity Supply Act 1995, grants Endeavour Energy:

**Section 49** – Endeavour Energy may serve a written notice to a person who has control of a structure, which may interfere, destroy or damage Endeavour Energy's network to remove the imposing structure. This is regardless if the person owns the land on which Endeavour Energy's asset exists.

**Section 49A** - Endeavour Energy may serve a written notice to a person who is carrying out excavation work in, on or near its network which may destroy or damage Endeavour Energy's network to cease work immediately.

**5.12 Works on assets without a registered easement**

Endeavour Energy is legally required to provide a safe and reliable network. As such, where the need arises where a network asset is required to be modified or replaced, and does not have the benefit of an easement (installed before May 2006), Endeavour Energy will evaluate all possible options in the refurbishment/replacement of the asset.

In assessing the upgrade of the asset the following factors will be considered:

- If there will be an increase in the required size of the easement;
- Is it a like-for-like replacement.
- The impact on the customer and the aesthetic nature of the new asset;
- The risk to the customer, to the public or to Endeavour Energy employees of the current installation;
- The preference of the customer;
- The required access to maintain and install the new asset.

Where the evaluation has concluded that the asset needs to be replaced/modified, Endeavour Energy reserves the right to do so. However, where the rectification works will increase the size of the required easement width, an easement must be created for the rebuilt asset.

**Easements and Property Tenure****Amendment no. 1****ORD01****5.13 General requirements on encroachment management**

For easements managed by Endeavour Energy, encroachments fall into three (3) categories – *permitted, prohibited or controlled*.

- Permitted activity – An activity which is allowed within an easement, but must still adhere to the minimum safety requirements within the easement.
- Prohibited activity – An activity that must not be performed under any circumstance within the easement.
- Controlled activity – An activity which is allowed only if it meets both the minimum safety requirements for that type of easement with additional controls which are specified in the appropriate clause detailed below. Approval from Endeavour Energy is required for any controlled activity.

**The main principle behind these categories is to maintain a high level of safety of the public and Endeavour Energy employees, whilst also allowing Endeavour Energy to inspect, operate, maintain, access and upgrade its network.**

The activities listed below are not exhaustive, and where an activity/encroachment is not covered, a request to Mains Assets Manager must be submitted, which is to include:

- a full risk assessment detailing the risk to the network and safety and suitable controls.
- an overview of the easement, all current and proposed Endeavour Energy assets as well as all current and proposed encroachments

Refer to Annexure 5 for the current list of identified encroachments, how Endeavour Energy manages these, and the applicable clauses.

Encroachments on assets which do not have a formal easement, must be treated as though an easement does exist as per clause 5.11, and how the applicable encroachment is handled in the following sections. Table 1 may be used as an indication as to the applicable easement width, however, an assessment of the minimum easement size required to maintain access and safe operation of the asset is required.

**Attachment 5**

Easements and Property Tenure

Amendment no. 1

5.14 Encroachments on overhead line easements

5.14.1 Minimum safety requirements for overhead line easements

For an overhead line easement, the following criteria must always be met, to maintain the safe operation of the network and employees:

- Minimum ground clearances, as defined in MDI 0031 and MDI 0047 are maintained, when the conductor is operating at maximum design temperature;
- Sufficient clearance is maintained to accommodation for overhead line blowout (500Pa, with the conductor operating at 50°C);
- Minimum separation clearances between the network and objects/structures are maintained to this standard and AS/NZS 7000.
- Does not allow a person to breach the safety clearances to the network, namely, allow any part of a person to be greater than 4.3m above the ground (See Figure 6) ;
- Access to Endeavour Energy assets are not reduced and the minimum requirements of Figure 6 and clause 5.19 are adhered to.

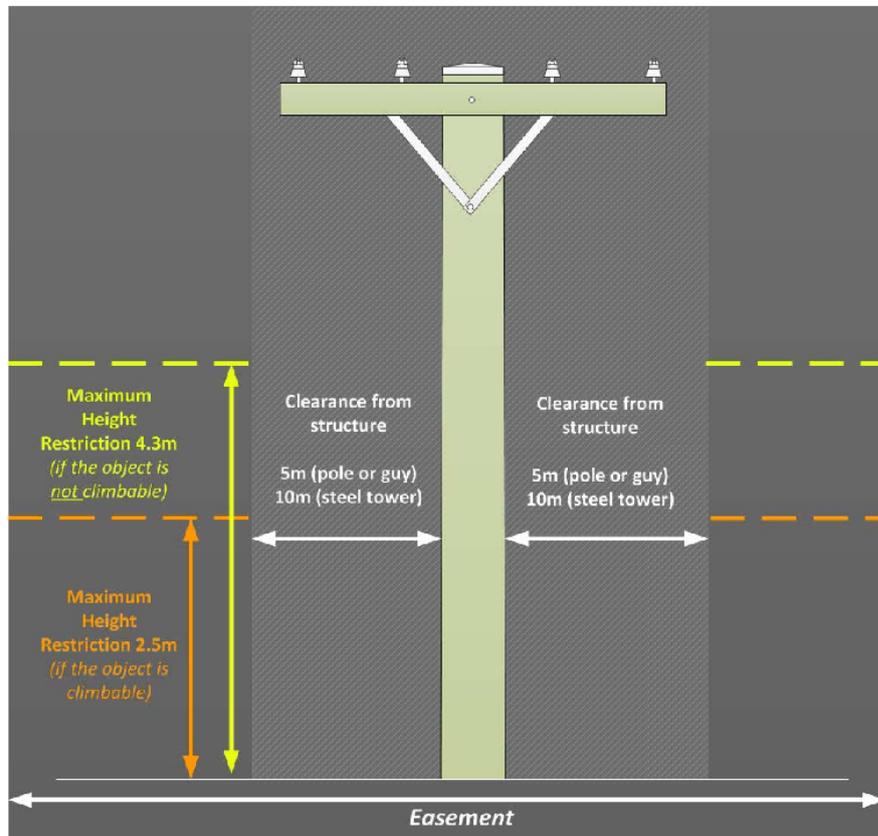


Figure 6 - Overhead line restriction within easement

**Easements and Property Tenure****Amendment no. 1****5.14.2 Prohibited activities / encroachments**

The following activities / encroachments listed below are prohibited within all Endeavour Energy easements and will not be approved:

- Construction of habitable buildings (permanent or temporary);
- Construction of garages or large sheds, whether permanent or temporary, or any other structure which may allow safety clearances to be breached;
- The installation of fixed plant (such as conveyor belts) or equipment, or its footings;
- The planting of trees that exceed a height of three (3) metres ;
- The placement of obstructions which may hinder access requirements;
- In-ground or above-ground swimming pools (permanent and / or temporary constructions);
- The storage and / or use of flammable, combustible, corrosive or explosive material;
- The storage and / or handling of conductive material of lengths in excess of three (3) metres;
- Lighting of any fires (this does not include back burning, refer to section 5.14.4.8);
- Parking of large vehicles (such as tankers and semi-trailers with large loads);
- The setting up of campervans or tents, which would allow persons to reside in the easement;
- The construction of flag poles and/or weather vanes which are taller than 4.3m;
- Electric fencing;
- Ploughing near electricity structures or stay poles/wires, that may impact the assets structural integrity;
- Use of any types of explosives;
- Flying of kites, model aircraft or drones;
- BMX bike riding (with jumps);
- Installation of flood lighting;
- Any activity which involves firearms.

Where an activity or encroachment is found to be being undertaken/installed and is on the above list, arrangement of its removal must be made. Any cost incurred will be at the expense of the owner of the land.

**5.14.3 Permitted activities / encroachments**

The following activities/encroachments are allowed within Endeavour Energy easements if it meets the minimum safety requirements detailed in clause 5.14.1:

- Low growing vegetation;
- Ground cover/surfaces such as wood chips and bluemetal stones;
- Storage of non-combustible, non-explosive, non-conductive, non-corrosive materials.

**5.14.4 Controlled activities / encroachments**

All controlled activities require approval to be sought from the applicable Regional Easement Officer of Endeavour Energy, in writing as set out in Clause 5.18.2. The Easement Officer will assess the activity/encroachment as defined Clause 5.18. The proposed activity must not commence unless approval is received in writing from Endeavour Energy Regional Easement Officer.

**All these controlled activities must meet the required minimum safety requirements detailed in clause 5.14.1, as well as any additional controls listed below.**

**5.14.4.1 Minor structures**

The following minor structures are permitted:

- clothes hoists;
- playground equipment;

**Easements and Property Tenure****Amendment no. 1**

- shade cloths / umbrellas;
- non-metallic fences (Endeavour Energy may require gates);
- small brick barbecues.

All metallic parts must be effectively earthed and no electrical supply must be brought within the easement.

If Endeavour finds that a structure impedes access or presents an unacceptable level of risk, Endeavour Energy reserves the right to have the structure removed, or to remove it at the owner's expense.

#### 5.14.4.2 *Non-habitable buildings (carports and metallic garden sheds)*

Carports or metallic garden sheds can be installed within an overhead line easement provided they are effectively earthed, and no power is connected to the structure. Only metallic sheds which will not be inhabited must be approved.

#### 5.14.4.3 *Erection of conductive fencing / sound walls*

All conductive fencing and/or sound walls crossing or running parallel to an easement are to be effectively earthed and / or have interval breaks in electrical continuity to prevent electromagnetic induction and transferred voltage hazards. Refer to drawing 242450, 242451 and 069575 for requirements for fencing.

A minimum 4.2 metre wide opening or gate (with provision to accept Endeavour Energy locks) for vehicle access will be a condition of approval.

#### 5.14.4.4 *Metal safety barriers and guardrails*

Where a metal barrier (Armco guardrail or similar) crosses and continues beyond an easement, the following is required:

- The section of barrier within the easement must be earthed.
- A minimum 300 mm clear air gap must be left between the end of the barrier within the easement boundary and the starting point of the barrier beyond the easement boundary.

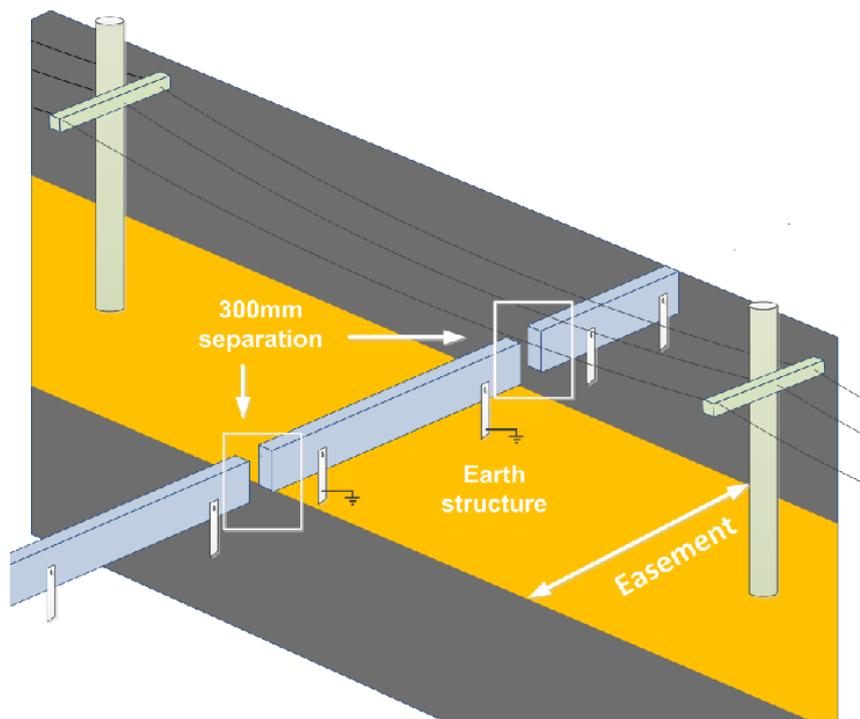


Figure 7 - Safety Barrier Requirement

#### 5.14.4.5 Retaining walls

All proposed retaining walls must be made as to provide sufficient strength for any future work to be performed by Endeavour Energy, and must not impact the maintenance activities required on any assets within the easement.

#### 5.14.4.6 Parking of vehicles or mobile plant

Parking within an overhead easement is subject to the vehicle:

- having a height limitation of 4.3 metres;
- is not occupied;
- is not connected to power; and,
- must be able to be readily removed if Endeavour Energy requires access to its assets.

#### 5.14.4.7 Operation of mobile plant and equipment

No mobile plant and equipment must exceed a maximum height of 4.3 metres.

Within an overhead easement area, approval for the operation of mobile plant and equipment is dependent upon available clearances to the conductors under maximum operating conditions, power line voltages, vehicle operating heights and the level of accreditation of the vehicle operator.

Consequently, each application for the operation of mobile plant and equipment will be processed by the Regional Easement Officer and assessed for compliance with relevant Safework NSW legislation. A dedicated observer must also be present so that clearances are maintained.

**Easements and Property Tenure****Amendment no. 1**

Precautions must be taken to prevent collision or interference with overhead structures or stay poles.

*5.14.4.8 Back burning*

Back-burning operations carried out by fire authorities or bushfire brigades must be referred to Endeavour Energy's Control Room Manager and must include a map of the area showing the time, date and the area of the burn. An Endeavour Energy representative may attend back-burning procedures to maintain the safety of structures and conductors.

*5.14.4.9 Agricultural pursuits*

Agricultural pursuits, such as dusting, harvesting, netting and irrigation must have the following controls:

- Clear, defined vehicle access to structures is required to prevent damage to crops.
- Irrigation systems must not be placed within five (5) metres of the overhead conductors at any time.
- The location of any irrigation equipment must be such that it is not capable of projecting a solid jet of water to within three (3) metres of any overhead conductor.
- Gun type irrigators must have the water jet directed away from the conductors.
- Care must be taken when moving equipment around such as irrigation pipes or equipment, grain augers and the like.
- The equipment must not interfere with maintenance or safe operation of the power line, nor must it interfere with access to electricity assets.
- No electrical supply brought within the easement without prior approval of Endeavour Energy..

*5.14.4.10 Rainwater tanks*

Rainwater tanks must have the following controls:

- Above ground rainwater tanks, either for fire-fighting purposes or rainwater harvesting, erected within an easement, must be fully enclosed and of non-conducting material. (Concrete is considered to be a conductive material)
- All pipework is to be non-conductive and no electrical supply must be supplied to the tank for any purpose (including pumps and/or lighting).
- Any pumps and/or lights must be installed outside the easement.
- Ladders must not be installed on the rainwater tank.
- Rainwater tanks must not be installed within five (5) metres of a pole or stay pole, 10 metres from a steel structure or within five (5) metres of the vertical projection of the conductor.
- The tank and associated pipe work must not interfere with maintenance or access to electricity assets.

*5.14.4.11 Detention basins*

Applications for detention basins will be considered, subject to:

- The location has local council approval;
- The location is not within five (5) metres of a pole or stay pole or 10 metres from a steel structure;

**Easements and Property Tenure****Amendment no. 1**

- Sufficient clearance is maintained to all structures along the easement to allow unrestricted access.

**5.14.4.12 Quarrying, filling, earthworks, or change of ground contours**

Approval by the Easement Officer may be given, subject to:

- The maintenance of standard ground clearances (if conductor heights need adjustment, this will be at the proponents expense);
- Equipment/machinery performing earth works maintains standard clearances to the overhead lines;
- access maintained to all line structures;
- the subsoil stability and surface drainage in the vicinity of structures is not adversely affected; and,
- excessive quantities of dust are not generated.

**5.14.4.13 Roads (other than access tracks)**

For roads proposed within an existing easement, the minimum ground clearances as specified in MDI 0047 and MDI 0031 must be achieved.

Where alterations to conductor height and/or relocation of poles are required for the development of the road, this will be at the cost of the developer. This will include any work required to maintain safety clearances arising from activities in the easement after the road works are completed.

Where a road is proposed to run parallel to a feeder, a risk assessment evaluating the risk of impact with each structure as outlined in MDI 0031 must be submitted.

Earthing conductors may have been laid near, around and between the structures and must not have their electrical integrity compromised. Where a developer plans to construct a road which crosses the easement, the onus is on the developer to locate and avoid all earthing cables. If earthing cables are damaged, Endeavour Energy must be notified immediately.

Roads and driveways that are required for access to electrical infrastructure must be capable of carrying a 30 tonne truck.

**5.14.4.14 Installation of utility services**

Applications for the installation of telephone, water and sewerage services (overhead, underground, or on the surface) may be considered for approval by Endeavour Energy's Mains Assets Manager. The approval of the installation of these services will be based on:

- There is no practical alternative available;
- Any services within 15 metres of a structure must be constructed of non-conducting materials;
- The integrity of all line structures and stay pole/wires are to be maintained at all times;
- Designers and installers of utility services must consider any hazards associated with induced voltages and transferred earth potentials, in accordance with AS 4853, which must be controlled. Applications will require a risk assessment and proposed controls for each of the identified hazard.

Establishment of an easement for other utilities assets within Endeavour Energy's easement may be required.

**Easements and Property Tenure****Amendment no. 1****5.14.4.15 Residential/Commercial subdivisions**

Where subdivisions of property are proposed for land in which Endeavour Energy has an easement, the following requirements must be met:

- Unrestricted access to Endeavour Energy's structures are retained;
- No structures are to be erected within the easement;
- Structures suitably protected against motor vehicle impact;
- The number of crossings of Endeavour Energy's overhead line by utilities must be minimised, and complies with 5.14.4.14.

**5.14.4.16 Domestic recreational activities and recreational facilities**

Approval will be given for domestic recreation activities, but will not include activities that may interfere with clearances to the conductors, such as those listed in 5.14.2.

Approval will be given for recreational facilities, such as tennis courts, subject to:

- fencing is to be non-conductive material or must be effectively earthed (refer to section 5.14.4.3);
- Height of any fence is 4.3 metres or less;
- facilities surface construction will be required to withstand the movement of large heavy plant up to a 30 tonne truck; and,
- not located within five (5) metres from a power pole or ten (10) metres from a steel structure.

**5.14.4.17 Storage of organic materials**

Small amounts of organic materials, such as leaves and compost, may be stored underneath overhead powerlines, provided they do not impede access to structures and do not create a fire hazard.

## 5.15 Encroachments on underground easements

### 5.15.1 General information for underground asset easements

Where relocation of existing assets are proposed, the costs to enable the activity to proceed, will be borne by the applicant.

Safework NSW (previously Workcover Authority of NSW) Publications provides guidance on risk control measures when working close to electricity infrastructures both below and above ground. Refer to *Code of Practice – Work near Overhead Power Lines* or *Work Near Underground Assets Guide*.

### 5.15.2 Minimum safety requirements for underground asset easements

For an underground asset easement, the following criteria must **always** be met, to maintain the safe operation of the network and employees:

- Before commencing any underground activity, all applicants are required to obtain advice from the *Dial before You Dig 1100* service in accordance with the requirements of the Electricity Supply Act and associated Regulations.
- Ground contour does not substantially change, which would impact the rating of the conductors;
- Any storage of an asset is temporary in nature and can be moved at a given notice or the cost of removal of the encroachment will be at the expense of the owner, if Endeavour Energy requires access to its asset;
- No mechanical compacting is to occur within an easement.
- Access to Endeavour Energy joints/joint bays are not impeded.
- No excavation which is greater than 300mm deep must occur.

### 5.15.3 Prohibited activities / encroachments

The following activities / encroachments listed below are prohibited within all Endeavour Energy easements and will not be approved:

- Construction of habitable buildings (permanent or temporary)
- Installation of minor structures (such as shade cloths, clothes lines, flood lights, playground equipment, fences and BBQs.)
- Installation of all types of garages, sheds, shipping containers, or carports.
- Installation of sound walls or safety barriers.
- Installation of conductive fencing which runs through an easement.
- Installation of rainwater tanks;
- Electric fencing;
- Retaining walls running longitudinally above underground assets;
- The installation of footings for fixed plant or equipment;
- Plants with significant root systems that grow greater than 400 mm below ground level;
- In-ground or above-ground swimming pools and spas (permanent and / or temporary constructions)
- Ploughing that is greater than 300mm deep, or at a depth greater than 400mm above underground assets
- The storage and / or use of flammable, combustible, corrosive or explosive material
- Changing of the ground level such that relative depth of underground cables increases or decreases
- Permanent surfaces, such as asphalt or concrete;
- The placement of obstructions which may hinder access requirements
- Concrete driveways located above and/or that restrict access to existing cable joints/pits.
- Use of explosives;
- Installation of tennis courts;

**Easements and Property Tenure****Amendment no. 1**

Where an activity or encroachment violates the above requirements, arrangement of its removal must be made. Any cost incurred will be at the expense of the owner of the land.

**5.15.4 Permitted activities / encroachments**

The following activities/encroachments are allowed within Endeavour Energy easements if it meets the minimum safety requirements detailed in clause 5.15.2:

- Tents;
- Flag poles and/or weather vanes;
- Sound walls;
- Metal safety barriers;
- Parking of small vehicles;
- Shrubs with root systems that are less than 400mm;
- Alternative ground surfaces (such as Bluemetal stones and woodchips);
- Storage of non-combustible, non-flammable, non-explosive material;
- Rainwater tanks;
- Detention basins;
- General recreational activities, the flying of kites and model aircraft, and the use of firearms;

**5.15.5 Controlled activities / encroachments**

All controlled activities require approval to be sought, from Endeavour Energy's Regional Easement Officer, in writing as set out in Clause 5.18.2. The Easement Officer will assess the activity/encroachment as defined Clause 5.18. The proposed activity must not commence unless approval is received in writing from Endeavour Energy Regional Easement Officer.

**Controlled activities must meet the minimum safety requirements detailed in clause 5.15.2, as well as any additional controls listed below.**

**5.15.5.1 Fencing**

A minimum 4.2 metre wide opening or gate (with provision to install Endeavour Energy locks) for vehicle access will be a condition of approval of fencing on the boundary of the easement.

Where fencing runs through an easement, the posts must be located outside the easement.

**5.15.5.2 Metallic pipes (greater than 3 metres)**

The storage of metallic pipes greater than three (3) metres is acceptable provided the metallic pipes can be moved upon request.

**5.15.5.3 Fixed plant and/or equipment**

Fixed plant is generally not allowed within Endeavour Energy's underground easement areas. This is due to potential access issues as well as risk of damage to Endeavour Energy's assets for the installation fixed plant footings. A proposal where fixed plant crosses an underground easement perpendicularly, will be considered upon application.

**5.15.5.4 Parking of Mobile plant, equipment or vehicles**

Within an underground easement area, approval is dependent upon an adequate surface to support the mobile plant/vehicle (up to 30 tonne) or equipment likely to be parked to prevent the crushing of the cables/ducts or erosion of the ground. In some instances, the activity may require supervision by an Endeavour Energy representative at the operator's expense.

**Easements and Property Tenure****Amendment no. 1****ORD01****5.15.5.5 Agricultural pursuits**

Agricultural pursuits, such as dusting, irrigation and grazing are permitted within an underground easement. However, any activity which is likely to affect the ground level (such as ploughing and the planting of crops) is not allowed within the easement.

Equipment and/or crops must not interfere with access to electricity assets.

**5.15.5.6 Roads and concrete driveways**

Roads and concrete driveways are permitted within Endeavour Energy underground easements where:

- Cables are in existing continuous ducts;
- The roadway/driveway is capable of supporting the heaviest vehicle likely to traverse the driveway;
- The thermal rating of the cable is not compromised by the installation;
- The concrete driveway is not proposed to be installed within a distance that would restrict access / maintenance of a joint / pit.
- The concrete driveway is not proposed to be installed over a joint / pit.

The need for (including size and quantity) spare conduits must be confirmed with Network Capacity Planning prior to construction within Endeavour Energy's easements. All required conduits must be funded by the applicant.

If a roadway/driveway is found to be installed without the installation of spare ducts, the owner of the driveway must bear the cost of installing additional ducts, which will be done either by digging up the driveway or under-boring if required by Endeavour Energy at a future stage.

**5.15.5.7 Installation of utility services**

The installation of underground services must comply with MCI 0006 and Drawing 403230 Sheets 1 – 12.

**5.15.5.8 Residential/Commercial subdivisions**

Where subdivisions of property are proposed for land in which Endeavour Energy has an easement, the following requirements must be met:

- Unrestricted access to Endeavour Energy's structures are retained;
- No structures are to be erected within the easement;

**5.15.5.9 Retaining walls**

Retaining walls must not be approved where they run longitudinally over an underground easement.

Retaining walls which encroach on an underground easement, must be:

- Built using concrete material (for example, *Besser* blocks, concrete / clay bricks);
- Have mustow foundations;
- Must be a maximum of one (1) metre in height

Where foundations require digging post holes, these must be located outside the easement.

**Attachment 5**

## Easements and Property Tenure

Amendment no. 1

### 5.16 Encroachments on Padmount Substation or Switching Station easements

#### 5.16.1 General information for padmount substation easements

For the purpose of this section, wherever a padmount substation is referenced, this also applies a ground substation, padmount substation and switching station.

Where the relocation of existing assets is proposed, the costs to enable the activity to proceed will be borne by the applicant.

Workcover Authority of NSW Publications provides guidance on risk control measures when working close to electricity infrastructures both below and above ground. Refer to *Code of Practice – Work near Overhead Power Lines* or *Work Near Underground Assets Guide*.

#### 5.16.2 Minimum safety requirements for padmount substation easements

The minimum safety requirements padmount substations easements are outlined below and must **always** be met to maintain the safe operation of the network and employees:

- Screening vegetation for padmount substations must be planted outside the easement. Any vegetation adjacent to the easement must not obstruct access to the padmount substation and must be maintained in such a manner as to allow easy access to Endeavour's assets.
- The ground contour surrounding the padmount substation does not substantially change;
- Storage of an object/machinery is temporary in nature and can be moved at a given notice and if Endeavour Energy requires access to its asset the cost of removal of the encroachment will be at the expense of the owner;
- No building overhangs within the six (6) metre airspace above a padmount substation site;
- No construction must occur within the padmount substation / switching station easement;
- No mechanical compacting is to occur within an easement.
- Access to Endeavour Energy joints/joint bays and the padmount substation must not be impeded and must comply with clause 5.19.

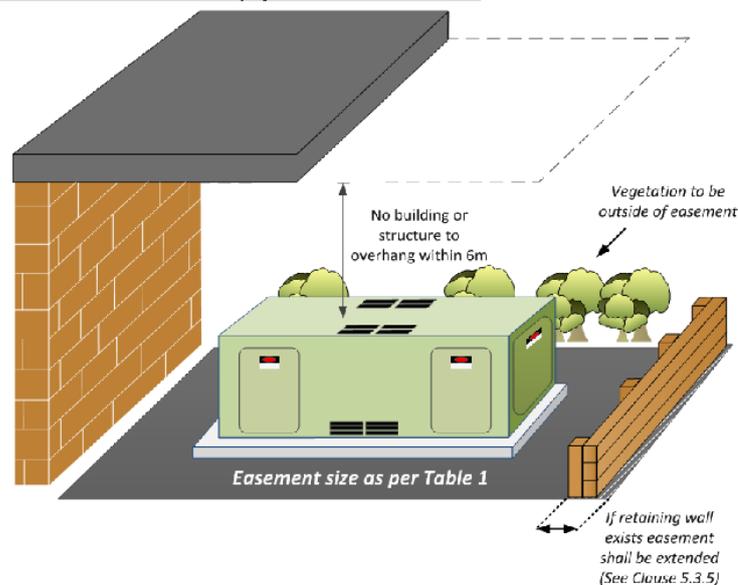


Figure 8 - Padmount Substation Easement Requirements

**Easements and Property Tenure****Amendment no. 1****5.16.3 Prohibited activities / encroachments**

Most activities are prohibited within the padmount substation easement. For a full list refer to Annexure 5 – Encroachment reference guide.

**5.16.4 Permitted activities / encroachments**

The following activities/encroachments are allowed within Endeavour Energy easements if it meets the general requirements in Clause 5.16.2.

- The use of mobile plant and/or equipment;
- Planting of vegetation with a root system not greater than 400mm;
- The installation of easily removable surfaces other than grass (bluemetal or woodchips);

**5.16.5 Controlled activities / encroachments**

All controlled activities require approval to be sought, from Endeavour Energy's Regional Easement Officer, in writing as set out in Clause 5.18.2. The Easement Officer will assess the activity/encroachment as defined Clause 5.18. The proposed activity must not commence unless approval is received in writing from Endeavour Energy Regional Easement Officer.

**All controlled activities must meet the minimum safety requirements detailed in Clause 5.16.2, as well as any additional controls listed below.**

**5.16.5.1 Mobile plant/equipment and Parking of vehicles**

Where a padmount substation is in the vicinity of a parking facility, suitable crash and impact protection from vehicles must be installed. These must be positioned in such a way to allow access to the substation to be maintained. Any proposals for the installation of suitable vehicle impact protection measures are subject to approval from the Regional Easement Officer.

**5.16.5.2 Agricultural pursuits**

Agricultural pursuits are prohibited within a padmount substation easement. Grazing would be the only activity that would be permitted.

**5.16.5.3 Roads and concrete driveways**

Roads and concrete driveways are permitted within the padmount easements where:

- Cables are in existing continuous ducts;
- The roadway/driveway is capable of supporting the heaviest vehicle likely to traverse the driveway;
- The thermal rating of the cable is not compromised by the installation;
- Suitable crash and impact protection must be installed, positioned in such a way to allow access to the substation to be maintained.

**5.16.5.4 Retaining walls**

Retaining walls built around distribution substations or switching stations, as part of reticulation requirements, must be outside the standard easement Refer to 5.3.6.

Proposed retaining walls must not impact the maintenance activities performed by Endeavour Energy on any assets within the easement.

**5.16.5.5 Fencing**

For fencing requirements around a padmount substation refer to MCI 0006 – Section 7.

**Easements and Property Tenure****Amendment no. 1**

Fencing surrounding an easement must comply with Table 2.

**Table 2: Fencing near a Padmount Substation**

Padmount Earthing	Fence Allowed	
	On easement boundary	Through easement
Common Earthed	YES	NO
Separately earthed	If within 4m of padmount, fence posts must be insulated and a touch-voltage assessment required.	NO

**5.17 Transfer earth hazards**

In addition to all requirements stipulated in this standard the risk of transfer earth hazards associated with Endeavour Energy's assets and/or equipment, structures or objects must be managed in accordance with SDI 100 "Distribution earthing design, construct and test".

This requirement may impose restriction zones around Endeavour Energy's assets limiting the use of land within the defined area(s).

## Easements and Property Tenure

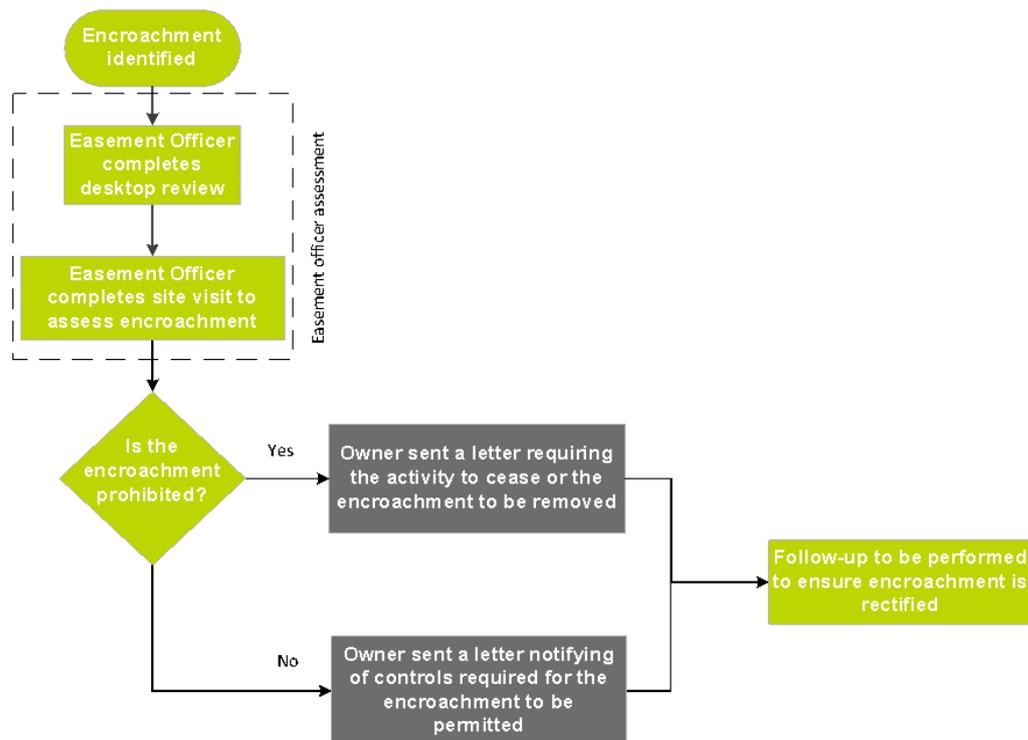
Amendment no. 1

ORD01

## 5.18 Encroachment management process

## 5.18.1 Existing encroachment management process

Endeavour Energy will manage existing encroachments that have not been previously approved, according to the flowchart below:



## 5.18.1.1 Easement Officer Review

Once identified, the Easement Officer will perform both a desktop assessment and a site visit to determine whether the encroachment is permitted, controlled or prohibited, as defined in Clause 5.11, or whether with possible controls can overcome / lessen the encroachment.

On completion of the assessment, a letter will be sent to the owner, identifying:

- Explanation of the terms of the easement;
- Identifying the hazards to themselves, members of the public and Endeavour Energy's employees;
- Providing advice on possible solutions to overcome / lessen the encroachment.
- The outcome of the assessment:
  - Where the encroachment is determined to be a "controlled activity", conditional approval for it to continue must be given only if the applicable controls (as defined in Clause 5.11) are used.
  - Where the encroachment is determined to be a prohibited activity/structure, the owner will be required to remove the encroachment or cease the activity.

A follow-up site visit will be completed within 30 days to check whether the encroachment has been adequately managed.

Legal action will be considered when all other avenues are exhausted.

Attachment 5

**Easements and Property Tenure****Amendment no. 1**

The local council must be included in correspondence to highlight the need for their approval process to include a corresponding approval from Endeavour Energy where easements are involved.

*5.18.2 Applications for controlled encroachments*

All applications for an activity or encroachment, or requests for advice, must be referred to Endeavour Energy's Regional Easement Officers. Applications must be addressed to:

Regional Easement Officer – North / Central / South (see table below)  
 Endeavour Energy  
 PO Box 811  
 Seven Hills NSW 1730

Endeavour Energy's network franchise area has three (3) regions, responsible for the local government areas set out in the following table:

Region	Local government areas
North	Bathurst, Baulkham Hills, Blacktown, Blue Mountains, Hawkesbury, Lithgow, Parramatta, Penrith, plus parts of Hornsby, Mid-Western and Ryde.
Central	Camden, Campbelltown, Fairfield, Cumberland (Holroyd), Liverpool, Wingecarribee, Wollondilly, plus parts of Bankstown.
South	Kiama, Shellharbour, Shoalhaven, Wollongong.

*5.18.2.1 Application requirements*

Due to the varied circumstances that apply to easements, all applications will be assessed individually, and will be site specific.

All applications require the following:

- The application is to be made in writing.
- The application is to include detailed plans, drawn to scale and with full dimensions, showing property boundaries, lot number, Deposited Plan (DP) number, any electricity structures, and other relevant information.
- A survey plan of an easement for padmount substation must show the substation number and at least two (2) offsets from adjacent sides of the concrete plinth to the easement boundary.
- Each application will require an impact and risk assessment and must be assessed on the site-specific circumstances and Endeavour Energy's risks assessment company procedure of the proposal.

*5.18.2.2 Easement Officer Review*

After the application has been received, the easement officer will perform a desktop review of the application and if required, a site visit.

Where Endeavour Energy is uncertain about the impact of the controlled activity or encroachment, the applicant/s will be asked to arrange an independent study of the risk at their own expense. Endeavour Energy will consider the outcome of the study when deciding on the application.

Where additional testing is required, the applicant will be responsible for:

- Arranging the test with an organisation acceptable to Endeavour Energy;
- Paying for the test;
- Supplying the test results to Endeavour Energy.

**5.19 Access and Rights of Way**

Where possible, access to Endeavour Energy assets must be made possible by access tracks located within Endeavour Energy easements.

Consideration must be given to securing access by the way of a land tenure agreement and/or other legal instruments such as 'Right of Ways', where:

- access tracks must traverse outside of easements;
- access options to assets is limited;
- significant investment has been outlaid to upgrade and/or construct an access; or,
- there is future development planned for an area that may affect or obstruct access routes.

The appropriate land tenure agreement and or legal instrument must be discussed with the Property, People and Services Branch.

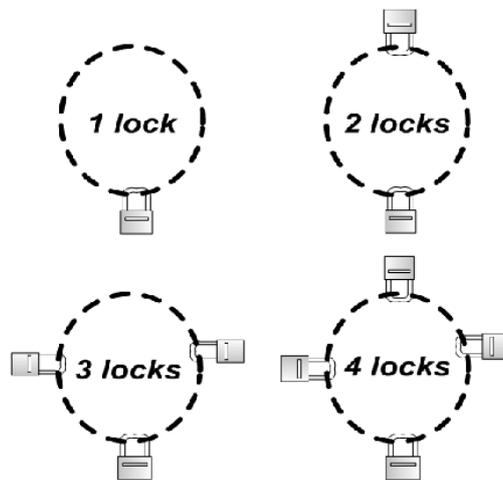
*5.19.1 Locking arrangements for shared access gates*

In some cases, access to land with electricity easements is shared by Endeavour Energy with others – utilities, customers, and organisations such as the NSW National Parks and Wildlife Service or the Rural Fire Service.

Where access is through a gate protected by dedicated locks, an EL specification lock must be installed. The preferred arrangements for single or multiple locks are shown in Figure 9. Where there is more than one lock, the locks must be spaced as evenly as possible by joining with equal lengths of chain.

The entire chain must be of exact length to allow the gate to be fully secured, while allowing for the chain to be rotated so that access to the locks is possible from either side of the gate.

When replacing locks after entering or leaving, the correct ends of the chain must be connected with the lock, so that it remains a continuous loop.



**Figure 9 – Locking arrangements for shared access gates**

## Easements and Property Tenure

Amendment no. 1

**5.20 Recording of easements in GIS**

When an easement is created, the easements must be reflected in the Endeavour Energy's GIS system.

**5.21 Drawings**

Drawing No	Amendment	Title
016665	S	11kV and 22kV Padmount substation easement layout
086232	K	Minimum clearances near structures
282551	A	Size 16 Switching Station easement layout
289702 (Sheets 1 – 7)	A	Fencing arrangement for padmount substation easement details
403230 (Sheets 1 – 12)	A	Shared trenching arrangements
242451	B	Chain wire fence – isolation panel and earthing installation detail
069575	G	Solid Metallic Fence – Isolated panel and earthing installation detail
242450	A	Transmission Line Structure – Metallic fence clearance and isolation panel requirements.

## 6.0 AUTHORITIES AND RESPONSIBILITIES

**General Manager Asset Management** has the authority and responsibility for approving this instruction.

**General Manager, Network Services** has the authority and responsibility for all new distribution and transmission projects complying with the contents of this instruction.

**Manager Asset Standards & Design** has the delegated authority and responsibility for approving this instruction and the endorsing of non-standard/reductions in easement widths.

**Manager Network Connections** has the authority and responsibility for new contestable works electrical designs complying with this instruction.

**Mains Assets Manager** has the authority and responsibility for:

- Endorsing the content of this instruction;
- Keeping the content of this instruction is kept up to date;
- Approval for encroachments within easements.

**Substation Assets Manager** has the authority and responsibility for providing input into the content of this instruction.

**Earthing and Power Quality Manager** is responsible for the assessment and approval of earthing issues within easements.

**Easements Officers** are responsible for:

- Reviewing easement encroachment applications;
- Performing investigations into possible encroachments;
- Providing advice and consultation to stakeholders.

## 7.0 DOCUMENT CONTROL

**Documentation content coordinator:** Mains Assets Manager

**Documentation process coordinator:** Branch Process Coordinator

## Easements and Property Tenure

Amendment no. 1

## Annexure 1 STANDARD EASEMENT TERMS

## A1.1 - Overhead Lines, Underground Cables, Padmounts, Switching Stations, Street Lighting, Pole/Ground Stays

## 1.0 Definitions:

- 1.1 **easement site** means that part of the lot burdened that is affected by this easement.
  - 1.2 **electrical equipment** must be defined as stated below for each of the easement terms associated with the following asset classes:
    - 1.2.1 *Overhead Power Lines* - includes pole, tower, overhead electrical conductors, underground earthing system, and ancillary equipment.
    - 1.2.2 *Underground Cables* - includes underground electrical cable, duct, service pillar, underground earthing system, and ancillary equipment.
    - 1.2.3 *Padmount Substation / Switching Station* - includes electrical transformer (padmount only), switchgear, protective housing, concrete plinth, underground electrical cable, duct, underground earthing system, and ancillary equipment.
    - 1.2.4 *Pole Stays / Ground Stays* – includes stay pole, concrete strainer block, stay cable, stay wire, and ancillary equipment.
    - 1.2.5 *Street Lighting* – includes the column, lantern and foundations of the street light.
  - 1.3 **Endeavour Energy** means Endeavour Energy and its successors (who may exercise its rights by any persons authorised by it).
  - 1.4 **install** includes construct, repair, replace, maintain, modify, use, and remove.
  - 1.5 **owner** means the registered proprietor of the lot burdened and its successors (including those claiming under or through the registered proprietor).
  - 1.6 **services** includes Network gas, telephone, communications, water, sewage, and drainage services.
  - 1.7 **structure** includes building, wall, retaining wall, carport, and swimming pool; but excludes garden furniture and garden ornaments.
- 2.0 **Endeavour Energy** may:
- 2.1 install electrical equipment within the easement site,
  - 2.2 excavate the easement site to install the electrical equipment.
  - 2.3 use the electrical equipment for the transmission of electricity,
  - 2.4 enter the lot burdened using the most practical route (with or without vehicles, machinery or materials) at all reasonable times (and at any time in the event of an emergency) and remain there for any reasonable time. This may include the installation of gates in existing fencing if access is not readily available,
  - 2.5 install its own access gates and locks,
  - 2.6 trim or remove any vegetation from the lot burdened that interferes with or prevents reasonable access to the easement site or the electrical equipment, and
  - 2.7 remove any encroachments from the easement site and recover the costs of carrying out the removal work and repairing any damage done to the electrical equipment by the encroachment.
- 3.0 In exercising its rights under this easement **Endeavour Energy** will take reasonable precautions to minimise disturbance to the lot burdened and will restore the lot burdened as nearly as practicable to its original condition.

**Easements and Property Tenure****Amendment no. 1**

- 4.0 The owner agrees that, without the written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose, it will not:
- 4.1 install or permit to be installed, any services or structure within the easement site, or
  - 4.2 alter the surface level of the easement site, or
  - 4.3 do or permit to be done anything that restricts access to the easement site by Endeavour Energy
- 5.0 Lessee of Endeavour Energy's Distribution System
- 5.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.
  - 5.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

**A1.2 - Indoor Substation**

- 1.0 Definitions:
- 1.1 **building** means the building within which the electrical equipment is located.
  - 1.2 **easement site** means that part of the lot burdened that is affected by this easement.
  - 1.3 **electrical equipment** includes electrical transformer, electrical switchgear, electrical cable, duct, services, ventilation, and ancillary equipment.
  - 1.4 **Endeavour Energy** means Endeavour Energy and its successors (who may exercise its rights by any persons authorised by it).
  - 1.5 **install** includes construct, repair, replace, maintain, modify, use, and remove.
  - 1.6 **owner** means the registered proprietor of the lot burdened and its successors (including those claiming under or through the registered proprietor).
  - 1.7 **services** includes Network gas, telephone, communications, water, sewage, and drainage services.
- 2.0 Endeavour Energy may:
- 2.1 install electrical equipment within the easement site,
  - 2.2 use the electrical equipment for the transmission of electricity,
  - 2.3 enter the lot burdened using the most practical route (with or without vehicles, machinery or materials) at all reasonable times (and at any time in the event of an emergency) and remain there for any reasonable time. This may include the installation of gates in existing fencing if access is not readably available,
  - 2.4 install its own security doors to gain access to the electrical equipment and to prevent access by others, and
  - 2.5 install conduits, cables, and pipes on, under or through the building for the purpose of connecting the electrical equipment with any services and to operate those services.

**Easements and Property Tenure****Amendment no. 1**

- 3.0 Endeavour Energy agrees that it will not cut, drill, alter or demolish any part of the building necessary to install or operate the electrical equipment without the written permission of the owner and in accordance with such conditions as the owner may reasonably impose.
- 4.0 In exercising its rights under this easement Endeavour Energy will take reasonable precautions to minimise disturbance to the lot burdened and will restore the lot burdened as nearly as practicable to its original condition.
- 5.0 The owner agrees that, without the written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose, it will not:
- 5.1 install or permit to be installed any thing within the easement site, or
  - 5.2 interfere with, allow to be interfered with, or prevent the ventilation of the easement site, or
  - 5.3 direct or allow to be directed drainage into the easement site, or
  - 5.4 do or permit to be done anything that restricts access to the easement site by the Endeavour Energy
- 6.0 **Lessee of Endeavour Energy's Distribution System**
- 6.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.
  - 6.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

**A1.3 – Rights of Access****1.0 Definitions:**

- 1.1 **access site** means that part of the lot burdened that is affected by this right of access.
- 1.2 **Endeavour Energy** means Endeavour Energy and its successors (who may exercise its rights by any persons authorised by it).
- 1.3 **owner** means the registered proprietor of the lot burdened and its successors (including those claiming under or through the registered proprietor).

**2.0 Endeavour Energy may:**

- 2.1 by any reasonable means pass across the access site for the purpose of exercising or performing any of its powers, authorities, duties or functions, and
- 2.2 do anything reasonably necessary for passing across the access site, including:
  - 2.2.1 Entering the lot burdened;
  - 2.2.2 taking anything on to the lot burdened; and,
  - 2.2.3 carrying out work within the site of the easement, such as constructing, placing, repairing or maintaining trafficable surfaces, driveways or structures.

**Easements and Property Tenure****Amendment no. 1**

- 3.0 In exercising its rights set out in Clause 2.0, Endeavour Energy must:
- 3.1 complete all work properly;
  - 3.2 take reasonable precautions to minimise disturbance to the lot burdened and owner of the lot;
  - 3.3 cause as little damage as is practicable to the lot burdened;
  - 3.4 restore the lot burdened as nearly as practicable to its former condition; and,
  - 3.5 make good on any collateral damage;
- 4.0 Lessee of Endeavour Energy's Distribution System
- 4.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.
  - 4.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

**ORD01****Attachment 5**

## Easements and Property Tenure

Amendment no. 1

**Annexure 2 Terms of Restrictions on the Use of Land****A3.1 Safety Clearance between Padmount Substations and Adjacent Buildings**

Terms of Restrictive Covenant numbered [xx] in the plan

1.0 Definitions:

1.1 “**120/120/120 fire rating**” and “**60/60/60 fire rating**” means the fire resistance level of a building expressed as a grading period in minutes for structural adequacy / integrity failure / insulation failure calculated in accordance with Australian Standard 1530.

1.2 “**building**” means a substantial structure with a roof and walls and includes any projections from the external walls.

1.3 “**erect**” includes construct, install, build and maintain.

1.4 “**restriction site**” means that part of the lot burdened affected by the restriction on the use of land as shown on the plan.

## 2.0 No building must be erected or permitted to remain within the restriction site unless:

2.1 the external surface of the building erected within 1.5 metres from the substation footing has a 120/120/120 fire rating and

2.2 the external surface of the building erected between 1.5 metres and 3.0 metres from the substation footing has a 60/60/60 fire rating

2.3 and the owner provides the authority benefited with an engineer’s certificate to this effect.

## 3.0 The fire ratings mentioned in Clause 2.0 must be achieved without the use of fire fighting systems such as automatic sprinklers.

4.0 Lessee of Endeavour Energy’s Distribution System

4.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy’s distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy’s distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy’s distribution system from Endeavour Energy.

4.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

## Easements and Property Tenure

Amendment no. 1

ORD01

## A3.2 Fire Proof Screen Walls

Terms of Positive Covenant numbered [xx] in the plan:

1.0 Definitions

- 1.1 “**fire proof screen wall**” means a wall of brick or concrete necessary to achieve a 120/120/120 fire rating up to a minimum height of [xx] metres from the level of the substation footing.
- 1.2 “**owner**” means the registered proprietor of the lot burdened and its successors (including those claiming under or through the registered proprietor).
- 1.3 “**prescribed authority**” means Endeavour Energy (and its successors).
- 1.4 “**120/120/120 fire rating**” means the fire resistance level of a building structure expressed as a grading period in minutes for structural adequacy/integrity failure/insulation failure calculated in accordance with Australian Standard 1530.

2.0 The owner covenants with the prescribed authority that the owner:

- 2.1 Will construct fire proof screen [wall/s] adjacent to the [*northern, southern, eastern, western*] [*boundary/ies*] of the easement for padmount substation.
- 2.2 Will maintain the fire proof screen [wall/s] in a satisfactory state of repair and in accordance with any reasonable conditions that the prescribed authority may impose.

3.0 Lessee of Endeavour Energy's Distribution System

- 3.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.
- 3.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

Attachment 5

**Easements and Property Tenure****Amendment no. 1****A3.3 Fire Proof Walls and Roof**

Terms of Positive Covenant numbered [xx] in the plan:

**1.0 Definitions**

- 1.1 **“fire proof wall”** means a wall of brick, concrete or other material necessary to achieve a [60/60/60 or 120/120/120] fire rating up to a minimum height of 6 metres from the level of the substation footing. It also includes any structures attached to the wall such as eaves and gutters.
- 1.1 **“fire proof roof”** means a roof constructed of concrete or other material necessary to achieve a [60/60/60 or 120/120/120] fire rating.
- 1.2 **“owner”** means the registered proprietor of the lot burdened and its successors (including those claiming under or through the registered proprietor).
- 1.2 **“padmount substation”** means padmount substation No. [xxxx]
- 1.3 **“prescribed authority”** means Endeavour Energy (and its successors).
- 1.4 **“60/60/60 or 120/120/120 fire rating”** means the fire resistance level of a building structure expressed as a grading period in minutes for structural adequacy/integrity failure/insulation failure calculated in accordance with Australian Standard 1530.

**2.0 The owner covenants with the prescribed authority that the owner:**

- 2.1 Will construct fire proof [wall/s] adjacent to the [*northern, southern, eastern, western*] [*boundary/ies*] of the easement for padmount substation.
- 2.2 Will maintain the fire proof [wall/s] in a satisfactory state of repair and in accordance with any reasonable conditions that the prescribed authority may impose.
- 2.3 Will construct fire proof roof above the padmount substation.
- 2.4 Will maintain the fire proof roof in a satisfactory state of repair and in accordance with any reasonable conditions that the prescribed authority may impose.

**3.0 Lessee of Endeavour Energy's Distribution System**

- 3.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.
- 3.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

**Easements and Property Tenure**

Amendment no. 1

ORD01

**A3.4 Separation of Metal Structures to an Earth Grid**

Terms of Restrictive Covenant numbered [xx] in the plan

1.0 Definitions:

- 1.1 "erect" includes construct, install, build and maintain.
- 1.2 "restriction site" means that part of the lot burdened affected by the restriction on the use of land as shown on the plan.

2.0 Except as provided in Clause 3.0, no metal structure must be erected or permitted to remain within the restriction site.

3.0 Metallic fencing may be erected within the restriction site if the fence panels are insulated from the fence posts and from the ground.

4.0 Lessee of Endeavour Energy's Distribution System

4.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.

4.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

**A3.5 Separation of Swimming Pools to an Earth Grid**

Terms of Restrictive Covenant numbered [xx] in the plan

1.0 Definitions:

- 1.1 "erect" includes construct, install, build and maintain.
- 1.2 "restriction site" means that part of the lot burdened affected by the restriction on the use of land as shown on the plan.

2.0 No swimming pool or spa must be erected or permitted to remain within the restriction site.

3.0 Lessee of Endeavour Energy's Distribution System

3.1 Notwithstanding any other provision in this easement, the owner grants to Endeavour Energy the easement and acknowledges and agrees that any lessee of Endeavour Energy's distribution system, and any nominee of such lessee (which may include a sublessee of Endeavour Energy's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of Endeavour Energy as if that lessee or nominee were Endeavour Energy, but only for so long as the lessee leases Endeavour Energy's distribution system from Endeavour Energy.

Attachment 5

ORD01

**Easements and Property Tenure**

**Amendment no. 1**

3.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of Endeavour Energy.

Attachment 5

## Easements and Property Tenure

Amendment no. 1

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**Annexure 3 COMMUNITY TITLE BY-LAWS**

To maintain access to assets the following by-law must be incorporated into all community title management statements where HV or LV (including street lighting) assets are owned and maintained by Endeavour Energy:

**BY-LAW [X] ENDEAVOUR ENERGY – Access Ways**

*The Association agrees that if the surface of the access ways does not support the heavy vehicles, machinery and materials necessary to maintain Endeavour Energy's electrical equipment, the Association will be responsible for repairing any damage caused to the surface of the access ways during such maintenance.*

*This provision applies despite any other easement term to the contrary.*

Where the ownership of any part of the electricity network (HV, LV or street lighting) within the community title development is to be the responsibility of the community association, the following by-law must be incorporated into the community title management statement:

**BY-LAW [X] ENDEAVOUR ENERGY – Ownership of Assets by the Association**

*The low voltage electricity system is defined on the prescribed diagram as [eg "electricity"].*

*This electricity system is Association property.*

*The Association is responsible for the maintenance, repair, refurbishment, and augmentation of this electricity system.*

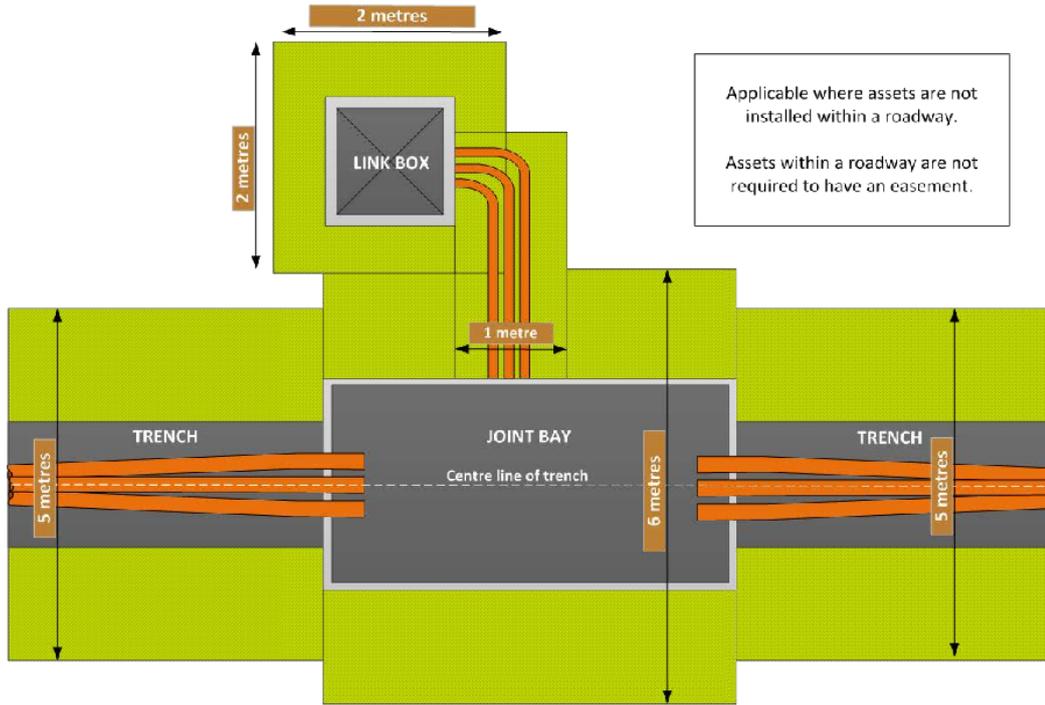
*The design of this electricity system has been based on a maximum demand of [as advised by the designer] Amps per dwelling.*

Attachment 5

Easements and Property Tenure

Amendment no. 1

Annexure 4 Typical easement layouts  
A4.1 - Underground assets



Easements and Property Tenure

Amendment no. 1

ORD01

A4.2 – UGOH and Stay pole easements

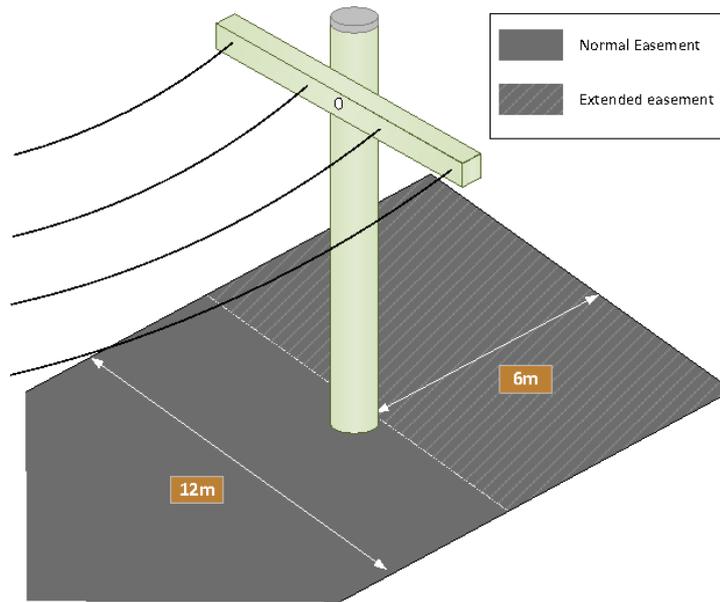


Figure 10 –UGOH pole easement

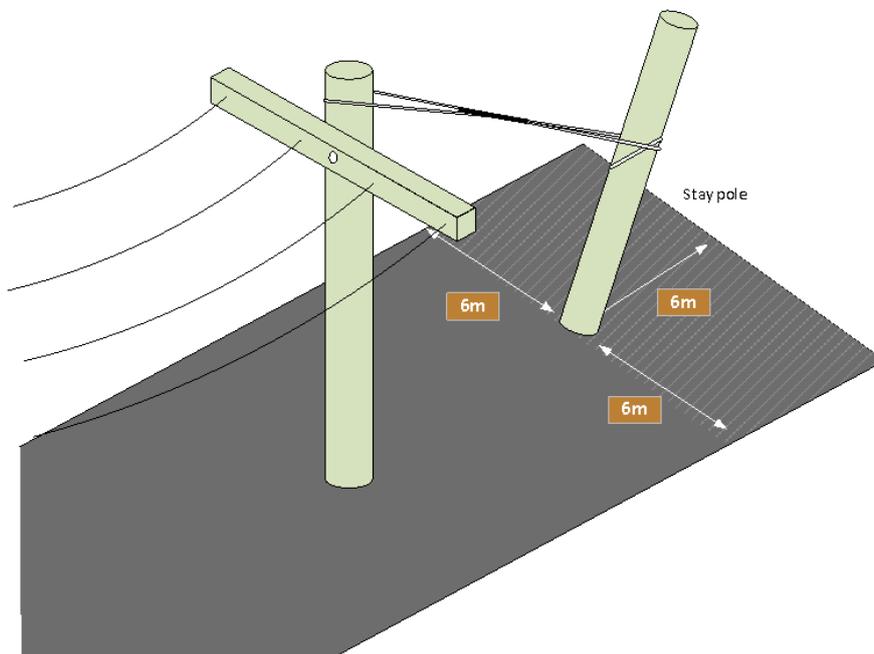


Figure 11 – Stay/ Ground pole easement

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Easements and Property Tenure

Amendment no. 1

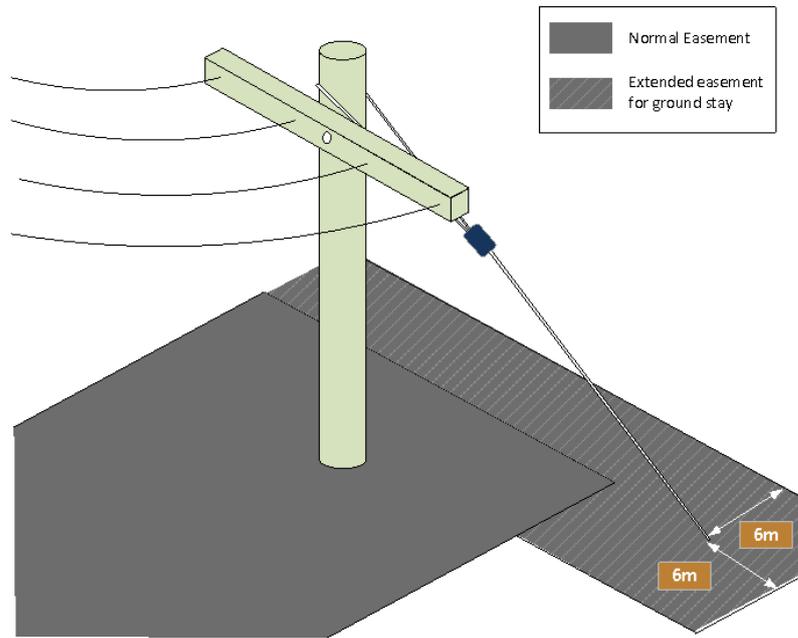
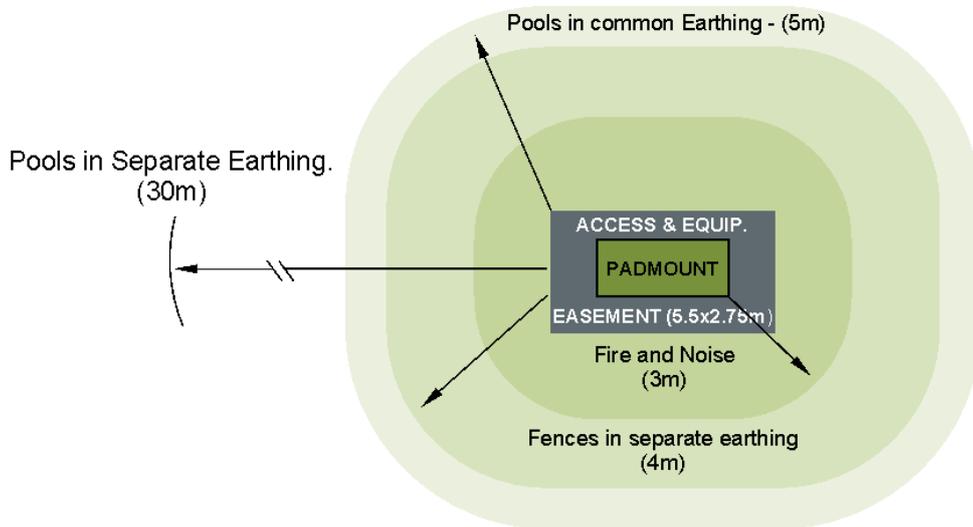


Figure 12 – Ground stay easement

A4.3 - Padmount easements and clearances



**Easements and Property Tenure**

**Amendment no. 1**

**ORD01**

**Attachment 5**

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Easements and Property Tenure

Amendment no. 1

Annexure 5 – Encroachment reference guide

Allowed - An activity which is allowed within an easement, but must still adhere to the minimum safety requirements within the easement stated in this document.  
 Prohibited - An activity that must not be performed under any circumstance within the easement.  
 Controlled - An activity which is allowed only if it meets both the minimum safety requirements for that type of easement with additional controls which are specified in the corresponding clause. Approval from Endeavour Energy is required for any controlled activity.

Category	Encroachment	Overhead			Underground			Padmount Substations					
		Allowed	Prohibited	Controlled	Clause	Allowed	Prohibited	Controlled	Clause	Allowed	Prohibited	Controlled	Clause
Buildings/ Structures	Buildings (habitable)		✓							✓			
	Tents – Commercial or Recreational		✓							✓			
	Shade Cloths / Umbrellas			✓						✓			
	Minor structures (clothesline, playground equipment, non metallic fences and bbqs)			✓	5.14.4.1					✓			
Barriers/Walls	Garages, large sheds and shipping containers (habitable)		✓							✓			
	Non-habitable buildings (Carports and metallic sheds), and shipping containers (uninhabited)			✓	5.14.4.2					✓			
	Flag pole / weather vane		✓							✓			
	Sound walls			✓						✓			
Fixed/ Mobile plant	Conductive fencing through an easement			✓	5.14.4.3			✓	5.15.5.1				5.16.5.5
	Conductive on boundary of an easement			✓				✓					
	Metal safety barriers			✓	5.14.4.4					✓			
	Electric fencing		✓							✓			
Vegetation	Retaining walls			✓	5.14.4.5			✓	5.15.5.9			✓	5.16.5.4
	Metallic pipes in lengths greater than 3m		✓					✓	5.15.5.2				
	Footings of Fixed plant		✓							✓			
	Fixed Plant or equipment		✓					✓	5.15.5.3				
Swimming Pools	Mobile plant or equipment			✓	5.14.4.7			✓				✓	5.16.5.1
	Parking of tall vehicles, trucks, caravans, campervans		✓						5.15.5.4				
	Parking of other vehicles	✓		✓	5.14.4.6					✓			5.16.5.1
	Shrubs with roots < 400mm	✓								✓			
Swimming Pools	Planting of trees which grow less than 3m	✓											
	Planting of trees which exceed 3m		✓										
	Storage of organic matter (leaves, compost)			✓	5.14.4.17			✓					
	Spas and Swimming pools – above ground		✓										
	Swimming pools – in ground		✓										

Amendment no. 1

Easements and Property Tenure

Category	Encroachment	Overhead			Underground			Padmount Substations					
		Allowed	Prohibited	Controlled	Clause	Allowed	Prohibited	Controlled	Clause	Allowed	Prohibited	Controlled	Clause
Fires	Lighting of fires	✓	✓							✓			
	Back burning			✓	5.14.4.8		✓			✓			
Agricultural use of the land	Agricultural pursuits such as dusting, harvesting, netting, irrigation		✓		5.14.4.9		✓		5.15.5.5		✓		5.16.5.2
	Ploughing near structures		✓					N/A			✓		
Other	Ploughing not near structures	✓	✓				✓				✓		
	Objects which may hinder access		✓				✓				✓		
	Storage of combustible/flammable/corrosive material		✓				✓				✓		
	Storage of non-combustible, non-flammable, or non-corrosive material	✓					✓				✓		
	Rainwater tanks			✓	5.14.4.10		✓				✓		
	Detention basins			✓	5.14.4.11		✓				✓		
	Earth works – reducing cover or filling			✓	5.14.4.12		✓				✓		
	Permanent surfaces (asphalt, concrete etc)	✓					✓				✓		
	Different surfaces (bluemetal, woodchips)	✓					✓				✓		
	New Roads			✓	5.14.4.13		✓		5.15.5.6			✓	5.16.5.3
Concrete driveways	Installation of Utility services – telecoms, water, LV elec, sewerage			✓	5.14.4.14		✓		5.15.5.7			✓	5.16.5.3
	Residential/ Commercial subdivision lots			✓	5.14.4.15		✓		5.15.5.8			N/A	
Recreational Activities	Use of explosives		✓				✓				✓		
	Recreational activities – general (not including activities listed below)	✓					✓				✓		
	Recreational activities – flying kites, model aircraft, balloons		✓				✓				✓		
	Recreational activities – Flood lighting, grandstands		✓				✓				✓		
	Recreational activities – firearms		✓				✓				✓		
	Recreational activities – tennis courts			✓	5.14.4.16		✓				✓		

Note: Highlighting within the Encroachment column indicates a category which has been added since the last amendment. Underground or Padmount columns represents a change in approach to the management of the encroachment since the last amendment.

## 7. Agency



PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
[www.waternsw.com.au](http://www.waternsw.com.au)  
ABN 21 147 934 787

ORD01

21 July 2020

Contact: *Stuart Little*  
Telephone: *02 9865 2449*  
Our ref: *D2020/70790*

General Manager  
(Attn Bradley Colling)  
CAMDEN COUNCIL  
PO Box 183  
CAMDEN NSW 2570

Dear Sir/Madam,

**RE: PUBLIC EXHIBITION OF STAGE 1 AMENDMENT TO CAMDEN LOCAL ENVIRONMENTAL PLAN 2010 (PP/2019/11/1)**

Thank you for your letter of 15 June 2020 advising WaterNSW of the proposed amendment to the Camden Local Environmental Plan 2010 (LEP; your ref: 20/121988). We note that Council intends to undertake the Comprehensive LEP Review in two stages. This first stage involves aligning the LEP with State Government directions including Planning Priorities of the Districts Plan and Draft Local Strategic Planning Statement (LSPS). Stage 2 is proposed to be undertaken following the completion of the technical strategy work to fully align the Camden LEP with the District Plan and Draft LSPS, with input being sought later in 2020.

This Stage 1 amendment encompasses a range of provisions, including for Environmentally Sensitive Land (ESL), health objectives, tourism uses, eco-tourist facilities, industrial land use conflict, zoning for water infrastructure, and minor amendments to Schedule 5 – Environmental Heritage.

Within the Camden LGA, WaterNSW owns and manages the Upper Canal which generally runs parallel to the eastern boundary of the LGA in its south-east. We also own and operate several weirs along the Nepean River. The implications of the proposed LEP provisions on our land is considered as part of this submission, although it is noted that referral to WaterNSW was based on incorrect lot references. Correct lot references can be provided to Council upon request.

WaterNSW has produced [Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines](#) (the Guidelines) which provide advice to Councils and developers on the issues that must be considered when designing, planning or assessing development or activities on land adjacent to, or within, these water supply infrastructure corridors.

Our detailed comments on the Stage 1 LEP amendments are provided in Attachment 1. We also ask to be consulted regarding the Heritage review proposed for the Stage 2 LEP review as the Upper Canal is listed under Schedule 5 of the LEP. If you have any questions regarding the issues raised in this letter, please contact Stuart Little at [stuart.little@waternsw.com.au](mailto:stuart.little@waternsw.com.au).

Yours sincerely

A black rectangular box redacting the signature of the sender.

**CLAY PRESHAW**  
**Manager Catchment Protection**

Attachment 5

## **ATTACHMENT 1 - DETAIL**

### **General**

As identified in Council's letter, both the Stage 1 and Stage 2 reviews of the LEP will be based on the Draft LSPS. WaterNSW requests that Council considers expanding the consideration of the Stage 2 amendment to align with the Final (rather than Draft) LSPS as informed by community and agency feedback, or alternatively indicate in the Planning Proposals for Stages 1 and 2 when a third stage of review would be undertaken to align the LEP with the Final LSPS as informed through the LSPS's public exhibition and consultation process.

### **Environmentally Sensitive Land**

The proposed amendments include introducing two new clauses in the LEP for Environmentally Sensitive Land (ESL): one for Terrestrial biodiversity and the other for Riparian lands and watercourses, and giving effect to accompanying maps. The bio-certified areas of the South West Growth Centre are excluded from the mapping.

#### *Terrestrial Biodiversity*

As part of the LEP review process, Council is proposing to include a new Terrestrial biodiversity clause and associated mapping. The biodiversity mapping is based on the ESL mapping within the Camden Council Local Biodiversity Strategy (2013), albeit updated by Council staff based on a desktop analysis which has identified newly developed areas and vegetation removal. The associated biodiversity clause provides a range of ecologically-based objectives and heads of consideration that need to be addressed before consent is issued. This includes requirements for developments to avoid, minimise, mitigate and offset impacts to terrestrial biodiversity.

The biodiversity mapping and related provisions will help reduce development pressure on the Upper Canal, thereby protecting the Canal corridor and water quality within the Canal. However, WaterNSW is concerned that the biodiversity mapping includes areas within the Upper Canal Corridor. WaterNSW requests Council exclude the Upper Canal Corridor from the biodiversity mapping, as the Corridor provides critical water supply infrastructure and is primarily managed for water supply purposes. The mapping may raise community expectations that parts of the Corridor need to be managed for biodiversity conservation purposes rather than for water supply. Any biodiversity outcomes need to be secondary to the primary purpose of water supply. Vegetation along the corridor may need to be removed for operational and maintenance purposes or for future water supply augmentation.

To improve biodiversity outcomes, WaterNSW is willing to work with Council to help facilitate the use of natural wildlife corridors where these already occur in the landscape. This includes where the Canal lies underground in a tunnel and natural wildlife habitat corridor linkages occur at the surface.

WaterNSW also makes the following comments regarding the biodiversity issue:

- The Upper Canal is zoned SP2 Water Supply System, enabling the water supply to be operated and maintained without the need for development consent. WaterNSW requires this SP2 zoning to be retained.
- WaterNSW has been undertaking a fencing replacement program along sections of the Upper Canal which may impede the movement of fauna.
- Opportunities should be encouraged to direct land-based fauna away from the open water parts of the Upper Canal in order to avoid wildlife drownings and associated water quality impacts.
- The Proposal would benefit by more clearly articulating the scale of resolution and criteria used in the mapping.

### *Riparian Land and Watercourse clause*

The Planning Proposal seeks to introduce a new clause for Riparian land and watercourses given effect by associated mapping. The clause provides objectives and various heads of consideration such as water quality, watercourse bed and bank stability and ecologically-related matters. The provisions apply to the mapped watercourses, riparian lands and any land within 40 m of the top bank of a watercourse. The clause also requires consideration of future rehabilitation of the watercourse and riparian areas, and includes requirements for developments to avoid, minimise, mitigate and offset impacts.

WaterNSW notes and supports the fact that the Upper Canal is not mapped as a watercourse given that it is an artificial channel specifically designed to transfer water from Pheasants Nest Weir to Prospect Water Filtration Plant and Prospect Reservoir.

WaterNSW supports the proposed clause in protecting water quality, natural waterways and riparian vegetation from development-related impacts. However, at face value there appears to be some anomalies in the mapping and the intent of the clause. We understand that mapping is based on information prepared by the Science Division of the Department of Planning, Industry and Environment and provided to Council. The Planning Proposal states that the map 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*' (p.27). With this in mind, we make the following observations regarding the watercourse and riparian land map.

- The mapped hydrology appears to vary from that used by WaterNSW (which is based on LPI mapping) and shows numerous drainage features affecting the Upper Canal.
- The 'watercourse mapping' includes areas of the Canal in some instances and excludes it in others. Where watercourses cross the Upper Canal corridor, they are for the most part artificially channelled through either flumes (over the Canal) or culverts (under the Canal), altering their natural flow path. This excludes areas where the Canal is underground in tunnels, such as in Mt Annan.

If the mapping is associated with 'High Ecological Value' as stated, then any of the artificially channelised watercourse crossings of the Canal should be excluded from the watercourse mapping. We also similarly request the pockets of riparian mapping occurring over the Corridor be removed as the Corridor is used for the operation and maintenance of critical water supply infrastructure and is predominantly a modified landscape.

- Outside the Upper Canal, many of the watercourses are also mapped in a truncated or discontinuous manner. It is unclear if this is a result of the mapping of the hydrology or because the truncated areas are associated with urban development and not being 'High Ecological Value'. The Planning Proposal may benefit by elaborating further on how the Science Division undertook the watercourse mapping, identifying the techniques and criteria used to identify the hydrology (i.e. flow lines) to then distinguish between the waterways that were 'High Ecological Value' or not. In particular, greater explanation is required regarding the apparent truncation of the watercourses as mapped.
- The Planning Proposal may benefit by clarifying whether the 'High Ecological Value' criterion was applied to mapping of the waterways (i.e. resulting in the dark blue lines identified as 'ESL – Watercourses' as mapped) or only to the identification of riparian land (i.e. resulting in the light blue polygons identified as 'ESL – Riparian land' as mapped), or both. This would provide greater clarity regarding whether the mapped waterways reflect hydrology only, irrespective of their ecological condition.
- Some areas of riparian vegetation appear as isolated islands and not associated with any watercourse. This suggests that the 'island pockets' of riparian vegetation are not

actually riparian vegetation at all but some other vegetation type. Mapping of these areas as 'riparian vegetation' needs to be verified. It is possible that some of these 'islands' of riparian vegetation are wetlands as given effect by the clause. If this is the case, then it may be useful to include them as a third category on the map sheet and distinguish these as 'wetlands' (as apart from watercourse or riparian land) so that their isolation from a drainage network is not perceived as a mapping anomaly.

- A number of watercourses presented on the map occur as straight lines suggesting that they have had their natural flow path varied by urban development. It may be useful for Council to verify the natural condition of these areas to ensure these areas are, in fact, 'High Ecological Value' as described.

In terms of the content of the Riparian land and watercourse clause, we note that it includes consideration of 'any future rehabilitation of the watercourse and riparian areas'. WaterNSW notes that rehabilitation of waterways and riparian areas in proximity to the Upper Canal Corridor could affect stormwater flows (quality and quantity). To this end we also note that the clause requires consideration of water quality and flows within the watercourse. Any development occurring in proximity to the Upper Canal should take into account the Guidelines mentioned earlier.

#### Other

WaterNSW has no objection to the other proposed clauses related to:

- health-based objectives
- tourism-related uses in RU1 and RU2 zones
- the inclusion of compulsory provisions for eco-tourism facilities
- updating the objective of the IN2 zone
- rezoning Sydney Water sites to SP2
- a minor amendment to Schedule 5 – Environmental Heritage.

#### Stormwater Management

The protection of watercourses and riparian lands is challenged by the expansion of urban growth as evidenced by the mapping. To address water quality impacts on downstream uses and waterways arising from urban development, Council may wish to introduce a separate Stormwater management clause in its local provisions. Such a clause could apply generically to the entire LGA and aim to protect downstream properties and environments, including bushland and waterways from adverse stormwater impacts arising from development. It could encompass various heads of consideration including WSUD, maximising water permeable surfaces, promoting on-site stormwater retention for re-use, integrating stormwater management measures into the landscape and making provision for ongoing management and maintenance of stormwater systems once emplaced. Council could refer to the Blue Mountains LEP 2015 (cl 6.9) and Ku-ring-gai LEP 2015 (cl 6.5) for guidance. The provision of a dedicated stormwater management clause would also help minimise stormwater impacts on the Upper Canal corridor.

Further to the above, Council could also consider including a dedicated Essential Services clause within its LEP. Many LEPs have such a clause in their local provisions including Blue Mountains, Campbelltown and Fairfield LEPs which could be used for guidance. The Essential Service clause helps ensure that new development makes adequate provision for water, sewerage and stormwater drainage (or on-site conservation). Essential Services and a Stormwater clause would support the proposed health-based objectives and proposed provisions for watercourses and riparian lands. Both the Stormwater Management and Essential Services clause could be considered under the Stage 2 LEP Review.



Transport  
for NSW

8 Agency

ORD01

22 July 2020

TfNSW Ref: SYD20/00710

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

Attention: Bradley Colling

Dear Mr Moore,

**PUBLIC EXHIBITION: STAGE 1 AMENDMENT TO CAMDEN LOCAL ENVIRONMENTAL PLAN (LEP) 2010**

Transport for NSW (TfNSW) advises that legislation to bring Roads and Maritime Services and TfNSW together as one organisation came into effect on 1 December 2019 so we can deliver more integrated transport services across modes and better outcomes to customers and communities across NSW.

We appreciate the opportunity to review and provide comments on the Stage 1 amendment to Camden Local Environmental Plan (LEP) 2010. This letter represents the views of the new TfNSW.

We note the proposed Stage 1 amendment seeks to align Camden LEP 2010 with the high level principles and objectives of the Western City District Plan and Camden's Local Strategic Planning Statement and includes the following amendments:

1. Introducing a local provision for environmentally sensitive land, which includes clauses and associated mapping for Environmentally Sensitive Land, Terrestrial Biodiversity and Riparian land and Watercourses;
2. Introducing health-focused objectives into relevant sections of the LEP;
3. Providing for appropriate non-agricultural uses with consent in the RU1 Primary Production and RU2 Rural Landscape zones;
4. Introducing eco-tourist facilities as permitted uses with consent in rural zones and including Part 5 provisions to guide the development of Eco-tourist facilities in the RU1 Primary Production and RU2 Rural Landscape zones;
5. Strengthening the objectives in the IN2 Light Industrial zone to manage land use conflicts;
6. Rezoning several sites owned by Sydney Water and used for water infrastructure to SP2 infrastructure; and

**Transport for NSW**

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P 131782 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602

Attachment 5

7. Updating the level of significance of St Johns Church from local to State; reflecting its listing on the State Heritage List.

TfNSW has reviewed the draft LEP documents and has collated comments from across the Transport cluster, which are provided at **Attachment A** for Council's consideration.

We would also appreciate the opportunity to work closely with Council early in the preparation of the Stage 2 LEP amendment (prior to exhibition), to ensure that the future LEP amendment and growth in the Camden LGA is aligned with TfNSW infrastructure and services to deliver better place-based outcomes.

Should you have any questions or queries in relation to this matter, Ilyas Karaman would be pleased to assist by phone 0447 212 764 or email:

[development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au)

Yours sincerely



Rachel Davis  
**Senior Strategic Land Use Coordinator**  
**Land Use, Networks & Development, Greater Sydney Division**

**Transport for NSW**

27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta CBD NSW 2124

**P** 131782 | **W** [transport.nsw.gov.au](http://transport.nsw.gov.au) | **ABN** 18 804 239 602

## Attachment A – Specific comments

	Section	Comments/suggestion
1	General Comment	All existing TfNSW corridors and reservations need to be maintained and appropriately reflected in the Land Zoning and Land Reservation Acquisition maps as SP2 Infrastructure. TfNSW will provide shapefiles of its reservations under separate correspondence to assist Council in reflecting these requirements on request. No new reservations or SP2 zones relating to TfNSW are to be added or removed without prior written approval.
2	General Comment	Council may wish to consider a range of travel demand management measures for certain new developments/locations, including the requirement of green travel plans to encourage the use of sustainable transport within the LGA. These requirements could be included in any amendment to the DCP to support the Stage 2 LEP amendment.
3	General Comment	Council should consider encouraging future higher density and mixed use developments in accessible locations (within the walking catchment of existing and planned public transport nodes and key centres) to maximise current and future public transport patronage and further encourage walking and cycling. This will need to give consideration to the infrastructure requirements for bus services.
4	General Comment	As public transport options improve and increase within the Camden LGA in the future, Council may wish to investigate and implement measures to reduce dependency on private vehicle use and encourage public transport use through travel demand management measures, such as setting appropriate maximum off street parking rates for new residential and mixed use developments in close proximity to future rail stations and high frequency bus nodes to support mode shift to public transport and other sustainable modes of travel over the long term.
5	General Comment	Council should consider inclusion of requirements in the DCP (supporting Stage 2 amendments to the LEP) for new developments to assess the demand for freight and servicing generated by the development and demonstrate to the satisfaction of Council / TfNSW that sufficient off-street loading and servicing capacity, and a means of managing this capacity, is provided as part of the development. This may apply to development for the purposes of commercial, mixed use, retail, industrial, education, entertainment/hospitality, hotel, medium and high density residential and places of worship. This will help to ensure that the freight and servicing demands are adequately catered for and do not compromise place outcomes and do not rely on kerbside capacity.
6	General Comment	As part of the DCP to support Stage 2 amendments to the LEP, Council should consider including an appropriate requirement for new developments (including but not limited to hotel accommodation, entertainment facilities and education) to assess the demand for coaches and point to point services (e.g. Taxi, Uber, etc.) generated by the development and demonstrate to the satisfaction of Council / TfNSW that where practicable these users can be accommodated on-site. This is to ensure that these uses do not adversely impact on the road transport network, public bus operations and other kerbside uses and place outcomes.
7	Freight	TfNSW is supportive of initiatives to give effect to actions contained in the District Plan on protecting freight corridors and industrial land from encroachment by sensitive land uses and managing the interfaces of industrial areas, trade gateways and

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		<p>intermodal facilities (such as the Glenlee facility) in this and/or future LEP and DCP updates.</p> <p>The aims/objectives of the LEP and DCP should include protecting people from unreasonable noise impacts and protecting major freight corridors and facilities from urban encroachment. Urban encroachment on freight corridors will be to the detriment of both residential amenity (in the short term) and freight efficiency (in the medium to long term). The LEP should also balance the need to minimise negative impacts of freight movements on urban amenity with the need to support efficient freight movements and deliveries (e.g. 24 /7 operations).</p>
8	General Freight Comment	<p>TfNSW encourages a land use planning system that:</p> <ul style="list-style-type: none"> <li>• Treats freight as a system</li> <li>• Protects and preserves the freight system</li> <li>• Permits future expansion of, and efficiency improvements to, the freight system.</li> </ul> <p>TfNSW wishes to avoid land use planning and approvals that lead to projects that:</p> <ul style="list-style-type: none"> <li>• Block or otherwise adversely impact freight corridors</li> <li>• Put incompatible uses near, or encroaching on, freight corridors or facilities</li> <li>• Reduce industrial land available near freight facilities</li> </ul> <p>Council may wish to consider incorporating principles and objectives into the future LEP and DCP amendments, which will reinforce/strengthen the actions contained in the District Plan regarding the protection of freight corridors and industrial land from the encroachment by sensitive land uses. This may include the provision of objectives to protect freight corridors within the zones such as IN1 General Industrial zone and IN2 Light Industrial zone and reinforced within the DCP.</p>
9	Rail comment	<p>Early consultation and planning decisions must be made in relation to significant developments proposed near existing or future rail corridors and railway stations necessitating the need to develop key controls in critical locations. In this regard, TfNSW requests Council to liaise closely with Sydney Trains throughout each stage of the future strategic planning process, in particular in the development of the Stage 2 LEP amendment and supporting DCP.</p>
10	Proposed Riparian Zone - Specific Site	<p>1089 The Northern Road, Bringelly: TfNSW recommends that Council review the suitability of the proposed riparian land at this property. The proposed amendments appear to be inconsistent with recent changes to the site that are associated with the Northern Road and Bringelly Road Stage 2 upgrade project.</p>
11	Next LEP phase amendments	<p>As Council prepares Stage 2 of the broader review of the Camden LEP 2010 in line with the exhibited draft Camden Local Strategic Planning Statement, TfNSW requests that any proposed major increase to dwellings and employment yields is supported by a comprehensive transport assessment. This should consider and identify the required transport infrastructure to support additional growth as well as an infrastructure implementation strategy which includes: timing/staging, land components, costings, delivery responsibilities, and funding mechanisms. TfNSW is happy to provide early advice to Council on the scope and requirements of a transport study.</p>

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# 9 Agency

ORD01

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**From:** Lands Ministerials Mailbox <lands.ministerials@dpi.nsw.gov.au>  
**Sent:** Tuesday, 21 July 2020 1:49 PM  
**To:** Deirdre Rimmer  
**Subject:** Camden Draft LSPS

Hi Deirdre

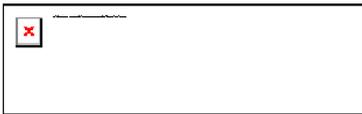
Crown Lands has no comments for this proposal at this time.

Thanks  
Kirstyn

**Lands Stakeholder Relations**

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**Our Vision:** Together, we create thriving environments, communities and economies.

*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

Attachment 5

ORD01

10. agency



Our ref: DOC20/544194  
Council Reference: PP/2019/11/1

The General Manager  
Camden Council  
PO BOX 183  
CAMDEN NSW 2570

Attention: Bradley Colling

Dear Mr Moore

**Subject: Exhibition of Stage 1 Amendment to Camden Local Environmental Plan 2010**

Thank you for your letter of 15 June 2020 requesting comments on the draft Planning Proposal (PP/2019/11/1) that is currently on exhibition that seeks to amend the Camden LEP 2010.

The draft Planning Proposal seeks to introduce in Part 7 Additional Local Provisions clauses for:

- Environmentally Sensitive Land – Terrestrial Biodiversity and
- Environmentally Sensitive Land- Riparian Lands and Watercourses with associated mapping.

The Environment, Energy and Science Group (EES) in the Department has reviewed the planning proposal for the draft LEP and provides its recommendations and comments at Attachment A.

If you have any queries regarding this matter, please do not hesitate to contact Svetlana Kotevska, Senior Conservation Planning Officer on 02 8837 6040 or at [svetlana.kotevska@environment.nsw.gov.au](mailto:svetlana.kotevska@environment.nsw.gov.au)

Yours sincerely

A solid black rectangular box redacting the signature of Susan Harrison.

06/07/20

Susan Harrison

**Senior Team Leader Planning  
Greater Sydney Branch  
Climate Change and Sustainability**

Attachment 5



### Attachment A - EES comments on the Exhibition of Stage 1 Amendment to Camden LEP 2010

The draft Planning Proposal (PP/2019/11/1) currently on exhibition, seeks to amend the Camden LEP 2010 to introduce Part 7 Additional Local Provisions clauses for Environmentally Sensitive Land – Terrestrial Biodiversity and Environmentally Sensitive Land- Riparian Lands and Watercourses with associated mapping. In Appendix 5: Proposed Environmentally Sensitive Land Mapping, it states

“the Terrestrial Biodiversity Mapping is based on the Environmentally sensitive lands mapping within the Camden Council Local Biodiversity Strategy (2013), which has been updated by Council staff based on a desktop analysis which has identified newly developed areas and vegetation removal. The proposed mapping does not apply to land identified as certified on the South West Growth Centre Biodiversity Certification map under the Threatened Species Conservation Act 1995. The Riparian Lands and Watercourses Mapping is based on information prepared by the Science Division of the Department of Planning, Industry and Environment and provided to Council. The map 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.”

In Part 2 Explanation of Provisions and on page 26 of the draft Planning Proposal (PP) it states: “The new clauses do not apply to land subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.”

However, the maps accompanying the PP contradict this statement and show that the proposed clauses apply to land in the Growth Centres SEPP along riparian corridors and to the land already identified as non-certified land, red hatched and to be acquired and existing native vegetation (ENV) under the Biodiversity Certification Order.

Council’s proposed clauses for environmentally sensitive lands (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 Council’s maps should explicitly state that it excludes the area subject to the Growth Centres SEPP and a note on these maps should say the Growth Centres SEPP continues to apply.

EES requests this amendment because currently the PP is inconsistent with the Growth Centres SEPP, Part 6 and the Biocertification Order 2007 Relevant Biodiversity Measures (RBMs), that afford greater protection to ENV and Part 5 of the Growth Centres SEPP 2006 currently applies to flood prone and major creeks lands.

Camden’s proposed LEP maps only excludes the certified land subject to the Growth Centres SEPP and a parcel of land zoned Public Recreation – Regional at Alma Road, Leppington. This parcel zoned RE1 under the Growth Centres SEPP is also non-certified land and marked with red hatching to be acquired as shown on the Biodiversity Certification Order Maps. This parcel is zoned in the SEPP because this parcel was identified as a conservation area to be acquired by the NSW Government. Precinct planning has yet to occur for the rest of the South West Growth Centre as such other land is not zoned under the GC SEPP.



Council has excluded this RE1 area from the LEP and the SEPP will continue to apply to this land. For consistency, all the land subject to the Growth Centres SEPP (not just the zoned parcel) needs to be excluded from the draft PP ESL terrestrial biodiversity and riparian lands and watercourses map. The proposed LEP maps must exclude:

- non-certified land under the Order
- red hatched land under the Order
- existing native vegetation (ENV) land protected under the Order and shown on the Growth Centres Commission draft conservation plan Figure 5 as vegetation (green ENV) and protected (yellow hatching), provided below
- the land zoned Public Recreation – Regional at Alma Road, Leppington under the GC SEPP.
- land subject to the Growth Centres SEPP Parts 5 and 6 (which includes the non-certified land identified as floods and major creeks lands under the Growth Centres SEPP).

Please be advised that the RBMs in the Biocertification Order relating to ENV (RBMs 6 to 13) as well as the Growth Centres SEPP [Part 6 Clause 21](#) Development Controls – Vegetation, provides the relevant clauses to protect terrestrial biodiversity and Part 5 of the Growth Centres SEPP protects major creeks land (riparian land) until precinct planning occurs that will then provide further protection for these areas of ENV, native vegetation protection areas and riparian lands.

The relevant provisions of the Growth Centres SEPP include:

1. The Growth Centres SEPP [Part 6 Clause 21](#) Development Controls - Vegetation applies to land in the Growth Centres that is:
  - zoned under Part 3 (Public Recreation – Regional at Alma Road, Leppington),
  - vegetation in flood prone and major creeks land – mapped on the Growth Centres [SEPP Development Control Maps](#) see:
    - [Map 8](#)
    - [Map 9](#)
  - transitional land for example [Lowes Creek Map 3](#).
2. The Growth Centres SEPP [Part 5 Clause 19](#) - Development Controls - flood prone and major creeks land - additional heads of consideration applies to land in the Growth Centres as mapped.
3. Please also note that, once precinct planning occurs for the area, specific clauses for ENV are applied. As an example see these clauses: [Clauses 6.2 native vegetation retention area](#) and [Clause 6.3 Existing Native Vegetation](#) apply to native vegetation and ENV. An example of this clause is in the Camden Precinct Plan under the Growth Centres SEPP Appendix 9 Camden Growth Centres Precinct Plan. Precinct planning has not yet occurred for much of the Camden LGA area subject to the SEPP. Also provided below is an extract of Clause 6.2 (6) stating that development consent is not to be granted in relation to disturbing native vegetation and that there is no net loss of remnant native vegetation.
 

**(6) Development consent under this clause is not to be granted** unless the consent authority is satisfied of the following in relation to the disturbance of native vegetation -

  - (a) that there is no reasonable alternative available to the disturbance of the native vegetation,



- (b) that as little native vegetation as possible will be disturbed,
- (c) that the disturbance of the native vegetation will not increase salinity,
- (d) that native vegetation disturbed for the purposes of construction will be reinstated where possible on completion of construction,
- (e) that the loss of remnant native vegetation caused by the disturbance will be compensated by revegetation on or near the land to avoid any net loss of remnant native vegetation,
- (f) that no more than 0.5 hectares of native vegetation will be cleared unless the clearing is essential for a previously permitted use of the land.

In summary, the environmentally sensitive lands and riparian lands and watercourses mapping must exclude the land identified under the Biocertification Order as non-certified land, red hatched and ENV as land that is subject to the Growth Centres SEPP. Further, the PPs ESL clauses and map and riparian lands and watercourses mapping need to refer to the Growth Centres SEPP in the legend and the maps should be amended to exclude the land to which the Growth Centres SEPP applies.

EES also notes that in the PP Appendix 5: Proposed Environmentally Sensitive Land Mapping it does not show the mapping included in Appendix 5 however it is on the website under On Exhibition.

End of Submission

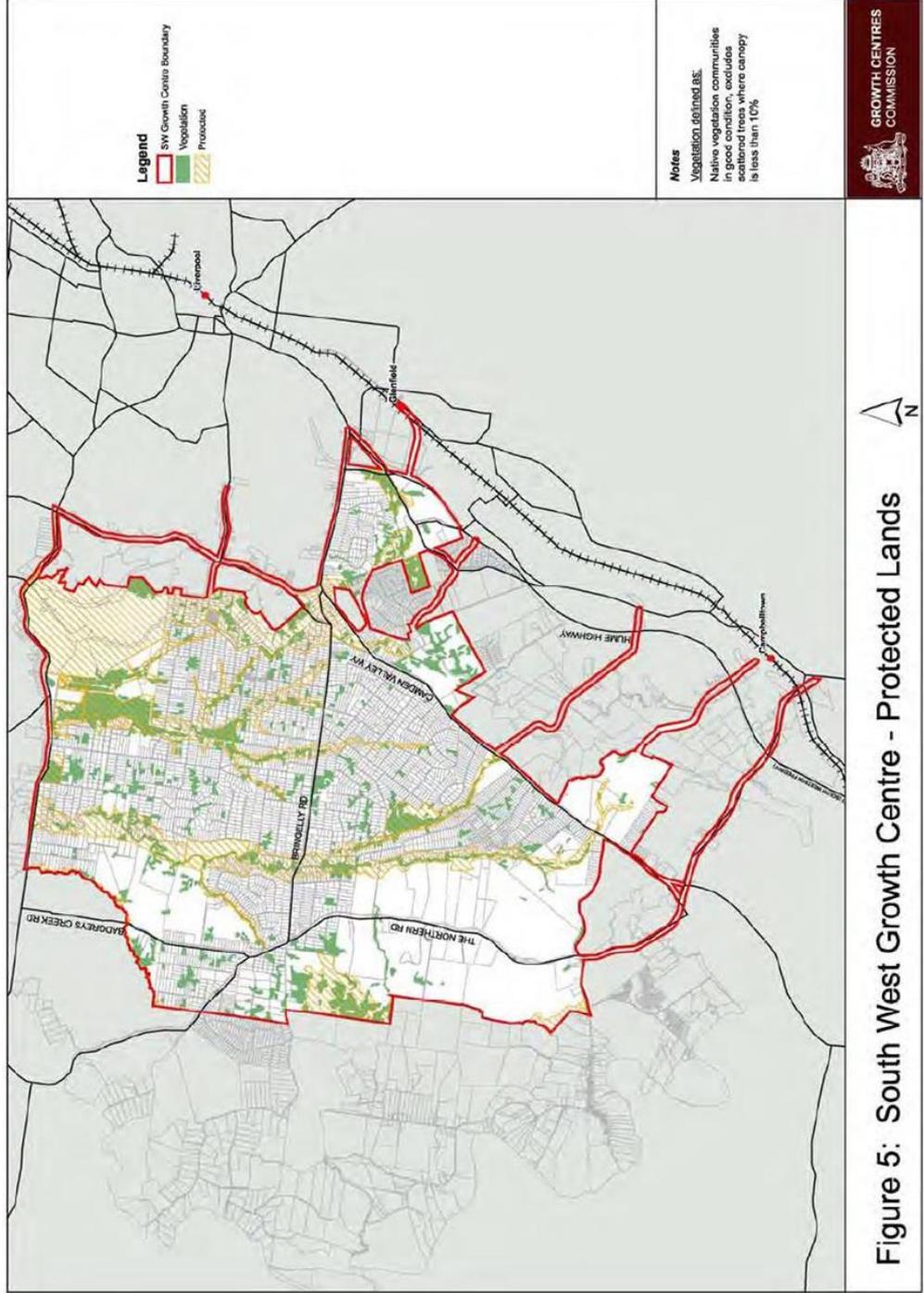


Figure 5: South West Growth Centre - Protected Lands



# COMPANION ANIMAL POLICY P2.0065.1

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## COMPANION ANIMAL POLICY

**DIVISION:** Planning and Environment  
**BRANCH:** Environment and Regulatory Services  
**CATEGORY:** 2

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### PART 1 – INTRODUCTION

#### 1. BACKGROUND

1.1 This policy has been developed to encourage and reinforce the responsible management of pets for the benefit of the community through education and information, consistent with Camden Council's responsibilities under the *Companion Animals Act 1998*.

#### 2. OBJECTIVE

2.1 This policy aims to promote responsible pet ownership and provide the framework for how Council manages its responsibilities under the *Companion Animals Act 1998* and Companion Animal Program.

2.2 Council's Companion Animal Program is overseen by the Camden Council Companion Animal Advisory Committee.

#### 3. SCOPE

3.1 This policy seeks to promote compliance through education and mutual understanding of the roles and responsibilities of all members of the community in relation to Companion Animals.

3.2 The policy applies to the Camden Council Local Government Area including public parks and open spaces. The policy also applies to privately owned areas where complaints about companion animals may be generated.

#### 4. DEFINITIONS

4.1 **Authorised Officer** means an employee of a local authority authorised by the local authority for the purposes of the *Companion Animals Act 1998*.

4.2 **Companion Animal** means a dog, a cat, or any other animal that is prescribed by the *Companion Animal Regulation 2018* as a companion animal.

4.3 **Council** means Camden Council.

4.4 **Dangerous Dog** means a dog for the time being the subject of a declaration by an Authorised Officer of a council or a court under the *Companion Animals Act 1998* that the dog is a dangerous dog.

- 4.5 **Dog attack** means the act of a dog rushing at, attacking, biting, harassing or chasing any person or animal (not vermin), whether or not any injury is caused to the person or animal.
- 4.6 **Menacing dog** means a dog for the time being the subject of a declaration by an Authorised Officer of a council under section 34(1A) or a court under section 45(1A) of the *Companion Animals Act 1998* that the dog is a menacing dog.
- 4.7 **No Kill Facility** means an animal shelter that will rehome all animals assessed by a veterinarian as medically and behaviourally suitable. Animals will not be euthanised due to space restrictions at the facility. Euthanasia is reserved for animals considered dangerous to the public or those suffering from medical conditions which cannot be reasonably managed and result in a poor quality of life. No Kill supports the philosophy of 'Getting to Zero' whereby only a small percentage of animals are not suitable for rehoming due to illness, behavioural problems or a poor prognosis of medical or behavioural rehabilitation.
- 4.8 **Nuisance cat** means a cat that:
- makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
  - repeatedly damages anything outside the property on which it is ordinarily kept.
- 4.9 **Nuisance dog** means a dog that:
- is habitually at large, or
  - makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
  - repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
  - repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
  - endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
  - repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.
- 4.10 **Off-Leash Area** means a public place that is designated to be an off-leash area.
- 4.11 **Owner** means:
- The owner of the animal (in the sense of being the owner of the animal as personal property),
  - The person by whom the animal is ordinarily kept,
  - The registered owner of the animal.

4.12 **Restricted dog** means dogs that are restricted in accordance with the *Companion Animals Act 1998* including:

- (a) American pit bull terrier or pit bull terrier,
- (b) Japanese tosa,
- (c) dogo Argentino,
- (c1) Perro de Presa Canario or Presa Canario,
- (d) fila Brasileiro,
- (d1) any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901* of the Commonwealth,
- (e) any dog declared by an Authorised Officer of a Council under Division 6 of Part 5 to be a restricted dog,
- (f) any other dog of a breed, kind or description prescribed by the *Companion Animals Regulation 2018* (NSW).

## PART 2 – POLICY STATEMENT

### 5. Management of Companion Animals

5.1 Council recognises that effective management of domestic pets requires a balanced approach particularly in light of the significant social and health benefits of pet ownership. This policy intends to achieve this by:

- Implementing, whenever possible, a 'no kill' policy.
- Promoting the importance of companion animals to the wellbeing of people living in our area and encouraging responsible pet management.
- Promoting responsible pet ownership through education, information and encouraging pet owners to register, microchip and desex their cats and dogs.
- Reducing the number of lost and wandering cats and dogs by educating pet owners about the importance of identifying, registering and maintaining control of their animals.
- Meeting the requirements of the *Companion Animals Act 1998* in relation to dogs which may be a nuisance, menacing, or dangerous, as well as restricted dogs.
- Identifying, promoting, and assessing the suitability of off-leash parks and open space areas for dog exercise relative to the continued growth of Camden LGA.
- Monitoring compliance with the *Companion Animals Act 1998* and *Companion Animals Regulation 2018* and using enforcement action where appropriate.

5.2 Council's fees and charges associated with the management of Companion Animals are set out in the annual Fees and Charges Schedule, available on Council's website.

### 6. Community Education

6.1 Education and awareness are critical to achieving responsible pet ownership and community harmony. This is achieved through a range of innovative, non-regulatory approaches that focus on community engagement.

- 6.2 Council implements various community education strategies to encourage and reinforce responsible pet ownership. The Camden Council Companion Animal Advisory Committee lead the strategies.
- 6.3 Council's current responsible pet ownership program includes:
- Educating children and residents on the importance of microchipping and providing name tags for animals;
  - Independent breed and temperament assessment of impounded animals that may be dangerous/aggressive/restricted;
  - Attempts to return stray dogs to their owner instead of impounding them;
  - Free name-tags for all animals returned to their owner;
  - Working with rescue organisations to rehome animals;
  - Subsidised de-sexing to reduce the number of unwanted kitten litters
  - Free microchipping for dogs and cats;
  - PAWS in the PARK – an annual event raising awareness about responsible pet ownership;
  - The development and distribution of information books on responsible pet ownership.
  - Community education events to raise awareness about responsible pet ownership.

## 7. Identification and registration of cats and dogs

- 7.1 The likelihood of returning a pet to its owner safely instead of impounding, is much higher if the animal is:
- Microchipped, and the registration details are up to date, and
  - Wearing a tag on its collar with the owner's current contact phone number.
- 7.2 Cats and dogs must be microchipped by the time they reach 12 weeks of age. Dogs must be registered by six months of age. Cats must be registered by four months of age.
- 7.3 It is the responsibility of a Companion Animal Owner to update any changes to the registration details through Council.
- 7.4 Residents can register, update contact details, report their pet missing, and pay registration of their pet online at [www.petregistry.nsw.gov.au](http://www.petregistry.nsw.gov.au)

## 8. Desexing

- 8.1 Desexing helps to reduce unwanted behaviour in animals and assists owners with controlling their cats and dogs. Desexing pets is preferable unless there is an intent to breed.
- 8.2 Desexing greatly reduces the number of abandoned animals and prevents unnecessary suffering of unwanted animals.

## 9. Council's Animal Care Facility (shelter) and lost, seized or surrendered pets

- 9.1 Council operates a No Kill Facility,
- 9.2 Council endeavours to return a lost pet to its Owner, rather than impounding the animal.
- 9.3 Owners have 14 days from the date on the seizure form to claim impounded microchipped pets or seven days to claim non microchipped pets, before the animal may be rehomed.
- 9.4 Council may accept surrendered pets from Owners who can no longer care for them. Owners will be required to complete all necessary documentation when surrendering an animal.
- 9.5 Council's Authorised Officers may investigate complaints regarding roaming dogs, nuisance cats and dog attacks. In exercising their powers, Council may impound animals.
- 9.6 Council will make every attempt to rehome all adoptable animals, by way of sale to the public or through animal rescue organisations if animals cannot or are unable to be sold.
- 9.7 Council will promote impounded animals on its website, social media and other promotional channels.
- 9.8 Council will provide impounded animals with enrichment programs and other value adding services to keep animals stimulated and provide the best possible chance of re-homing.
- 9.9 Some animals are unsuitable for rehoming due to being aggressive, significantly ill, injured or feral. Sections 52A and 57A of the *Companion Animals Act 1998* prohibit the sale of an animal declared or proposed to be declared a restricted breed or dangerous dog or menacing dog. This prohibition extends to the sale, adoption, rescue or rehoming of these animals.
- 9.10 Council is not authorised to accept animals seized under the *Prevention of Cruelty to Animals Act 1979* (NSW), or seized when there is nobody available to care for the animal. In these circumstances, the Royal Society for the Prevention of Cruelty to Animals or another animal welfare organisation should be contacted.

9.109.11 Council requires a current Clause 16d, signed Memorandum of Understanding between the rescue organisation and Council before any animals will be released into the care of a rescue organisation.

## 10. Cat management

- 10.1 Cats must be able to be identified by microchip and registration that enables Council to ascertain the owner's contact details.
- 10.2 Cats are prohibited from wildlife protection areas and food preparation areas.
- 10.3 -Council encourages cat Owners to keep their pets indoors inside or in an outdoor enclosure after dark to minimise the opportunity for injury to the

animal, protect wildlife and to reduce instances of nuisance.

## 11. Dog management

11.1 Dogs must always be under the effective control of their Owner when in a public place by way of a lead.

~~11.2 Dogs in an off-leash area, whilst not required to be on a lead, must also be under the effective control of their owner.~~

~~11.3~~11.2 A dog is not considered to be under the effective control of a person if that person has more than four dogs.

## 12. Off leash Areas

12.1 To maximise opportunities for off-leash exercising and socialising of dogs, Council provides designated off-leash parks. Off-leash exercise helps to relieve boredom and reduce incidences of unacceptable nuisance behaviour such as uncontrolled barking.

~~12.4~~12.2 Dogs in an off-leash area, whilst not required to be on a lead, must also be under the effective control of their owner

12.212.3 For a list of current off-leash areas please refer to Council's website [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

## 13. Prohibited areas

13.1 Dogs are prohibited from certain public places in accordance with the Companion Animals Act 1998.

13.2 A person is entitled to be accompanied by an approved assistance animal into any building or onto any place open to the public, including public transport.

## 14. Dog waste

14.1 Owners have a legal responsibility to pick up dog waste after their dogs.

14.2 Council provides all-purpose bins at off-leash parks and other suitable locations.

14.3 Council will work with dog Owners to promote awareness of these responsibilities to encourage Owners to clean up after their dogs.

## 15. Barking

15.1 Persistent barking can be a nuisance in neighbourhoods and a source of community complaints.

15.2 To address dog barking, Council will pursue positive and proactive approaches such as:

- Providing off-leash areas for dogs to socialise.
- Providing community education and targeted training for dog Owners.
- Investigating reports of persistent barking and taking appropriate action to remove or reduce any nuisance caused by barking.
- Further information can be found within Council's Barking Dog Guidelines.

## 16. Nuisance orders

- 16.1 If Council becomes aware of any dog or cat behaviour that may be considered a nuisance, an investigation may be undertaken by an Authorised Officer.
- 16.2 For Council to investigate the matter a statement is required from the person affected.
- 16.3 If an Authorised Officer identifies a serious or ongoing problem with an animal's behaviour, Council may issue a nuisance order. This order requires the owner to stop the animal doing the behaviour specified in the order. If the problem continues, the owner may be liable for a range of penalties.
- 16.4 A nuisance order remains in force for six months from the date it is issued.

## 17. Dog attacks

- 17.1 Dog attacks should be reported to Council as soon as practicable so that they may be investigated in accordance with the *Companion Animals Act 1998*.
- 17.2 An Authorised Officer, if satisfied a dog attack has occurred in accordance with the *Companion Animals Act 1998* may issue a Nuisance Order, a Menacing or Dangerous Declaration and or a penalty to the dog to the owner.
- 17.3 For Council to investigate the matter a statement is required from the person affected.

## 18. Menacing or dangerous dogs

- 18.1 Part 5, Division 1 of the *Companion Animals Act 1998* details the requirements and actions which must be taken if the behaviour of a dog is considered menacing or dangerous.
- 18.2 Authorised Officers are required under Section 35 of the *Companion Animals Act 1998* to give the owner of a dog a notice of their intention to declare the dog to be a dangerous or menacing dog.

18.3 The owner has the right to appeal against Council's intention **to declare** their dog to be a dangerous or menacing dog. The owner has 7 days from the date of the notice to make their representations to Council.

18.4 The appeal representation and all evidence will be evaluated by the appropriate review panel within Council.

~~18.3~~

18.5 After the expiry of the 7-day notice of intention period, the Authorised Officer must notify the dog's owner whether they intend to declare the dog dangerous or menacing.

18.418.6 The owner of a **menacing** dog must comply with the following requirements:

- The dog must be desexed
- The dog must be registered
- The dog must not be in the sole charge of someone under 18 years of age
- Signs must be displayed on the property showing the words "Warning Dangerous Dog" in letters clearly visible from the boundaries of the property.
- The dog must wear a distinctive collar as prescribed by the *Companion Animals Regulation 2018*.
- When the dog is away from its property it has a muzzle securely fixed on its mouth that will prevent it from biting any person or animal
- During any period that the menacing dog is not under the effective control of a person of or above the age of 18 years, the dog must be enclosed in a manner that is sufficient to ~~retrain-restrain~~ the dog and prevent a child from having access to the dog.

18.518.7 The owner of a **dangerous** dog must comply with the following requirements:

- The dog must be desexed
- The dog must be registered
- Signs must be displayed on the property showing the words "Warning Dangerous Dog" in letters clearly visible from the boundaries of the property.
- The dog must wear a distinctive collar as prescribed by the *Companion Animals Regulation 2018*.
- Ensure that at all times when the dog is away from the property where it is ordinarily kept it is under effective control of some competent person by means of an adequate chain, cord or leash
- Ensure that at all times when the dog is away from the property where it is ordinarily kept it has a muzzle securely fixed on its mouth that will prevent it from biting any person or animal
- Ensure that the dog is kept in the prescribed enclosure, in accordance with *Companion Animals Act 1998*

## 19. Applications seeking to revoke a declaration that a dog is menacing or dangerous

19.1 Once a declaration has been in place for 12 months, the dog owner can apply to Council to revoke the declaration that their dog is menacing or dangerous dog. Such applications will be reviewed on a case by case and merit basis. Any revocation is at the full discretion of Council and its Authorised Officers.

~~19.1~~

## 20. Restricted dogs

20.1 The owner of a restricted dog must comply with the following requirements:

- The dog must be desexed
- The dog must be registered

ORD02

Attachment 2

- The dog must not be in the sole charge of someone under 18 years of age
- Signs must be displayed on the property showing the words "Warning Dangerous Dog" in letters clearly visible from the boundaries of the property
- The dog must wear a distinctive collar as prescribed by the *Companion Animals Regulation 2018*
- Ensure that at all times when the dog is away from the property where it is ordinarily kept it is under effective control of some competent person by means of an adequate chain, cord or leash
- Ensure that at all times when the dog is away from the property where it is ordinarily kept it has a muzzle securely fixed on its mouth that will prevent it from biting any person or animal
- Ensure that the dog is kept in the prescribed enclosure in accordance with the *Companion Animals Act 1998*

20.2 Restricted dogs may include cross-bred dogs.

20.3 A dog owner may request a review of the breed classification applied to their animal. The owner will be required to provide an independent breed assessment report. This report and any other submissions made by the owner will be considered by Council in its assessment of whether a reclassification may be appropriate.

~~20.3~~

□ \* \* \*

**RELEVANT LEGISLATIVE INSTRUMENTS:** *Local Government Act 1993 (NSW)*  
*Companion Animals Act 1998 (NSW)*  
*Companion Animals Regulation 2018 (NSW)*  
*Impounding Act 1993 (NSW)*

**RELATED POLICIES, PLANS AND PROCEDURES:** Compliance and Enforcement Policy  
 Privacy Management Plan

**RESPONSIBLE DIRECTOR:** Director Planning and Environment

**APPROVAL:** Council

**HISTORY:**

Version	Approved by	Changes made	Date	EDMS Number
1	Council	New		

ORD03

Attachment 4



# DRAFT ON-SITE SEWAGE MANAGEMENT POLICY P2.0199.1

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## ON-SITE SEWAGE MANAGEMENT POLICY

**DIVISION:** Planning and Environment

**BRANCH:** Environment and Regulatory Services

**CATEGORY:** 2

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<b>PART 1 - INTRODUCTION</b> .....	<b>4</b>
1. <b>BACKGROUND</b> .....	<b>4</b>
2. <b>OBJECTIVE</b> .....	<b>4</b>
3. <b>SCOPE</b> .....	<b>5</b>
4. <b>EXEMPTIONS</b> .....	<b>5</b>
5. <b>VARIATIONS</b> .....	<b>5</b>
6. <b>RELATIONSHIP TO OTHER DOCUMENTS</b> .....	<b>5</b>
7. <b>DEFINITIONS</b> .....	<b>6</b>
<b>PART 2 - POLICY STATEMENT</b> .....	<b>6</b>
8. <b>APPROVAL TO INSTALL AN ON-SITE SEWAGE MANAGEMENT SYSTEM</b> .....	<b>6</b>
8.1 <b>INSTALLATION APPROVALS</b> .....	<b>6</b>
8.2 <b>PERFORMANCE CONSIDERATIONS</b> .....	<b>6</b>
8.3 <b>ASSESSMENT PROCESS</b> .....	<b>7</b>
8.4 <b>APPLICATION TO INSTALL PROCESS</b> .....	<b>7</b>
8.5 <b>REQUIREMENT FOR AN OSSM SYSTEM TO BE ACCREDITED</b> .....	<b>7</b>
8.6 <b>DESIGN WASTEWATER FLOW ALLOWANCES</b> .....	<b>8</b>
8.7 <b>SIZING OF EFFLUENT APPLICATION AREAS</b> .....	<b>8</b>
8.8 <b>RESERVE AREAS</b> .....	<b>8</b>
8.9 <b>DESIGN OF RELATED EFFLUENT APPLICATION AREAS (REAA)</b> .....	<b>9</b>
8.10 <b>BUFFER DISTANCES</b> .....	<b>10</b>
8.11 <b>RISERS</b> .....	<b>13</b>
8.12 <b>FLOOD POTENTIAL</b> .....	<b>13</b>
8.13 <b>PUMP-OUT SYSTEMS</b> .....	<b>14</b>
8.14 <b>DUAL OCCUPANCY &amp; SECONDARY DWELLINGS</b> .....	<b>14</b>
8.15 <b>SUBDIVISIONS</b> .....	<b>15</b>

ON-SITE SEWAGE MANAGEMENT POLICY  
Adopted by Council:

Next Review Date: dd/mm/yyyy  
EDMS #:

Page 2 of 38

8.16	COMMERCIAL SYSTEMS.....	16
8.17	COMMISSIONING OF A SYSTEM.....	16
9.	APPROVAL TO OPERATE .....	16
9.1	APPROVAL REQUIRED TO OPERATE A SEWAGE MANAGEMENT SYSTEM .....	16
9.2	INSPECTION REGIME .....	17
9.3	ADDITIONAL REQUIREMENTS FOR AERATED WASTEWATER TREATMENT SYSTEMS (AWTS) .....	17
9.4	FAILING SYSTEMS.....	18
9.5	FAILING SYSTEMS – WITHIN THE STATE GOVERNMENT DESIGNATED GROWTH AREAS. ....	18
9.6	RESPONSIBILITY OF THE OWNER OR OCCUPIER .....	18
10.	CONNECTING TO MAINS SEWER (SYDNEY WATER).....	<u>1918</u>
10.1.1	EXISTING SEWERED AREAS .....	19
10.1.2	NEWLY SEWERED AREAS.....	19
11.	REUSING GREYWATER.....	19
12.	FEES AND CHARGES .....	<u>2019</u>
13.	POLICY REVIEW AND AMENDMENTS.....	<u>2019</u>
	APPENDIX 1: DEFINITIONS .....	<u>2120</u>
	APPENDIX 2: APPLICATION TO INSTALL AN ON-SITE SEWAGE MANAGEMENT SYSTEM FLOWCHART.....	<u>2625</u>
	APPENDIX 3: MATTERS TO ACCOMPANY APPLICATIONS FOR APPROVAL TO INSTALL, CONSTRUCT OR ALTER ON-SITE SEWAGE MANAGEMENT SYSTEMS: <u>2726</u>	
	APPENDIX 4: SAMPLE SITE PLANS:.....	<u>2827</u>
	APPENDIX 5: TRANSPIRATION BED:.....	<u>3029</u>
	APPENDIX 6: EXAMPLE OF BED / MOUND REQUIREMENTS.....	<u>3231</u>
	APPENDIX 7: MATTERS TO ACCOMPANY APPLICATIONS TO INSTALL, CONSTRUCT OR ALTER COMMERCIAL SEWAGE MANAGEMENT SYSTEMS .....	<u>3332</u>
	APPENDIX 8: APPROVAL TO OPERATE PROCESS FLOWCHART .....	<u>3736</u>

## PART 1 - INTRODUCTION

### 1. BACKGROUND

- 1.1 Camden Local Government Area (LGA) covers an area of approximately 206 square kilometres and is approximately 61km south west of the Sydney CBD. It is estimated that there are approximately 3000 on-site sewage management (OSSM) systems installed within the Camden LGA.
- 1.2 Existing OSSM systems vary greatly in age, design, installation, user loading and operation. User knowledge and maintenance standards greatly influence the performance of these systems.
- 1.3 At the time of writing this policy, the unsewered areas of Camden include parts of Cobbitty, Catherine Field, Bringelly, Cawdor, Rossmore, Leppington, Bickley Vale, Ellis Lane, Grasmere, Kirkham, sections of Elderslie and Spring Farm as well as isolated streets/properties where Sydney Water Corporations (SWC's) reticulated sewerage is unavailable.
- 1.4 Council is committed to implementing a program that regulates the installation and ongoing operation of OSSM systems to ensure best practice and to protect public health and the environment.
- 1.5 This policy seeks to:
  - Adopt a partnership approach with property owners, installers and service agents to support continual improvement and sustainable on-site sewage management
  - Define Council's role in the effective regulation of OSSM systems in the Camden LGA to protect public health and the environment
  - To set out the criteria and objectives for the assessment of OSSM systems
  - To set out the processes for the approval and installation of new OSSM systems and the on-going operation of OSSM systems
  - Assist Council to prioritise resources for the efficient regulation and monitoring of OSSM systems within the LGA.

### 2. OBJECTIVE

- 2.1 The objectives of this policy are to ensure that OSSM systems in the Camden LGA make appropriate provision for the following:
  - Preventing the spread of disease by micro-organisms
  - Preventing the spread of foul odours
  - Preventing contamination of water
  - Preventing degradation of soil and vegetation
  - Discouraging insects and vermin



- The *Local Government Act 1993*
- The *Local Government (General) Regulation 2005*
- The Environment and Health Protection Guidelines for On-site Sewage Management for Single Households
- The *Protection of the Environment Operations Act 1997*
- The NSW Guideline for Greywater Reuse in Sewered, Single Household Residential Premises
- Designing and Installing On-Site Wastewater Systems – Water NSW
- Australian Standards:
  - (AS/NZS 1547:2012) On-Site Domestic Wastewater Management
  - (AS/NZS 1546:1998) On-Site Domestic Wastewater Treatment Units
  - (AS/NZS 3500) Plumbing and Drainage.

6.2 In the event that relevant legislation, guidelines or Australian Standards are revised after the adoption of this policy, the revised documents are to replace the repealed documents.

## 7. DEFINITIONS

7.1 Refer to Appendix 1 of this policy.

## PART 2 - POLICY STATEMENT

### 8. APPROVAL TO INSTALL AN ON-SITE SEWAGE MANAGEMENT SYSTEM

#### 8.1 INSTALLATION APPROVALS

8.1.1 The installation, construction or alteration of an OSSM system requires approval from Council under section 68 of the *Local Government Act 1993*. An application to install/construct/alter shall be made to Council for:

- Any new installations
- Any alterations to existing installations (including any additional drainage works or increase in the number of bedrooms to an existing dwelling).

#### 8.2 PERFORMANCE CONSIDERATIONS

8.2.1 Council will consider the following during site assessments for installation approvals:

- Impacts, or potential impacts, on the water catchment
- Impacts, or potential impacts on public health and the environment

- Suitability of the site
- Suitability of any proposed or existing systems.

### 8.3 ASSESSMENT PROCESS

8.3.1 The assessment process related to an application to install an OSSM system is detailed in Appendix 2 of this policy.

8.3.2 Council will make determination of an application within 40 days in accordance with the requirements of section 105 of the *Local Government Act 1993*.

Note: This timeframe is suspended when additional information is requested by Council. Where additional information is required, Council will write to the applicant and request further details.

8.3.3 The application will then be:

- **Approved** subject to conditions of consent and amendments where required, or
- **Refused** if it is established that the proposal would not provide a satisfactory level of human health protection and environmental wellbeing. Council will provide details supporting the decision to refuse an application.

#### NOTE:

- An applicant or his/her contractor shall not commence work on the installation of an OSSM system until an Approval to Install a sewage management system has been obtained from Council.
- Council is both the Consent Authority and Certifying Authority for the approval and installation inspections associated with OSSM systems covered by this policy.

### 8.4 APPLICATION TO INSTALL PROCESS

8.4.1 Prior to submitting an application to install an OSSM system for a domestic premises the owner is required to obtain the Sustainable Effluent Application Area (SEAA) required for their site from Council. This information is obtained by submitting a Request for a SEAA form to Council and paying the prescribed fee. The Request for a SEAA form can be downloaded from Council's website.

8.4.2 When submitting an Application to Install, Construct or Alter a Sewage Management System, the applicant shall ensure that it is accompanied by the supporting documentation detailed in Appendix 3 of this policy.

### 8.5 REQUIREMENT FOR AN OSSM SYSTEM TO BE ACCREDITED

8.5.1 Council will only approve domestic systems that are accredited by NSW Health.

## 8.6 DESIGN WASTEWATER FLOW ALLOWANCES

8.6.1 To ensure adequate treatment capacity of the proposed treatment system, the following design wastewater flow allowance is to apply, unless otherwise stated by Council.

- **Residential development number of people (equivalent persons):** For residential development, the design daily flow calculations shall be based on the maximum potential occupancy of the dwelling, being the number of bedrooms plus two. Council reserves the right to increase the occupancy rate per bedroom for larger dwellings where Council believes the base figures are insufficient for the size and design of the dwelling.

Council may classify studies and other rooms that have the potential to be used as sleeping rooms as bedrooms.

- **For commercial development:** Design flow allowances shall comply with the relevant Australian Standards and guidelines.

## 8.7 SIZING OF EFFLUENT APPLICATION AREAS

- For all sites, the minimum area permitted for onsite disposal of effluent shall comply with the SEAA provided by Council.
- Council does not accept the submission of wastewater reports for domestic allotments unless there are extenuating circumstances in which case Council may request one. Any such request shall be at the discretion of Council. Prior to preparing any wastewater report, the owner shall seek pre-lodgment advice from Council's Environmental Health Officers.
- A reserve area must be incorporated into the design of all systems.
- For existing Council approved AWTS that require tank replacement due to structural or performance failure, Council may consider allowing the previously approved effluent application area design and sizing to remain. This shall be at the discretion of Council and will only be considered if Council deems that the performance of the existing related effluent application is satisfactory.

## 8.8 RESERVE AREAS

8.8.1 A reserve area is an area set aside to accommodate future replacement related effluent application areas. The reserve area is not required to be installed at the time of the OSSM system installation. However, no development is permitted on the reserve area and this land is to be made available if required in the future for effluent disposal.

### 8.8.2 Sizing of Reserve Areas:

- For an AWTS with fixed or semi-fixed surface spray or subsurface drip irrigation, the reserve area shall be 50% the size of the primary area.
- Where the disposal area incorporates the use of evapo-transpiration beds, transpiration beds, trenches or mounds, irrespective of system

type, the minimum reserve area required is 100% of the total primary area plus sidewall allowance.

8.8.3 The reserve area shall be protected from any development that would prevent it being used in the future.

## 8.9 DESIGN OF RELATED EFFLUENT APPLICATION AREAS (REAA)

8.9.1 The design of any REAA must comply with the relevant Australian Standards and Guidelines detailed in section 6 of this policy. REAAs shall be located on natural ground only (i.e. not to be located on cut or filled land).

### 8.9.2 IRRIGATION DESIGN – applicable to secondary treated effluent only

- For AWTS irrigation areas: fixed surface spray, or sub-surface drip irrigation shall be used. The irrigation of treated effluent from the AWTS shall be restricted to within a designated REAA. Appendix 4 of this policy shows the detail that is to be provided on a site plan for fixed spray or subsurface drip irrigation.
- Council may consider the use of semi-fixed irrigation only if the following are complied with:
  - The property is not located within an Environmentally Sensitive Area.
  - The distribution line shall be buried between the tank(s) and the REAA.
  - The REAA shall be designed to incorporate quick release coupling valves (QCV) whereby a maximum 15m irrigation line shall be attached with a minimum of two sprinklers per line.
  - The applicant shall demonstrate that the REAA consists of a sufficient number of quick release coupling valve points to ensure even coverage of the entire REAA.
  - Moveable hoses shall be limited in length so that they are not able to extend outside the boundaries of the REAA.
  - The pump within the AWTS shall be suitably sized for the proposed use.
  - Compliance with the buffer distances detailed in section 8.10 of this policy can be demonstrated.

### 8.9.3 EVAPORATIVE TRANSPIRATION AREA (ETA) BEDS, TRANSPIRATION BEDS AND MOUNDS:

The design of the beds or mounds must comply with Australian Standards.

- Transpiration bed design for a conventional system must comply with Appendix 5 of this policy.
- ETA beds connected to an AWTS shall be pressure dosed and

designed in accordance with the 'Designing and Installing On-Site Wastewater Systems – Water NSW'.

- When designing an OSSM system using ETA beds, transpiration beds or mounds, it is recommended that the design incorporates the use of two or more beds or mounds (refer to Appendix 6).

This will assist in managing hydraulic loading during periods of wet weather or peak use and will allow resting of effluent application areas, in turn promoting longevity of the REAA.

- Council may consider the installation of a single bed where the total size does not exceed the recommended maximum length or width specified in the Australian Standards.

## 8.10 BUFFER DISTANCES

8.10.1 Buffer distances are the setback requirements (measured in metres) between the effluent disposal area and other features on a site or surrounding area. They are designed to ensure that your OSSM system is operating with minimal impact on public health and the environment.

8.10.2 Buffer distances may vary depending on the type of system and level of treatment of the wastewater.

Table 1: STANDARD BUFFER DISTANCES

SYSTEM	BUFFER DISTANCES – PRIMARY TREATED EFFLUENT	BUFFER DISTANCES – MINIMUM OF SECONDARY TREATED EFFLUENT
all land application systems	<ul style="list-style-type: none"> <li>• 100 metres to permanent surface waters (river, stream, lake etc.).</li> <li>• 250 metres to domestic groundwater well.</li> <li>• 40 metres to other waters (farm dams, intermittent waterways and drainage channels).</li> </ul>	<ul style="list-style-type: none"> <li>• 100 metres to permanent surface waters (river, stream, lake etc.).</li> <li>• 250 metres to domestic groundwater well.</li> <li>• 40 metres to other waters (farm dams, intermittent waterways and drainage channels).</li> </ul>
surface spray irrigation (including semi-fixed)	not applicable	<ul style="list-style-type: none"> <li>• 6 metres if area up-gradient and 3 metres if area down-gradient of driveways and property boundaries.</li> <li>• 15 metres to dwellings and any other habitable building.</li> <li>• 3 metres to paths and walkways.</li> <li>• 6 metres to swimming pools and any other non-habitable building or structure.</li> <li>• 40m to any market garden</li> </ul>
sub-surface irrigation or surface drip and trickle irrigation	not applicable	<ul style="list-style-type: none"> <li>• 6 metres if area up-gradient and 3 metres if area down-gradient of swimming pools, property boundaries, driveways, dwellings and any other non-habitable building or structure.</li> <li>• 20 metres if area up-gradient and 10 metres if area down-gradient of any market garden.</li> </ul>
absorption or evapo-transpiration or mound system	<ul style="list-style-type: none"> <li>• 12 metres if area up-gradient and 6 metres if area down-gradient of property boundary.</li> <li>• 6 metres if area up-gradient and 3 metres if area down-gradient of swimming pools, driveways and buildings.</li> <li>• 20 metres if area up-gradient and 10 metres if area down-gradient of any market garden.</li> </ul>	<ul style="list-style-type: none"> <li>• 6 metres if area up-gradient and 3 metres if area down-gradient of swimming pools, property boundaries, driveways and buildings.</li> <li>• 20 metres if area up-gradient and 10 metres if area down-gradient of any market garden.</li> </ul>
<p>NOTES:</p> <ol style="list-style-type: none"> <li>1. Primary and Secondary Treated Effluent relates to effluent quality discharge at the exit of the tank prior to being applied to the land application area (REAA).</li> <li>2. Buffer distances shall be measured in a direct line from the feature to the disposal area/tank(s).</li> <li>3. Council may impose additional site specific buffer distances.</li> <li>4. Council will assess each application and or existing commercial system based on its merits.</li> </ol>		

### 8.10.3 ADDITIONAL BUFFER DISTANCES

#### 8.10.3.1 Market gardens:

Any proposed new system or replacement system for a property that incorporates market gardens shall comply with the following:

- The REAA is required to be fenced.
- Fruit/vegetables/herbs or any consumables are not to be grown on top of or within the designated REAAs and associated buffer zones.

- The REAA is required to be turfed unless sufficient existing ground cover (grass) is provided.

**NOTE:** As an alternative for a property with existing market gardens and an OSSM system which requires upgrading or replacement, Council may consider the installation of a pump-out system. In this instance the dwelling may need to be provided with a separate water meter (sub-meter/check meter).

#### **8.10.3.2 Properties located adjacent to an existing market garden:**

Any proposed new system or replacement system for a property that is located adjacent to an existing market garden shall be required to comply with the buffer distances detailed in Part 2 – Section 8.10 of this policy. Where compliance with this requirement is unable to be achieved, Council may condition alternative requirements such as buffer zone plantings and or alternative application methods.

#### **8.10.3.3 Retaining Walls:**

A minimum buffer distance of three metres or 45<sup>0</sup> angle from toe of wall (whichever is greater) is required between any retaining wall and REAA.

#### **8.10.3.4 Inground Water Tanks:**

- Where the inground water tank is not being used as a potable water source the OSSM system shall be a minimum of six (6) metres downslope from any in-ground water storage tank.
- Where the inground water tank is being used as a potable water source the OSSM system shall be a minimum of fifteen (15) metres from any inground water storage tank.
- The overflow from any water tank shall be directed away and downslope of any OSSM system (including tank and REAA).
- The overflow from any water tank shall not be piped through the REAA.
- Where water tanks provide water for potable/domestic use separation distance between services shall comply with Australian Standards.

#### **8.10.3.5 Septic Tanks & Treatment Tanks:**

- A minimum buffer distance of five metres shall be provided between any septic and or treatment tank(s) and any property boundary.
- The septic and or treatment tanks must be located a minimum of 2.5 metres from any dwelling, habitable building or other structure.

**NOTE:** This figure is based on the assumption that the installation will be in clay soils where the angle of repose is 45<sup>0</sup>,

(i.e. the depth of the tank is equal to the distance to the base of the footings of the dwelling).

- Where possible, the location of the tank(s) is expected to comply with the buffer distances as detailed in Table 1 for permanent surface waters, groundwater wells and other waters.
- The location of the tank(s) shall be a minimum of six metres from any market garden.
- The join between the tank and the tank lid shall be 100mm above ground level to prevent the ingress of surface water.
- Where risers are installed, the manufacturer may be required by Council to provide certification (in writing) that suitable safe access will still be provided for servicing.

### 8.11 RISERS

8.11.1 Septic tank(s) and or treatment tank(s) shall be appropriately located on the site to eliminate or minimise the need for the use of risers. Where the site constraints require the use of a riser ring, compliance with the following shall be demonstrated:

- Single whole-of-tank risers shall be used (individual man hole risers will not be accepted).
- Risers shall be appropriately cast, fitted and sealed and shall be protected against lateral movement and ingress of water.
- Risers shall ensure that the design of the system is serviceable (all serviceable components of the system shall be raised to the tank lid opening).
- Risers used shall be designed and installed in accordance with AS/NZS 1546:2008.

### 8.12 FLOOD POTENTIAL

- 1% AEP (1:100) Flood Contours  
The location of the onsite wastewater treatment facility (tanks) shall be above the 1% AEP (1:100) flood contour (the tank(s) shall be located above the flood line on flood free land).
- 5% AEP (1:20) Flood Contours  
No portion of the REAA is permitted to be located below the 5% AEP (1:20) flood contour.
- Where there is potential for the REAA to be inundated by surface water run-off from roads or other properties, swales or bunding shall be constructed upslope of the application area to direct the water around such areas.
- Where an existing system servicing an existing development is to be renewed on an allotment that is unable to comply with this section of this policy, a wastewater report shall be provided by a suitably qualified

wastewater consultant to support the application. The wastewater report shall consider the effects of flooding on the proposed system's tank(s) and disposal area and provide mitigation measures to minimise the impacts of flooding on the system.

### 8.13 PUMP-OUT SYSTEMS

8.13.1 Pump-out systems are not considered to be a viable nor sustainable on-site wastewater management technique and as such will be considered as the last option and only on existing sites where existing site constraints or environmental or health risks preclude other options.

- New development that relies on the use of a pump-out system will not be supported by Council.
- Council will not consider pump-out systems unless suitable safe road access for the pump-out truck can be provided.
- Applications for a pump-out system must comply with the following:
  - The pump-out system shall consist of a septic tank and collection well.
  - The collection well shall be sized to contain a minimum of one week's daily flow plus an additional minimum 25% safety factor.
  - The collection well shall be suitably anchored during installation in accordance with the manufacturer's recommendations to prevent hydrostatic uplift after removal of effluent.
  - The system shall be pumped out weekly (unless otherwise approved by Council).
  - A suitable service provider is to be engaged to pump-out the tank/s and dispose of the waste at a licensed wastewater facility.
  - A 50mm draw off line shall be provided to the front property boundary.
  - The draw off line shall be fitted with a gate valve and a cam lock fitting and cap.
  - The pump-out line shall be protected from damage.
  - The holding well shall be fitted with a highwater alarm that is both visual and audible.

### 8.14 DUAL OCCUPANCY & SECONDARY DWELLINGS

8.14.1 Any proposal for a new or altered system for a dual occupancy or secondary dwelling, including both attached and detached dwellings and any other building deemed by Council as self-contained shall comply with the following requirements:

- Each dwelling shall have its own independent sewage management facility, including an independent designated REAA.
- Effluent disposal (for any Aerated Wastewater Treatment System) should be via a sub-soil method.
- Where fixed surface irrigation area(s) are proposed, they must be fenced (including provisions for an access gate) to define the limits of the disposal area and to impede the unintended passage of persons.
- Where a secondary dwelling consists of no more than one bedroom Council may consider the connection of the secondary dwelling to the main dwelling's OSSM system subject to the following criteria being met:
  - Only domestic sized systems up to total 10 Equivalent Population (EP) accredited by NSW Health will be considered.
  - If the existing system is an AWTS and it is greater than five (5) years old, Council may require water quality sampling and testing to be undertaken in accordance with Councils requirements to ensure that the system is operating within its accreditation requirements.
  - EP shall be calculated per dwelling and then added to determine the total EP.
  - Disposal of effluent shall be via a sub-soil method (spray irrigation will not be approved).

#### 8.15 SUBDIVISIONS

- Any proposed unsewered subdivision in the Camden LGA will need to demonstrate that each allotment can comply with the SEAA provided by Council and shall be designed to accommodate a minimum of a four (4) bedroom dwelling. The SEAA required for a proposed subdivision can be obtained by submitting a 'Request for a Sustainable Effluent Application Area – Proposed Subdivision' form to Council and paying the prescribed fee.
- Where a proposed subdivision includes an existing dwelling, the assessment shall demonstrate that the subdivision will not impact on the dwelling's existing OSSM system.
- If the proposed subdivision impacts on any existing OSSM system that services a development which is to remain part of the subdivision, the system will need to be upgraded and/or replaced in accordance with this policy.
- Where the proposed subdivision does not impact on the existing dwelling's OSSM system, it must be demonstrated that sufficient land is available to upgrade the system in accordance with this policy in the event the system fails in the future.

## 8.16 COMMERCIAL SYSTEMS

- 8.16.1 Any proposal not of a domestic nature (including domestic sized systems receiving commercial or industrial type waste), that is expected to receive a daily wastewater volume of between 10EP and 2500EP, is typically regarded as a commercial sewage management system.
- 8.16.2 An application for a Commercial OSSM system must be supported by a wastewater report completed by a suitably qualified wastewater consultant. The wastewater consultant shall ensure that all information detailed in Appendix 7 of this policy is addressed within the wastewater report.
- 8.16.3 Pre-lodgement advice should be sought from Council to confirm the supporting information that needs to be provided before an application form is submitted to 'Install a Commercial Sewage Management System'.

## 8.17 COMMISSIONING OF A SYSTEM

- 8.17.1 Prior to operation of the OSSM system, the system shall be fully commissioned. Commissioning has occurred only when the following has been satisfied:
- On completion of installation of the OSSM system, it shall be inspected and checked by the manufacturer or the manufacturer's agent. The manufacturer or agent is to certify that the system has been installed and commissioned in accordance with its design, conditions of accreditation and any additional requirements specified by Council. Certification shall be provided in writing directly from the manufacturer or agent to Council.
  - Final Council inspection (including approval to operate). The owner and or applicant shall ensure that they have arranged for a final inspection to be conducted by a Council officer. The Council officer will check that the tanks and disposal area have been installed in accordance with the Conditions of Approval issued by Council.

**NOTE:** Council will not issue an approval to operate a sewage management system unless Council has completed a satisfactory final inspection and received a commissioning certificate from the manufacturer or agent for the system.

## 9. APPROVAL TO OPERATE

### 9.1 APPROVAL REQUIRED TO OPERATE A SEWAGE MANAGEMENT SYSTEM

- 9.1.1 Section 68 of the *Local Government Act 1993* states that Council approval is required to operate an OSSM system. This includes both new and existing OSSM systems.
- 9.1.2 Approval to operate inspections are undertaken by Council as part of the following:
- On-going approval to operate inspections across the Camden LGA (refer to appendix 8 of this policy).
  - At the completion of the installation/alteration of an OSSM system.

- Pre-purchase inspection – upon request as part of the change of ownership of an unsewered property.

9.1.3 The Approval to Operate issued by Council expires annually and renewal fees are attached to the annual rates notice for the property. Payment of the annual fee automatically renews the Approval to Operate (unless revoked by Council).

9.1.4 The Approval to Operate an OSSM system is issued to the owner of the property (not the property itself). New owners, either by acquisition of established property or installation of new systems, are therefore required to submit an Application for Approval to Operate an OSSM to Council.

## 9.2 INSPECTION REGIME

9.2.1 Existing installations which, during the course of inspections carried out by Council, are found to be functioning in a manner that meets the applicable performance standards and not requiring alteration, will be given a risk classification. A rating given from the risk assessment inspection will be:

- For domestic systems:
  - Low (requiring re-inspection in six years), or
  - Moderate (requiring re-inspection in four years), or
  - High (requiring re-inspection in two years).
- Commercial systems require annual inspections and will be subject to an hourly inspection rate in accordance with Council's adopted fees and charges.

### NOTE:

- Additional inspections may be carried out at Council's discretion. Additional inspections may incur additional inspection fee(s).
- If Council finds that a condition of the Approval to Operate has not been complied with, Council may modify or revoke the approval, or require remedial works to be undertaken to ensure compliance.
- Council may also issue penalty notices for operating a system without approval or operating a system in a manner other than in accordance with the terms of the approval.

## 9.3 ADDITIONAL REQUIREMENTS FOR AERATED WASTEWATER TREATMENT SYSTEMS (AWTS)

9.3.1 AWTS are required to be serviced by an experienced service agent in accordance with the NSW Health Accreditation issued for the system (service intervals are generally quarterly unless specified otherwise in the accreditation). The service shall be carried out in accordance with the manufacturer's instructions. The system owner is responsible for

organising service inspections for their system and ensuring a copy of the service report is forwarded to Council.

NOTE: The above service requirements also apply to other NSW Health Accredited alternative systems such as Biological Filter Systems.

#### **9.4 FAILING SYSTEMS**

9.4.1 If an OSSM is found to be functioning in a manner which Council deems unsatisfactory (i.e. not operating in accordance with the applicable performance standards), and is a risk to the environment and/or public health, Council will take appropriate action under relevant legislation to address the issues with the system and to ensure that the system operates in a satisfactory manner.

9.4.2 This action is irrespective of whether or not the system is being operated under a current Approval to Operate. If that is the case, Council holds the authority to revoke the Approval to Operate.

#### **9.5 FAILING SYSTEMS – WITHIN THE STATE GOVERNMENT DESIGNATED GROWTH AREAS.**

9.5.1 If a failing OSSM system servicing an existing development is located within a NSW State Government growth area, Council may consider a variation to the requirement of this policy based on the availability/timing of the Sydney Water sewer connection. Such variations may include but are not limited to the following:

- Aggregate used for the replacement transpiration bed – Council may consider the use of recycled aggregate for the construction of the bed instead of blue metal. In such cases the owner of the premises is required to provide written correspondence to Council accepting liability for the reduced lifespan of the bed due to the use of the recycled material.
- Other proposals for replacement systems will be assessed based on their merit and risk.

#### **9.6 RESPONSIBILITY OF THE OWNER OR OCCUPIER**

- It is the responsibility of the homeowner and/or the occupier to ensure that the OSSM system on their property is maintained and operated in a manner which does not pose any risk to public health and/or the environment.
- The owner and the occupier should be aware of the operation and maintenance requirements of their OSSM system and must ensure that the necessary service contracts are in place.
- The owner or occupier must notify Council if their OSSM system is failing prior to arranging the necessary repairs or replacement of the system in accordance with this policy.

## 10. CONNECTING TO MAINS SEWER (SYDNEY WATER)

10.1 Mains sewer systems are provided to ensure safe collection, treatment and disposal of domestic, commercial and industrial wastewater. Properties located within an area that is serviced by a mains sewer are required to be connected to such mains.

### 10.1.1 EXISTING SEWERED AREAS

OSSM systems will not be permitted where a mains sewer is available and a connection is possible.

### 10.1.2 NEWLY SEWERED AREAS

- Properties situated within 75 metres of a sewer main (including newly sewerred areas) will be required to connect to such mains within 12 months of a connection becoming available. Properties that fail to connect may be directed to connect in accordance with the provisions of section 124 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.
- Upon connection of a property to a mains sewer, any existing OSSM system is required to be decommissioned in accordance with the relevant guidelines issued by NSW Health.

### 10.1.3 VARIATION CRITERIA

Where properties are situated within 75m of a sewer main Council will consider allowing an existing OSSM System to remain where it can be demonstrated that:

- The existing system is operating in accordance with:
  - The Approval to Operate issued.
  - Australian Standards and Guidelines as detailed in section 6 of this Policy.
- No changes to the site and or development are proposed that would:
  - Reduce the area available for effluent disposal.
  - Increase the potential occupancy of the existing development (unless it can be demonstrated that the existing REAA complies with section 8.7 of this Policy).
- There will be no environmental or health risks.

Each application will be assessed based on its merits.

## 11. REUSING GREYWATER

11.1 In 2006 the NSW State Government introduced the *Local Government (General) Amendment (Domestic Greywater Diversion) Regulation 2006*. To assist in the application of that regulation, in March 2007 the 'NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises' were introduced.

11.2 The 'NSW Guidelines for Greywater Reuse in Sewered, Single Household Residential Premises' provide advisory information to homeowners or occupiers regarding greywater reuse options. Council has adopted this Guideline for the regulation of greywater reuse in the Camden LGA.

## 12. FEES AND CHARGES

12.1 Council has adopted a fee schedule for cost recovery to cater for the implementation of the policy including inspections, education and administration. The fees for inspections and approvals have been determined in accordance with section 608 of the *Local Government Act 1993*.

## 13. POLICY REVIEW AND AMENDMENTS

13.1 Council is committed to the continual improvement of OSSM systems in the Camden LGA in accordance with current Australian Standards and best practice. This policy is subject to review by Council to ensure that it continues to meet the needs of the community, health and environment.



**Environment**

Surroundings, including natural and physical resources, community and neighbourhood.<sup>5</sup>

**Environmentally Sensitive Area**

As defined in the *Local Government (General) Regulation 2005* and includes any land or area:

- Within 100 metres of a natural waterbody, wetland or coastal dune field, or
- With a high watertable, or
- With highly permeable soils or acid sulphate, sodic or saline soils, or
- Within a drinking water catchment, or
- Within the water catchment area of an estuary where the entrance to the sea is intermittently open.

It also includes any land or area set out in the 'environmentally sensitive area' definition Part 4 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

**Equivalent Population (EP)**

A measure typically used in the design of wastewater management systems. Because there are differences in wastewater generation rates between properties with and without reticulated water supplies, and properties with dry composting toilet technologies, it is usually easier to stipulate design limits by an 'equivalent' number of people rather than the total flow.

**Groundwater**

The body of water in the soil, all the pores of which are saturated with water. If the body of water is present at all times it represents permanent or true groundwater.<sup>6</sup>

**Hydraulic Loading Rate (hydraulic load, hydraulic loading)**

The amount of liquid applied to land over a specified time interval. Can be expressed as either a depth or a volume (with one millimeter of application equal to one litre per square meter)<sup>7</sup>.

**LGA**

Local Government Area.

**New Development**

Includes but is not limited to the following:

- The subdivision of land.
- Change in use of the site (e.g. agricultural use – market garden).
- The erection or extension/modification of a dwelling (including extensions), or other building, swimming pool, shed, awning, pergola, driveway, footpath, or any other site works that will reduce the available area for the disposal of effluent on the site.
- The demolition of a building.

<sup>5</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>6</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>7</sup> Environment & Health protection Guidelines – On-site Sewage Management for single households

- Construction of a dam.

#### **On-site Sewage Management (OSSM) Facility**

A system that stores and treats wastewater on-site (does not include the REAA).

#### **On-site Sewage Management (OSSM) System**

A system (including tanks and related effluent application area) that stores, treats and disposes of wastewater incorporating both the tanks and REAA. Also referred to as an 'on-site sewage management system'.

#### **Potable**

Water of a quality suitable for drinking and domestic use that does not deteriorate on storage and that does not contain pathogenic organisms<sup>8</sup>.

#### **Primary Treated Effluent (Primary Treatment)**

The separation of suspended material from wastewater by settlement and/or flotation in a septic tank prior to the effluent discharge to either a secondary treatment process or to a land application area.<sup>9</sup>

#### **Pump-out**

A septic system where all accumulated wastewater is removed from site by a licensed waste service.

#### **Regulatory Authority**

An authority that is empowered by statute to be responsible for managing or controlling an aspect of on-site domestic-wastewater systems.<sup>10</sup>

#### **Related Effluent Application Area (REAA)**

An area of land specifically designated for the application of effluent.

#### **Reserve Area**

An area set aside for future use as a REAA to replace or extend the original REAA.<sup>11</sup>

#### **Run-off**

The part of the precipitation and/or irrigated effluent that becomes surface flow because it is not immediately absorbed into or detained on the soil<sup>12</sup>.

#### **Secondary Dwelling**

A self-contained dwelling that:

- Is established in conjunction with another dwelling (the *principal dwelling*).
- Is on the same lot of land as the principal dwelling.
- Is located within, or is attached to, or is separate from, the principal dwelling.
- For more information on residential accommodation including secondary dwellings, refer to the Camden Local Environmental Plan 2010 and appropriate State Environmental Planning policies.

#### **Secondary Treated Effluent (Secondary Treatment)**

Aerobic biological processing and settling or filtering of effluent received from a primary

<sup>8</sup> Environment & Health protection Guidelines – On-site Sewage Management for single households

<sup>9</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>10</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>11</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>12</sup> Environment & Health protection Guidelines – On-site Sewage Management for single households

treatment unit. Effluent quality following secondary treatment is expected to be equal to or better than 20mg/L 5-day Biochemical oxygen demand and 30mg/L suspended solids.

### **Septic Tank**

A single or multiple chambered tank through which wastewater is allowed to flow slowly to permit suspended matter to settle and be retained, so that organic matter retained therein can be decomposed (digested) by anaerobic bacterial action in the liquid. The term covers tanks used to treat all-waste, greywater or blackwater.<sup>13</sup>

### **Sewage**

Waste matter that passes through sewers. Sewage includes any effluent of a kind referred to in the definition of waste.

### **Sewerage**

The network of collection drains carrying domestic wastewater or effluent away from properties for off-site treatment.<sup>14</sup>

### **Sewage Management**

Any activity carried out for the purpose of holding or processing, or reusing or otherwise disposing of, sewage or by-products of sewage.<sup>15</sup>

### **Sewage Management Facility**

A human waste storage facility, or a waste treatment device intended to process sewage, and includes a drain connected to such a facility or device. (as defined in the *Local Government (General) Regulation 2005*).

### **Sustainable Effluent Application Area (SEAA)**

The sustainable effluent application area is the area required for sustainable disposal of wastewater and is based on the soil landscapes (as defined by the 1:100000 Penrith and Wollongong Soil Landscape Sheets produced by the Soil Conservation Service of NSW), soil facets, rainfall data and topography of the site, taking into consideration the proposed development of the site and the surrounding land uses. Sustainable effluent application areas are provided by Council to the owner of the property upon request in compliance with the requirements of this policy.

### **Waste**

- Effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or
- Trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or
- Garbage, being all refuse other than trade waste and effluent, and includes any other substance defined as waste for the purposes of the *Protection of the Environment Operations Act 1997*. A substance is not precluded from being waste merely because it is capable of being refined or recycled.

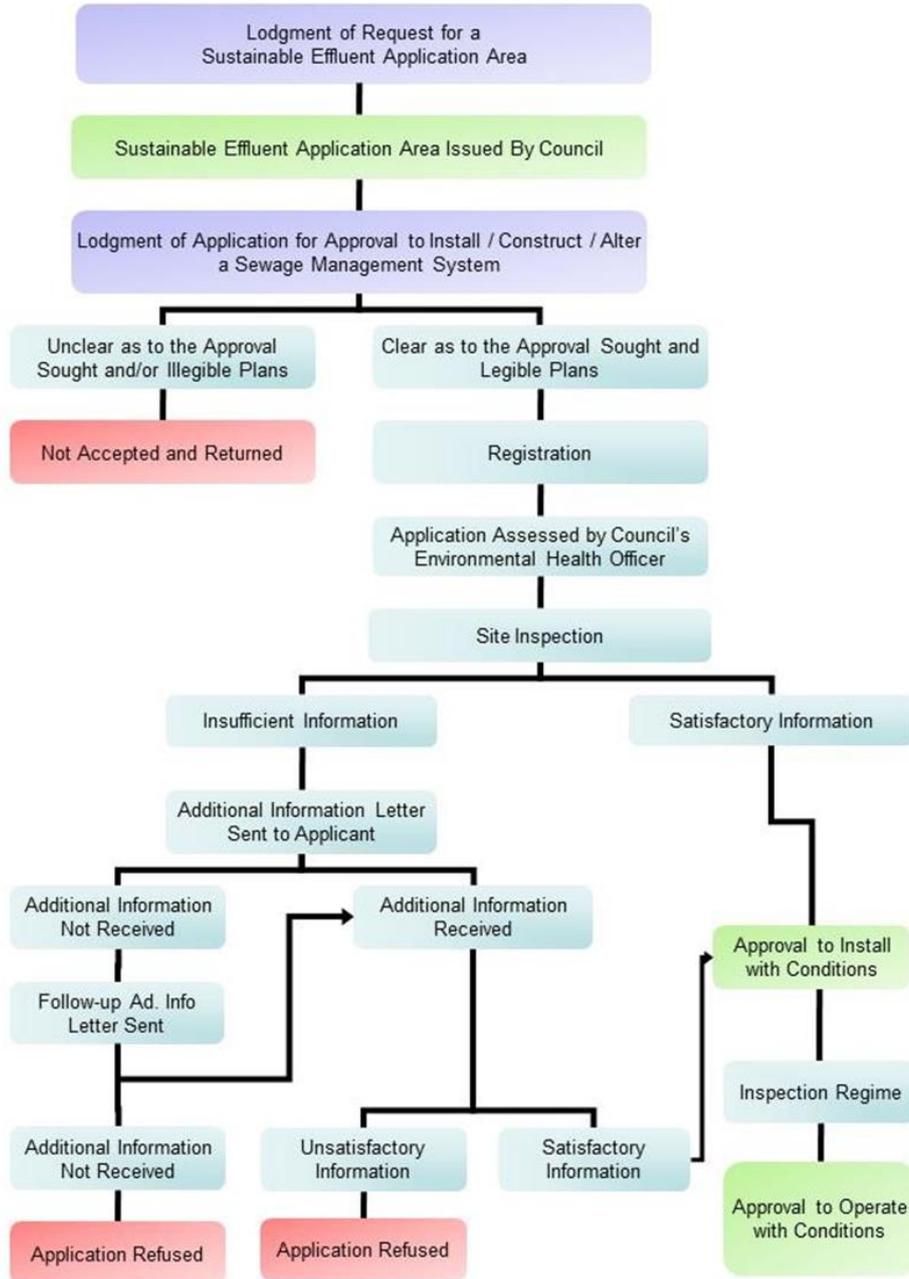
<sup>13</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>14</sup> AS/NZS 1547:2012, Onsite domestic wastewater management

<sup>15</sup> Environment & Health protection Guidelines – On-site Sewage Management for single households



## APPENDIX 2: APPLICATION TO INSTALL AN ON-SITE SEWAGE MANAGEMENT SYSTEM FLOWCHART



## APPENDIX 3: MATTERS TO ACCOMPANY APPLICATIONS FOR APPROVAL TO INSTALL, CONSTRUCT OR ALTER ON-SITE SEWAGE MANAGEMENT SYSTEMS:

### MATTERS TO ACCOMPANY APPLICATIONS FOR APPROVAL TO INSTALL, CONSTRUCT OR ALTER SEWAGE MANAGEMENT SYSTEMS

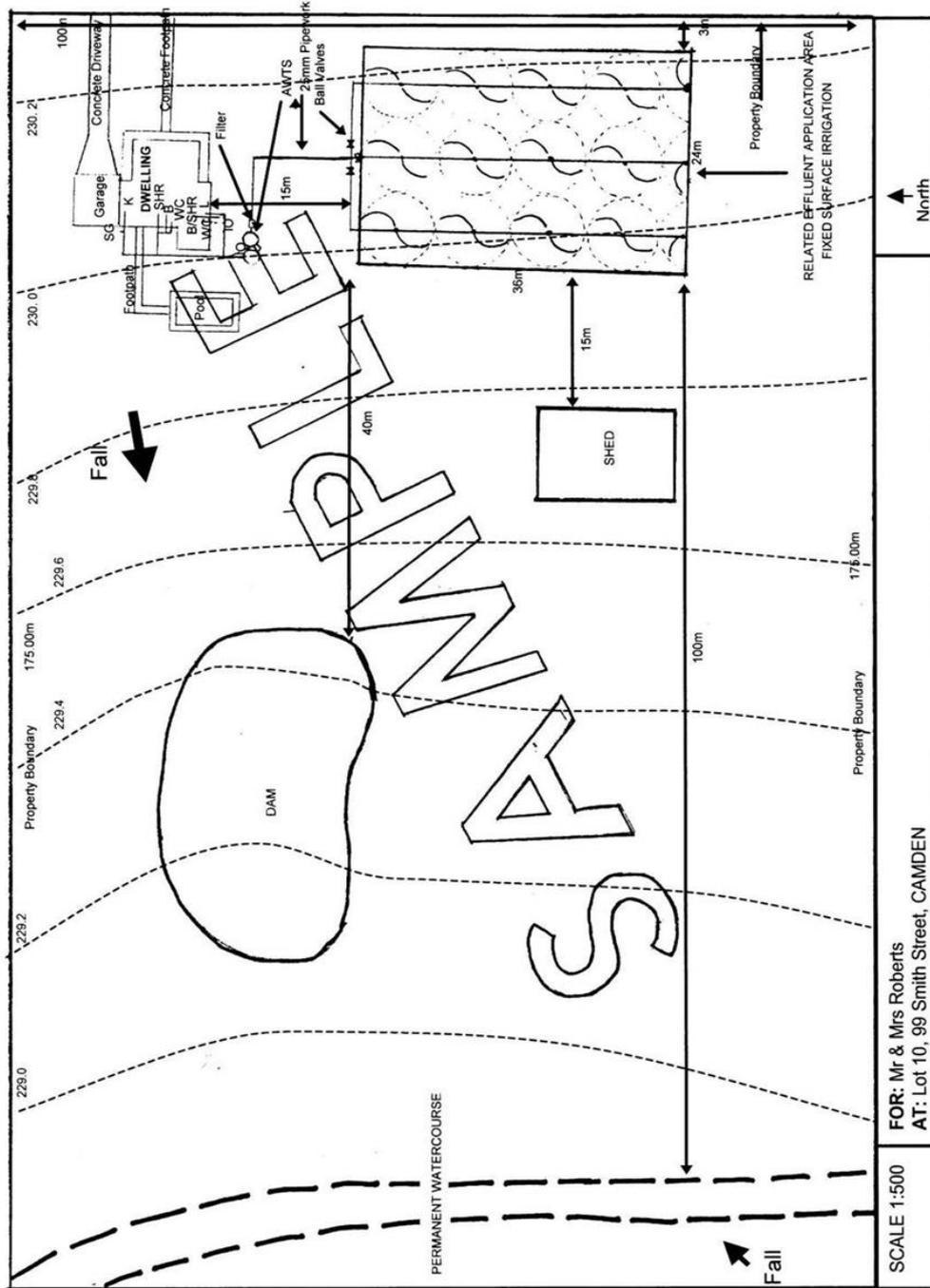
**Note:** It is the statutory responsibility of the applicant to provide documents as specified overleaf to enable Council to determine the application.

Please indicate  documents/information included with this Application.

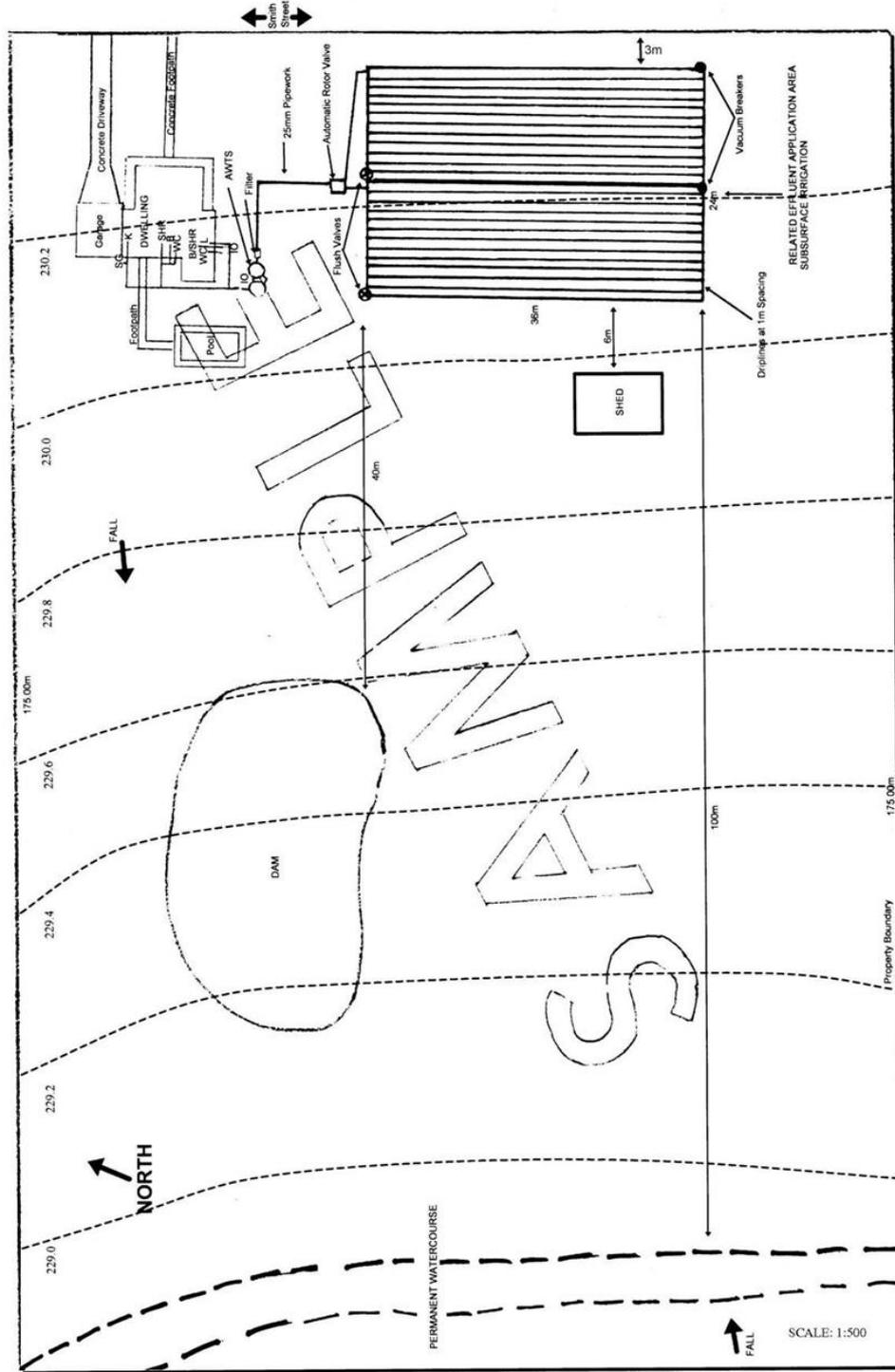
- Sustainable Effluent Application Area.** The owner of the allotment has obtained the sustainable effluent application area required for the allotment from Council. A copy of the sustainable effluent application area required for the allotment is attached to this application.
- Site Assessment.** Details of the topography:
- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Flat        | <input type="checkbox"/> Loams (Varying mix of sand & clay) |
| <input type="checkbox"/> Even Slope  | <input type="checkbox"/> Light Clay                         |
| <input type="checkbox"/> Undulating  | <input type="checkbox"/> Heavy Clay                         |
| <input type="checkbox"/> Steep Slope | <input type="checkbox"/> Exposed Rocks                      |
- vegetation within any effluent application areas related to the sewage management system, together with an assessment of the site in the light of those details.
- Site Plan.** The application must be accompanied by a minimum of three (3) copies of a plan, to scale, showing the location of:
- the sewage management facility proposed to be installed or constructed on the premises, and
  - any related effluent application areas (REAA), including reserve areas (dimensions of REAA(s) shall be displayed in metres), and demonstration of how even distribution of wastewater is to be achieved within the REAA (e.g. for an AWTS with fixed surface irrigation or subsurface drip irrigation the location of all sprinklers or driplines, valves, filters etc), and
  - any buildings or facilities existing on any land located within 100 metres of the sewage management facility or effluent application areas, and
  - any environmentally sensitive areas of any land located within 100 metres of the sewage management facility or effluent application areas, and
  - any related drainage lines or pipe-work (whether natural or constructed, including an external drainage diagram).
- Specifications.** A minimum of three (3) copies of the full specifications of the sewage management facility proposed to be installed or constructed on the premises, including the NSW Department of Health Accreditation Certificate for the system, together with details of the proposed effluent application system(s).
- Operation and maintenance.** (Required for AWTS) Details of:
- the operation and maintenance requirements for the proposed sewage management facility, and
  - the proposed operation, maintenance and servicing arrangements intended to meet those requirements,
  - the action to be taken in the event of a breakdown in, or other interference with, its operation.
- Geotechnical Report** – Should an existing development with specific existing site constraints not be capable of complying with the sustainable effluent application area for the allotment as detailed in the Sewage Management Strategy, the applicant may be required submit a detailed wastewater report prepared by a qualified soil hydraulic consultant. Geotechnical reports will not be accepted unless they have been specifically requested by council.
- NOTE:** The information that is to accompany such applications (and applications for approval to alter a sewage management facility) is to be determined by the council in each particular case. Section 81 of the Local Government Act 1993 provides that an application for an approval under Part 1 of Chapter 7 of that Act (in which category such applications fall) must be accompanied by "such matters as may be prescribed by the regulations and such matters specified by the Council as may be necessary to provide sufficient information to enable the Council to determine the application".
- Application for Approval to Operate** – A completed Application for Approval to Operate a Sewage Management System form must be included with your application.

APPENDIX 4: SAMPLE SITE PLANS:

Site Plan 1: Fixed Surface Spray Irrigation



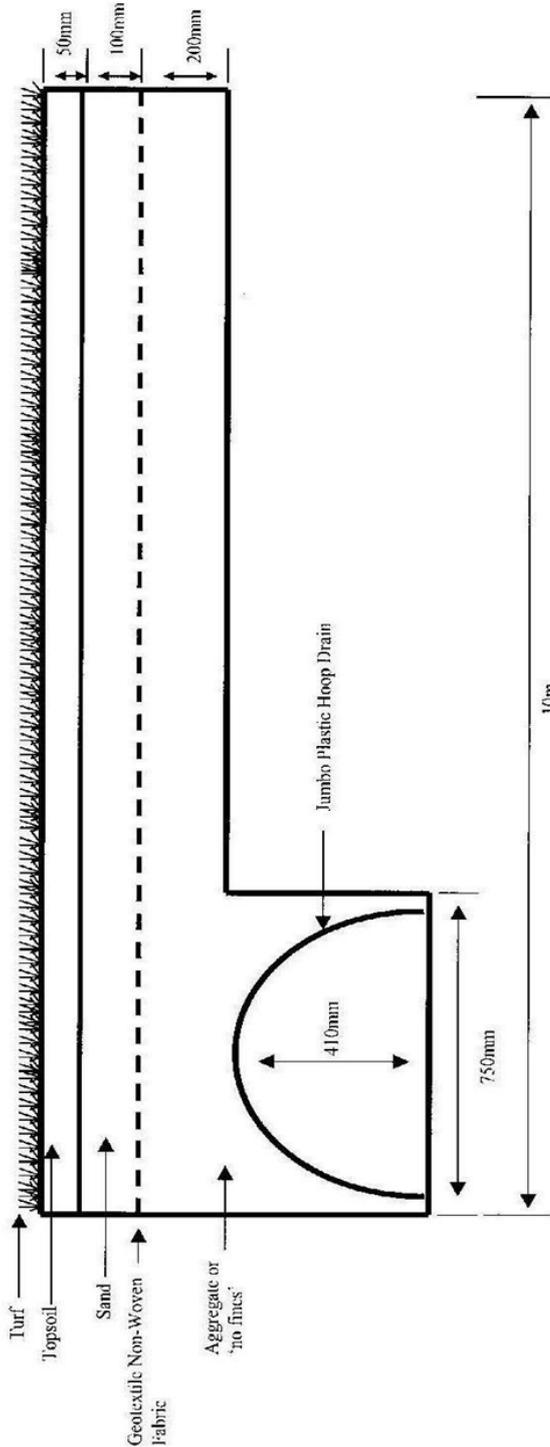
### Site Plan 2: Sub-Surface Drip Irrigation



**APPENDIX 5: TRANSPIRATION BED:**

PLAN VIEW (Not to Scale)

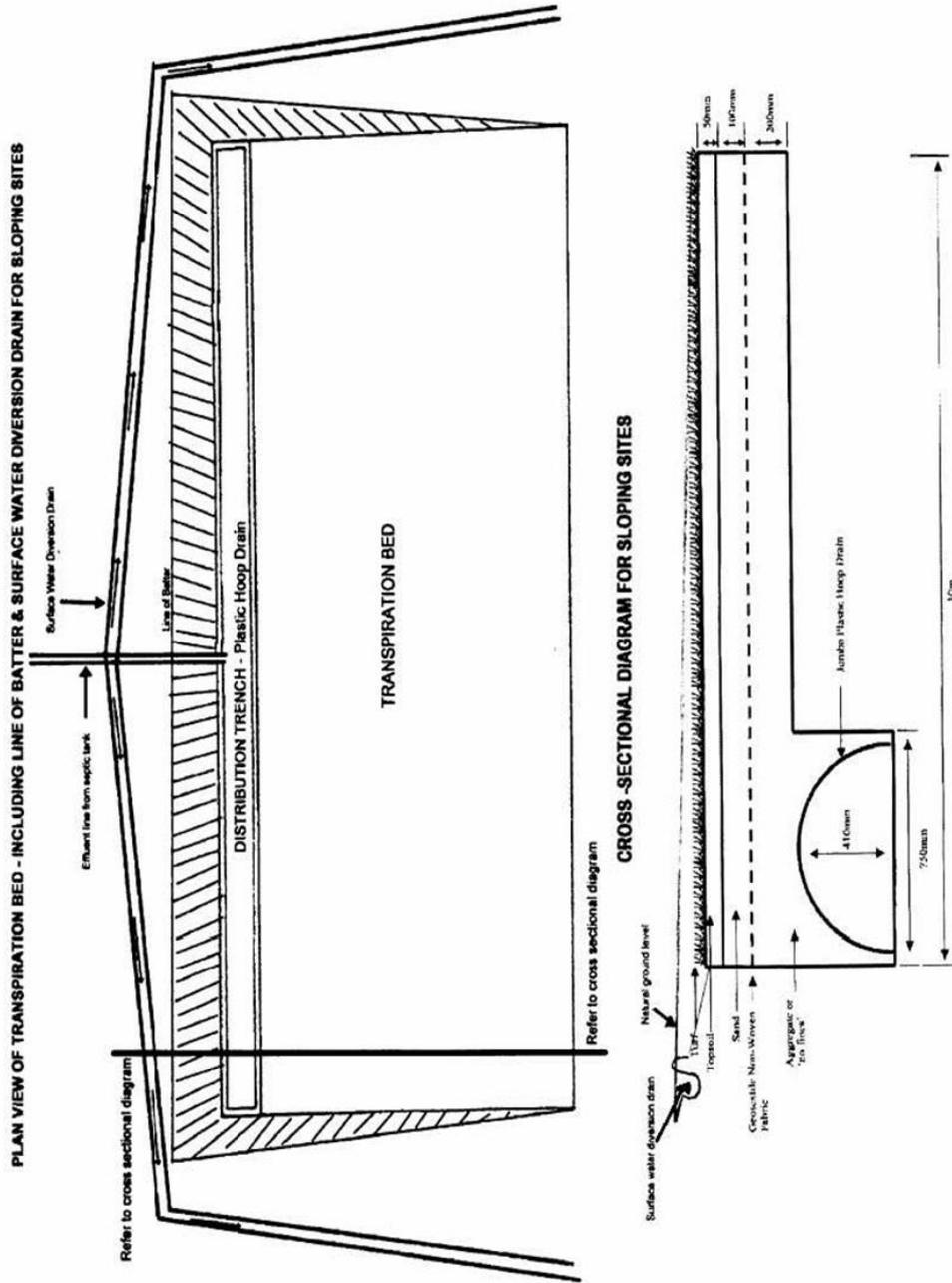
Cross-sectional Diagram of an Evapo-transpiration Bed



**NOTE:**

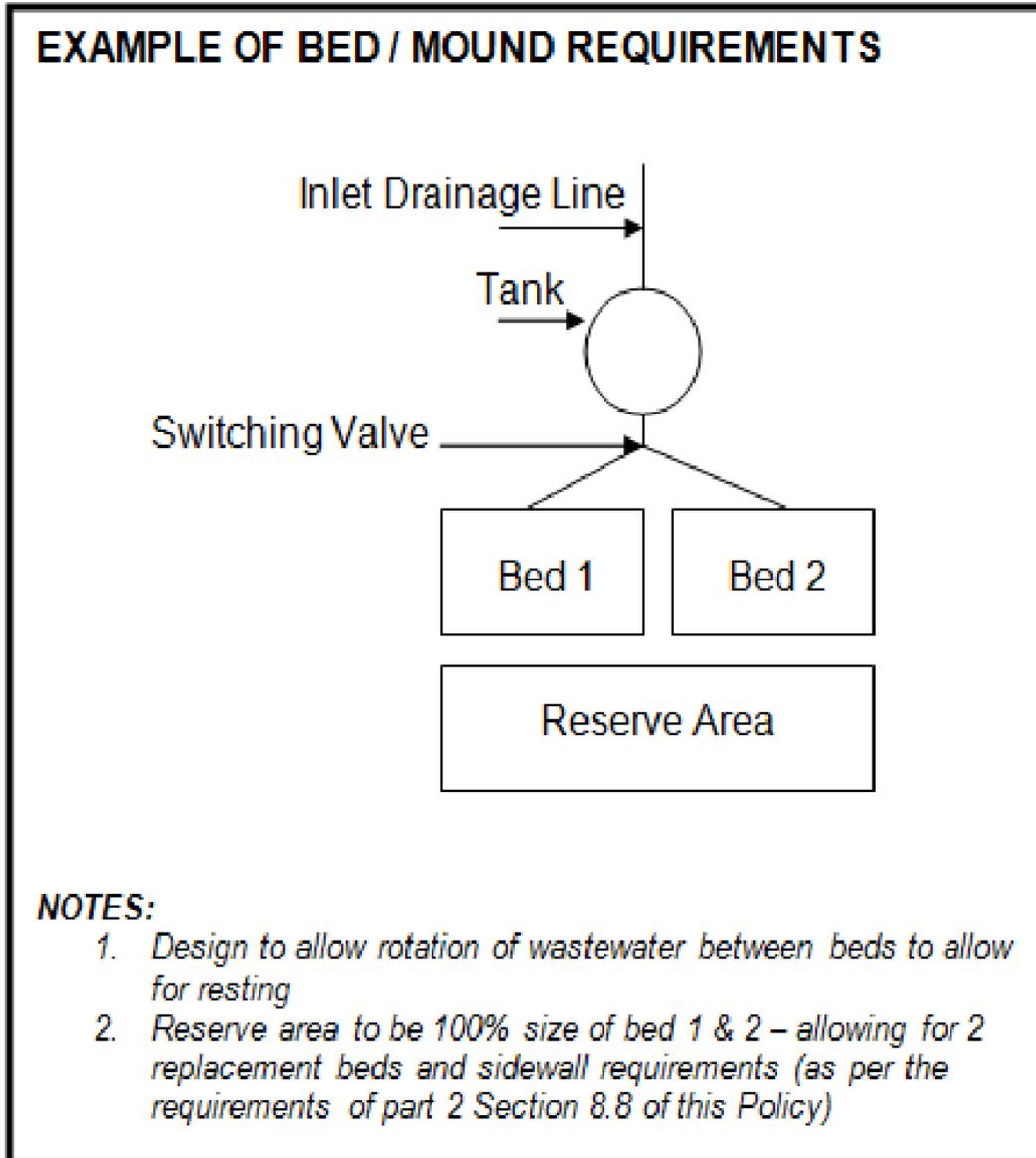
1. Length of Transpiration Bed to comply with Councils site specific effluent application areas
2. T-Bed not suitable on sites with a slope greater than 2.5 Degrees

TOP VIEW (Not to Scale)



NOTE:  
 1. Length of Transpiration Bed to comply with Councils site specific effluent application areas.  
 2. T Bed not suitable on sites with a slope greater than 25 Degree.

## APPENDIX 6: EXAMPLE OF BED / MOUND REQUIREMENTS



## APPENDIX 7: MATTERS TO ACCOMPANY APPLICATIONS TO INSTALL, CONSTRUCT OR ALTER COMMERCIAL SEWAGE MANAGEMENT SYSTEMS

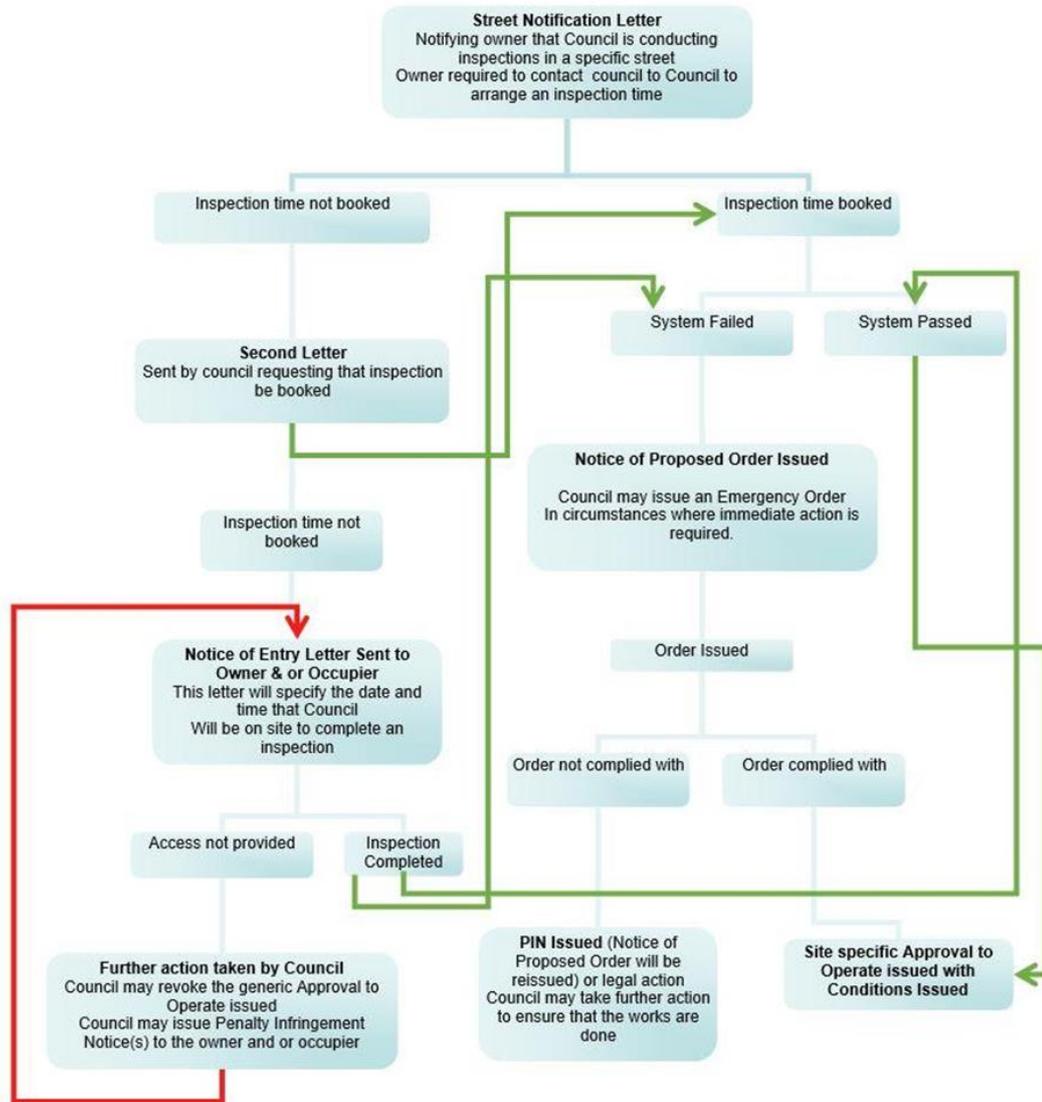
INFORMATION SOUGHT	SPECIFIC DETAILS	REASON
<b>Project description</b>		
A broad outline of the proposal.	Type and size of facility to be served. Proposed installation. Means of utilisation or disposal of the final effluent.	To facilitate a quick initial understanding of the proposal.
<b>Site plans</b>		
A locality plan.	Showing the site location in relation to public roads or places and any natural or artificial waters and proposed buffer zones.	To show the system in relation to adjoining properties and sensitive off-site receptors.
A contoured site plan.	Showing the location of the proposed plant and land application area or discharge point, if applicable, in relation to the principal buildings and the boundaries of the premises.	To facilitate site inspection. To show the system in relation to the on-site structures.
<b>Drainage and stormwater management plans</b>		
	Flood levels.	
	Proposed stormwater management measures, including any proposal to divert stormwater around the site.	To ensure stormwater is kept clear of the treatment system and land application area.
	In the case of industrial and commercial premises Drainage diagram and in the case of a residential development or municipal sewerage scheme a sewerage compilation plan.	To ensure wastewater systems and drainage systems are kept separate and are appropriately treated.
<b>Flow and load assessment</b>		
Details of processes generating load.	List each load generating process (eg, commercial kitchen, laundry etc).	To assess hydraulic, nutrient and organic load.
Size and type of facility to be served.	Types of facility served and per capita flow calculation (L/day) and BOD <sub>5</sub> load (g/day). Calculation of peak flow and average flow.	To determine flow balancing requirement.

INFORMATION SOUGHT	SPECIFIC DETAILS	REASON
<b>Expected wastewater quality</b>		
Quantification of expected influent wastewater quality.	Analysis of or estimated quality of expected wastewater load in terms of: <ul style="list-style-type: none"> <li>• Temperature</li> <li>• pH,</li> <li>• BOD<sub>5</sub> at 20<sup>0</sup>C,</li> <li>• Suspended solids (non-filtrable residue),</li> <li>• Faecal coliforms,</li> <li>• Radioactivity,</li> <li>• Oil, grease, floating solids</li> <li>• Infectious or contagious materials</li> <li>• Restricted substances</li> <li>• Nutrient content (N and P).</li> </ul>	To ascertain the composition of the wastewater and any special provision required of the treatment system.
<b>System selection</b>		
Rationale for and justification of type of system selected	Consider advantages and disadvantages of various system types and limitations of systems.	To ensure appropriate system selection and sizing.
<b>Treatment process description</b>		
Description of treatment process selected.	Schematic flow diagram to show stages in treatment process. Details of major components of treatment system equipment, such as aerators, sprays, pumps, etc and their operating efficiencies.	To ensure integrity and effectiveness of chosen design.
<b>Staged development plan</b>		
Description of staged development, if planned.	Indication of the size and timing of stages of the development served by the package treatment plant.	To ensure compatibility of the overall development with the planned growth of the package treatment plant.
<b>Drawings</b>		
Plan and section drawings of the proposed plant, ponds and baffles, land application area or discharge point.	Inlet and outlet arrangements. Major chambers and components.	To illustrate proposed system type and means of operation.

INFORMATION SOUGHT	SPECIFIC DETAILS	REASON
<b>Estimated load for land application or discharge</b>		
Qualification of expected load for land application or discharge.	Expected maximum volume of load to be land applied or discharged (L/day). Expected average volume of load to be land applied or discharged (L/day). Proposed method of measurement of load to be land applied or discharged. Description of sludge disposal method and estimated quantity of sludge to be generated.	To calculate the size of the required land application area. To calculate load based licence charge. To determine appropriate sludge disposal method.
<b>Expected treated wastewater quality</b>		
Quantification of expected treated wastewater quality.	Analysis of, or estimated quality of expected wastewater load in terms of: <ul style="list-style-type: none"> <li>• Temperature</li> <li>• pH</li> <li>• BOD<sub>5</sub> at 20<sup>o</sup>C</li> <li>• Suspended solids (non-filtrable residue)</li> <li>• Faecal coliforms</li> <li>• Radioactivity</li> <li>• Oil, grease, floating solids</li> <li>• Infectious or contagious materials</li> <li>• Restricted substances</li> <li>• Nutrient content (N and P).</li> </ul>	To ascertain the composition of the treated wastewater prior to land application or discharge.
<b>Disinfection</b>		
Description of selected Disinfection system.	Necessity for Disinfection and, if required relative merits of disinfection options. Description of the chosen method of disinfection appropriate for selected land application or discharge.	To provide appropriate disinfection in the light of the final land application or disposal option selected.
<b>Land application or disposal system selection</b>		
Rationale for and justification of type of land application or disposal system selected.	Consider advantages, disadvantages and suitability of various land application and disposal systems. A schematic flow sheet of the land application or discharge method proposed.	To ensure suitable land application or disposal system is chosen to provide the necessary public health and Environmental protection.

INFORMATION SOUGHT	SPECIFIC DETAILS	REASON
<p>Land application system sizing</p> <p>Site and soil assessment for land application area sizing.</p>	<p>Soil characteristics:</p> <ul style="list-style-type: none"> <li>• Soil profile - horizons</li> <li>• Soil textural analysis</li> <li>• Soil hydraulic conductivity</li> <li>• Appropriate loading rate</li> <li>• Erosion potential</li> <li>• Emersion test</li> </ul> <p>Topography:</p> <ul style="list-style-type: none"> <li>• Gradient &amp; Slope form</li> <li>• Flood potential</li> <li>• Aspect</li> </ul> <p>Description of climate:</p> <ul style="list-style-type: none"> <li>• Rainfall</li> <li>• Evaporation</li> <li>• Storm intensities</li> <li>• Prevailing wind</li> </ul> <p>Vegetation:</p> <ul style="list-style-type: none"> <li>• Cover/proposed cover</li> <li>• Crop factor</li> </ul> <p>Water balance calculations</p> <p>Nutrient balance (N and P)</p> <p>Groundwater:</p> <ul style="list-style-type: none"> <li>• Depth to groundwater</li> <li>• Location of existing wells</li> <li>• On-site / Adjacent to site</li> <li>• Current use of groundwater</li> <li>• Groundwater recharge area?</li> <li>• Groundwater chemistry</li> </ul> <p>Surface waters:</p> <ul style="list-style-type: none"> <li>• Proximity</li> <li>• Current use</li> <li>• Flow characteristics</li> </ul> <p>Pre-treatment:</p> <ul style="list-style-type: none"> <li>• Design of pre-treatment</li> <li>• Effect on constituents loads</li> <li>• Disinfection method</li> <li>• Implications for soil</li> </ul> <p>Type of irrigation system:</p> <ul style="list-style-type: none"> <li>• spray, trickle or drip,</li> <li>• surface or sub-surface.</li> </ul> <p>Site Plan:</p> <ul style="list-style-type: none"> <li>• Proximity to dwellings, etc.</li> <li>• Proximity to sensitive receptors, eg, play areas etc.</li> <li>• Applicable buffer zones.</li> </ul> <p>A schematic diagram of the system controls including pipes, pumps valves, timers and alarms.</p>	<p>To ensure suitable land application location and sizing.</p>

# APPENDIX 8: APPROVAL TO OPERATE PROCESS FLOWCHART



□ \* \* \*

**RELEVANT LEGISLATIVE INSTRUMENTS:** *Environmental Planning and Assessment Act 1979*  
*Environmental Planning and Assessment Regulation 2000*  
*Local Government Act 1993*  
*Local Government (General) Amendment (Domestic Greywater Diversion) Regulation 2006*  
*Local Government (General) Regulation 1993*  
*Protection of the Environment Operations Act 1997*

**RELATED POLICIES, PLANS AND PROCEDURES:** The Environment and Health Protection Guidelines for On-site Sewage Management for Single Households  
 The NSW Guideline for Greywater Reuse in Sewered, Single Household Residential Premises  
 Designing and Installing On-Site Wastewater Systems – Water NSW  
 Camden Local Environmental Plan 2010  
 Australian Standards:  
 AS/NZS 1547:2012 On-Site Domestic Wastewater Management  
 AS/NZS 1546:1998 On-Site Domestic Wastewater Treatment Units  
 AS/NZS 3500 Plumbing and Drainage

**RESPONSIBLE DIRECTOR:** Planning and Environment

**APPROVAL:** Council

**HISTORY:**

Version	Approved by	Changes made	Date	EDMS Number
1	Approved by Council	New		
2				

ORD05

Attachment 1



# PLACE AND ROAD NAMING POLICY P3.0255.1

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## PLACE AND ROAD NAMING POLICY

**DIVISION:** Customer & Corporate Strategy

**BRANCH:** Technology and Information Management Solutions

**CATEGORY:** 2

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### PART 1 - INTRODUCTION

#### 1. BACKGROUND

- 1.1 The Act empowers the GNB as the official body for naming and recording details of places and geographical names.
- 1.2 The Department of Customer Service (Spatial Services) and the GNB have a statutory responsibility to establish, update, preserve and publicise place and road names in New South Wales.
- 1.3 Council is committed to encouraging the selection of Place and Road names within the Camden LGA that reflect a sense of history, identity and connection between people and places.
- 1.4 Council is the Road naming and re-naming authority for any Road under its control including Roads that are to be dedicated to Council by way of a subdivision of land but excluding Roads under the control of any State Government authority or private Road.

#### 2. OBJECTIVE

- 2.1 The purpose of this policy is to:
  - Ensure that proposals for the naming of Places and Roads shall conform to the GNB's naming principles.
  - Establish a framework for consistent and standardised decision making in relation to Place and Road naming.
  - Reduce the potential for confusion between Place and Road names to facilitate essential service delivery and public safety.
  - Ensure that names reflect a sense of history, identity and a connection between people and places.
  - Ensure that Council recognises the importance of community consultation involved in the Place and Road naming process, including working with the Heritage Advisory Committee by providing support and validating place and road naming options.
  - Ensure that Place names that are selected are in accordance with the GNB Policy.
  - Ensure that the Road names that are selected are in accordance with the NSW Address Policy and User Manual.

- Ensure that Aboriginal names are encouraged as names to be used for any feature that currently does not have a name recognised by the GNB.

### 3. SCOPE

- 3.1 This policy applies to Council and its community, as well as the Heritage Advisory Committee particularly in relation to all Places and Roads that are owned or controlled by Council.

### 4. DEFINITIONS

- 4.1 **Act** means the *Geographical Names Act 1966*.
- 4.2 **Council** means Camden Council.
- 4.3 **Geographical Name** means the name of a place as determined by the provisions of the Act and been notified in the Gazette as a geographical name, but does not include a name which has ceased to be a geographical name under the Act.
- 4.4 **GNB** means the Geographical Names Board of New South Wales as constituted under the Act.
- 4.5 **LGA** means Local Government Area.
- 4.6 **Place** means, in accordance with the Act any geographical or topographical feature or any area, district, division, locality, region, city, town, village, settlement, or railway station or any other place within New South Wales but does not include any road, any area (within the meaning of the *Local Government Act 1993*) or area of operations of a county council (within the meaning of that Act), any electoral district under the *Parliamentary Electorates and Elections Act 1912*, any school or any place or place within a class of places to which the provisions of this Act do not apply by virtue of the regulations.
- 4.7 **Road** includes:
- highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and
  - any part of a road and any part of any thing referred to in paragraph (a), and
  - any thing forming part of a road or any thing forming part of any thing referred to in paragraph (a).

## PART 2 - POLICY STATEMENT

### 5. PRINCIPLES

- 5.1 In accordance with the GNB Place Naming Policy and the NSW Address Policy and User Manual, the following principles shall apply when considering Place and Road naming in the Camden LGA:

## Language

- Place or Road names shall be written in standard Australian English or a recognised format of an Australian Aboriginal language local to the area of the geographical name.
- Diacritical marks (symbols such as ´ in é, ¸ in ç or : in ö ) are not used in Australian English names, and shall be omitted from place and names drawn from languages that use such marks.
- Place or Road names shall be easy to pronounce, spell and write, and preferably not exceed three words (including any designated term) or 25 characters. An exception to this is in the use of Aboriginal names when it is accepted that a traditional name may at first appear to be complex but will, over time, become more familiar and accepted by the community.
- The following types of punctuation as used in Australian English shall not be included as part of a geographical name:
- For surnames or other names that include a hyphen, the hyphen shall be omitted when used for a Place and Road name.
- An apostrophe mark shall not be included in place and road names written with a final 's', and the possessive 's shall not be included e.g. Georges River not George's River. Apostrophes forming part of an eponymous name shall be included (e.g. O'Connell Plains).
- A Place or Road name shall not include a preposition e.g. Avenue of the Allies.
- Place or Road names shall not include the definite article (the) as the sole name element of a place name e.g. The Reserve or The Road is not acceptable.
- A Place or Road name shall not be abbreviated or contain an abbreviation, initial or acronym e.g. Point, not Pt except that St shall be used for Saint. An exception may be where an abbreviation may have become widely accepted by the community. E.g. CWA for Country Women's Association.
- For the purposes of consistency, Place and Road names starting with Mc or Mac shall not have a space included between the Mc or Mac and the rest of the name.
- A Place or Road name shall not include Arabic numerals e.g. 3 or 4th or Roman numerals e.g. IV or X. Where numbers are included in a geographical name, they shall be written in full e.g. Fourth Top Ridge, Eleven Mile Creek.
- A Place or Road name shall not include initials e.g. A F Wyatt Reserve.
- The spelling of geographical names derived from the same source shall be uniform in spelling (e.g. Mount Kosciuszko is now spelt with z to be consistent with original spelling).
- Postnominals and titles shall not be included in Place name and road names' John Smith not John Smith AO. An exception is the use of 'VC'.

### Form and Character of Names

- Place or Road names shall be recognisable words or acceptable combinations of words and shall be appropriate to community sensitivities.
- Discriminatory or derogatory Place and Road names are not acceptable. In response to requests from the public, the GNB will investigate the appropriate status of any names deemed to be discriminatory or derogatory.
- Commercial and business names shall not be used for Place or Road names.
- Use of club, society, association or special interest group names is discouraged. Community based associations, particularly those philanthropic associations, may be acceptable (e.g. Rotary, Lions, Apex).

## 6. COMMEMORATIVE NAMES

- 6.1 Commemorative names are those that commemorate a person, event or place. Acts of bravery, community service and exceptional accomplishments are typical grounds for this recognition.
- 6.2 The name of persons who gave their lives in service for their country are often used as commemorative names.
- 6.3 The person commemorated should have contributed significantly to the area around the geographic feature or locality.
- 6.4 Commemorative names shall not be used to commemorate victims of, or mark the location of, accidents or tragedies.
- 6.5 Ownership of land is not in itself grounds for the application of an owner's name.
- 6.6 Names of persons holding public office shall not be used.
- 6.7 Personal names, including those of persons still living, may be used for built features (e.g. pavilions and grandstands, etc.), however these features are not formally assigned by the GNB and are not covered by the Act. The following apply:
  - The names of deceased persons are suitable for the naming place names. Such persons shall have had long term association with the area or have made a significant contribution to the area of the proposed place and roads.
  - Long-term association or significant contribution should be one or more of the following:
    - Two or more terms of office on Council
    - Twenty or more years association with a local community group or service club
    - Twenty or more years of association or service with a local or state government or organisation

- Action by an individual to protect, restore, enhance or maintain an area that produces substantial long-term improvements for the community
- Local residents of note.

The death of a person within a place is not solely to be considered sufficient justification for commemoration

## 7. DUPLICATION OF PLACE NAMES

7.1 Duplication includes identical or similar spelling and/or pronunciation.

- New place names other than locality name, may be duplicated provided there is no duplication of the name within the local government area or adjoining local government area.
- Place names with a different designation value are not considered to be duplications.

7.2 A proposal to establish proposed place and road names must satisfy Council's Place and Road Naming Policy and comply with both the NSW Geographical Names Board Place Naming Policy and Guidelines.

7.3 When Council submits a place or road naming proposal to the GNB, it should be supported by a Council resolution and should supply evidence that community feedback including feedback from the Heritage Advisory Committee has been sought on the proposal.

7.4 The GNB is the Place Naming and Re-Naming Authority.

## 8. DUPLICATION OF ROAD NAMES

8.1 Uniqueness is the most essential quality to be sought in proposing a new road name. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type.

8.2 Road names shall not be duplicated:

- Within the same address locality
- Within the adjoining locality
- Within a duplicated locality anywhere in NSW
- Within the following proximity radius:
  - 10 km in a Metropolitan Urban Area
  - 20 km in a Regional Urban Area
  - 30 km in a Rural Area.

8.3 The proximity radius provides the minimum required distance between duplications. Additional information, including a map of NSW LGA Road Name Proximities and how the radius is applied to different land use zones, can be found in the GNB NSW Address Policy and User Manual.

## 9. GNB POLICY AND LEGISLATION

9.1 The provisions of this policy are subject to changes in GNB policy and applicable legislation from time to time.

## 10. REFERENCES

10.1 Useful links to GNB NSW resources:

- Geographical Names Board of NSW Policy: Place Naming  
[https://www.gnb.nsw.gov.au/\\_data/assets/pdf\\_file/0017/220148/GNB\\_Place\\_Naming\\_Policy.pdf](https://www.gnb.nsw.gov.au/_data/assets/pdf_file/0017/220148/GNB_Place_Naming_Policy.pdf)
- NSW Address Policy and User Manual  
[https://www.gnb.nsw.gov.au/\\_data/assets/pdf\\_file/0020/223346/NSW\\_Address\\_Policy\\_and\\_User\\_Manual.pdf](https://www.gnb.nsw.gov.au/_data/assets/pdf_file/0020/223346/NSW_Address_Policy_and_User_Manual.pdf)
- Road Naming Policy; Chapter 6 - 6.7 Principles of Road Naming  
<https://www.gnb.nsw.gov.au/addressing>
- Geographical Names Board of NSW – Place Name Application  
[https://www.gnb.nsw.gov.au/\\_data/assets/pdf\\_file/0011/58844/GNB\\_Place\\_name\\_application\\_form\\_Dec\\_2018.pdf](https://www.gnb.nsw.gov.au/_data/assets/pdf_file/0011/58844/GNB_Place_name_application_form_Dec_2018.pdf)
- Geographical Names Board of NSW – Commemorative Naming Form  
[https://www.gnb.nsw.gov.au/\\_data/assets/pdf\\_file/0008/58841/Commemorative\\_Naming\\_Form\\_Dec\\_2018.pdf](https://www.gnb.nsw.gov.au/_data/assets/pdf_file/0008/58841/Commemorative_Naming_Form_Dec_2018.pdf)
- Aboriginal Place Naming Guidelines  
[https://www.gnb.nsw.gov.au/aboriginal\\_place\\_naming](https://www.gnb.nsw.gov.au/aboriginal_place_naming)

□ \* \* \*

**RELEVANT LEGISLATIVE INSTRUMENTS:** *Geographical Names Act 1966*  
*Local Government Act 1993*  
*Parliamentary Electorates and Elections Act 1912*  
*Roads Act 1993*  
*Roads Regulation 2018*

**RELATED POLICIES, PLANS AND PROCEDURES:** GNB NSW Address Policy and User Manual  
 GNB Geographical Names Board of NSW Policy  
 GNB Guidelines for the determination of place names

**RESPONSIBLE DIRECTOR:** Customer and Corporate Strategy

**APPROVAL:** Council

**HISTORY:**

Version	Approved by	Changes made	Date	EDMS Number
1	Council	New		

[Council letterhead]

— \_\_\_\_ 2020

Paul Rofe  
Company Secretary of the Camden Region  
Economic Taskforce Limited  
19 Queen Street  
Narellan NSW 2567

paul.rofe@camden.nsw.gov.au

Dear Paul

Ms Adriana Guider was appointed as an independent director of Camden Region Economic Taskforce Limited (**CRET**) when CRET was incorporated on 13 September 2017 in accordance with clause 19 of the CRET Constitution. Ms Guider's first term as an independent director will expire on 13 September 2020, in accordance with clause 21 of the CRET Constitution. Ms Guider has indicated that she does not intend to seek re-election and the Member proposes that a director not be appointed in her place.

Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell were appointed as independent directors of CRET on 26 September 2017 in accordance with clause 19 of the CRET Constitution. Their terms as independent directors will expire on 26 September 2020, in accordance with clause 21 of the CRET Constitution, unless they are re-appointed for a second term.

The purpose of this letter is to request, on behalf of the Member, that a Special Meeting be called to seek the following resolution from the Member of CRET:

*The Member resolves to re-appoint Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell as independent directors of Camden Region Economic Taskforce Limited in accordance with clause 19 of the Constitution of Camden Region Economic Taskforce Limited, effective from 26 September 2020.*

At that same Special Meeting, the Member requests that the directors be asked to vote to elect a chairperson whose term shall commence from 13 September 2020 when Ms Guider's first term expires in accordance with clauses 17.3 and 20.1 of the CRET Constitution.

Pursuant to clause 10.4 of the CRET Constitution, a Special Meeting must now be held by CRET no later than two (2) months after this request is given to CRET. Notice of the Special Meeting must be given to the Member and each director of CRET no less than twenty-one (21) days before the date fixed for the Special Meeting, in accordance with clause 11.1 of the CRET Constitution.

However, the Member requests that the Special Meeting be held on 10 September 2020 to ensure that the appointment of directors and the election of a chairperson are in place before current terms expire.

Yours faithfully

Ron Moore  
General Manager  
Camden Council  
t: 4645 7777  
e: ron.moore@camden.nsw.gov.au

[Insert CRET letterhead]

ORD08

**NOTICE OF A SPECIAL MEETING****CAMDEN REGION ECONOMIC TASKFORCE LTD (ABN 34 621 676 560)**

Notice is given that a special meeting of Camden Region Economic Taskforce Limited (CRET) (ABN 34 621 676 560) will be held as follows:

Venue: Camden Council, 70 Central Avenue, Oran Park NSW 2570  
 Date: 10 September 2020  
 Time: 6pm

**Business of Special Meeting**Members' MeetingItem 1 - Member's resolutions

This Notice of Special Meeting provides the Member with the required 21 days to prepare for the Special Meeting and to consider the following proposed resolution:

*The Member resolves to re-appoint Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell as independent directors of Camden Region Economic Taskforce Limited in accordance with clause 19 of the Constitution of Camden Region Economic Taskforce Limited, effective from 26 September 2020.*

Quorum requirements

Under clause 12.1 of the CRET Constitution, the Member must be present for there to be a quorum at a meeting. Pursuant to clause 15.1 of the CRET Constitution, the Member may be present in person or by proxy.

Pursuant to clause 12.2 of the CRET Constitution, the meeting will be dissolved and need not be reconvened if a quorum is not present within half an hour after the appointed time for the commencement of the meeting.

Member voting process

For the above Member resolution to be passed, the Member of CRET must vote in favour of it.

According to clause 16.1 of the CRET Constitution, the Member may appoint a proxy to attend and vote for the Member at a meeting. The Appointment of Proxy form has been attached to this notice and can be used by the Member for this purpose. Under clause 16.2 of the CRET Constitution, an appointment of a proxy will only valid if it is received by CRET at least twenty-four (24) hours before the time for commencement of the meeting at which the proxy is to be exercised.

Explanatory notes

Ms Adriana Guider was appointed as an independent director of CRET when CRET was incorporated on 13 September 2017 in accordance with clause 19 of the CRET Constitution. Ms Guider's first term as an independent director will expire on 13 September 2020, in accordance with clause 21 of the CRET Constitution. Ms Guider has indicated that she does not intend to seek re-election and the Member proposes that a director not be appointed in her place.

Mr Peter Meadows, Ms Belinda McLean, Mr Bruce Hanrahan and Mr Peter Campbell were appointed on 26 September 2017 in accordance with clause 19 of the CRET Constitution. Their first term as independent directors will expire on 26 September 2020, in accordance with clause 21 of the CRET Constitution, unless they are re-appointed for a second term.

Attachment 2

ORD08

[Insert CRET letterhead]

Pursuant to clause 19.2 of the CRET Constitution, an independent director must be eligible to be a director under section 201B of *Corporations Act 2001* (Cth) and must, in the opinion of the Member:

- (a) be experienced in business administration and finance; and
- (b) demonstrate an active interest and leadership in driving the economic growth of the Camden Local Government Area.

Board Meeting

Once the matters have been addressed in the business of the Member’s Meeting above, the chairperson of the meeting will close the Special Meeting and open a Board Meeting. More than half of the directors must be present at this Board Meeting for there to be a quorum pursuant to clause 29.3 of the CRET Constitution.

Directors’ resolution

The directors will be asked to vote to elect one of the independent directors of the company as chairperson from 13 September 2020, when Ms Guider’s first term expires, in accordance with clauses 17.3 and 20.1 of the CRET Constitution.

Director voting process

Directors’ resolutions must be passed by a majority vote in accordance with clause 29.5 of the CRET Constitution.

**Attached documents**

The following documents accompany this Notice of Special Meeting:

- Appointment of Proxy Form

\_\_\_\_\_  
**Paul Rofe**

**Company Secretary under delegation of the directors of CRET**

Date \_\_ \_\_\_\_ 2020

Attachment 2

**Appointment of Proxy**

**Camden Region Economic Taskforce Limited**

**ACN 621 676 560**

CAMDEN COUNCIL

being a Member of Camden Region Economic Taskforce Limited, appoint

*(insert name of proxy)*

of 70 Central Avenue, Oran Park NSW 2570

*(insert address of proxy)*

as its proxy for the Member's Meeting part of the Special Meeting of the Camden Region Economic Taskforce Limited to be held on 10 September 2020 at Camden Council, 70 Central Avenue, Oran Park NSW 2570 and any adjournment of the meeting.

The proxy is authorised to vote in favour of the resolution in item 1 of the Agenda.

.....  
*Signature of Member*

.....  
*Date*