Amendment to Camden LEP 2010 in relation to Lots 36, 37 and 38 in DP 28024, No’s 187-203 Turner Road, Currans Hill

Prepared For:
Mr K Broome & Turner Road Developments Pty Ltd

Prepared By:
michael brown PLANNING STRATEGIES

February 2018
It is also proposed to amend the Minimum Lot Size Map LSZ_017_20 to 250m² (l).

Detailed environmental and infrastructure investigations will need to be undertaken and broad commitments to infrastructure provision made as the PP is advanced.

Council, as the responsible Planning Authority, is requested to support and forward this PP to the Department of Planning and Infrastructure for progressing through the “Gateway” in an expedient manner.
The Turner Road Planning Proposal report has been prepared based on agreed requirements as understood by Michael Brown Planning Strategies Pty Ltd at the time of commissioning and investigation.

The conclusions and recommendations contained in this report are based on an honest appraisal of the opportunities and constraints existing on the site at the time of investigation and were subject to detailed studies undertaken by a number of consultants listed in Table 1.

The report applies only to the land defined by the Turner Road Planning Proposal and other interpretations should not be made, including changes in scale or application to other projects. Within the confines of the above statements, this report does not contain any incomplete or misleading information.

Report prepared by    Michael Brown

Director, Michael Brown Planning Strategies Pty Ltd

Date       12th February 2018

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D: Flora and Fauna Assessment – Eco Logical Australia
E: Aboriginal Due Diligence – Eco Logical Australia
G: Landscape Plan – Taylor Brammer and Associates
H: Stormwater Assessment Report – JMD Development Consultants Pty Ltd
I: Salinity Assessment – GeoEnviro Consultancy Pty Ltd
J: Vegetation Management Plan – Eco Logical Australia
1 Executive Summary

A subdivision application was lodged with Camden Council to subdivide the land into a number of allotments. A number of technical studies have been prepared to support the subdivision proposal, including consultation with the NSW Office of Water regarding the riparian corridor that transects the land. These technical studies would also inform the rezoning of part of the land for residential purposes from E2 – Environmental Conservation and E4 Environmental Living to R1 – General Residential LZN_17_20 and amend the Heights of Building Map HOB_017_20 to 9.5m (J). It is also proposed to amend the Minimum Lot Size Map LSZ_017_20 to 250m² (I). The minimum lot size is consistent with lot sizes in the Growth Areas under SEPP 2006.

This Planning Proposal refers to the land identified as Lots 36, 37 and 38 in DP 28024, Nos 187-203 Turner Road, Currans Hill (refer to Figure 1).

![Figure 1 - Context of Subject Site](image-url)
The purpose of this Planning Proposal is to allow the Site to permit residential development on lots that adjoin the riparian corridor, generally in accordance with the comparison subdivision plan at Annexure A. The width of the riparian corridor has been the subject of discussions with the NSW Office of Water to define this corridor more accurately. We understand from discussions with Council officers that adjoining lands have also been rezoned following extensive investigation of the riparian corridor to narrow the corridor.

Council expects that it will need to undertake consultation with a range of State Government agencies.

Council is seeking a Gateway Determination to indicate whether there is support for proceeding with the planning proposal. It is therefore suggested that the Gateway Determination should provide 12 months for Council to finalise the planning proposal and submit to the Department for the plan to be made, on the basis that technical studies have been prepared.

1.1 OVERVIEW

This Report represents the formative phase in the development of a Planning Proposal geared toward the rezoning of the lands, described and shown below (Figure 1), at Turner Road, Currans Hill for residential purposes, as detailed in this submission.

The rezoning is to be effected through the preparation of a relevant Local Environmental Plan (LEP) amendment, it being proposed to amend Camden Local Environmental Plan (LEP) 2010.

1.2 SCOPE OF REPORT

The preparation of a local environmental plan now starts with a Planning Proposal (PP). The PP is a document which explains the objectives, intended effect of, and justification for a rezoning proposal.

This PP has been prepared in accordance with section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and relevant Department of Planning and Infrastructure Guidelines including “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals”.

As outlined in ‘A Guide to Preparing Planning Proposals’ the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of any technical investigations and consultation.

The latter document requires the Planning Proposal to be provided in six (6) parts, being:

- Part 1 – A statement of the objectives or intended outcomes of the proposed instrument;
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument;
- Part 3 – The justification for those objectives, outcomes and provisions and the process for their implementation;
- Part 4 – Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies
- Part 5 – Details of the community consultation that is to be undertaken on the Planning Proposal.
Part 6 – Project Timeline.

This report confirms that the development will provide a number of benefits for the LGA, including increased housing opportunities and housing choice close to facilities and services readily available in the immediate area.

1.3 REPORT STRUCTURE

This report, in preparing an outline Planning Proposal (PP), is structured in the following manner:

Section A - Need for the Planning Proposal.
Section B - Relationship to strategic planning framework.
Section C - Environmental, social and economic impact.
Section D - State and Commonwealth interests.

These Guidelines will be addressed below under the various headings. This report is the initial Planning Proposal report to be submitted to enable Council to formally resolve to proceed with the rezoning of the land in accordance with the requirements of the EP& A Act.

1.4 PROJECT TEAM

The following consultants as detailed in Table 1 below provided input into the proposal:

<table>
<thead>
<tr>
<th>Table 1 – Project Team</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The Project Team</strong></td>
</tr>
<tr>
<td><strong>Zoning Plans</strong></td>
</tr>
<tr>
<td><strong>Contamination Assessment &amp; Remediation Action Plan</strong></td>
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<tr>
<td><strong>Bushfire Assessment</strong></td>
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<tr>
<td><strong>Aboriginal Assessment</strong></td>
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<tr>
<td><strong>Traffic Impact Assessment</strong></td>
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<tr>
<td><strong>Landscape Plan</strong></td>
</tr>
<tr>
<td><strong>Stormwater Assessment Report</strong></td>
</tr>
<tr>
<td><strong>Salinity Assessment Update</strong></td>
</tr>
<tr>
<td><strong>Vegetation Management Plan</strong></td>
</tr>
</tbody>
</table>
2 The Subject Land

2.1 LAND DESCRIPTION

The subject site is described as Lot 36, 37 and 38 DP 28024 Turner Road, Currans Hill.

2.2 CURRENT ZONING

The subject lands are zoned part R1 – General Residential and part E2 – Environmental Conservation under the provisions of Camden LEP 2010 (refer to Figure 2 below). The minimum lots size for subdivision is 500m² on the R1 zone and no minimum lot size for the E2 zone. Similarly, there is a 9.5m height requirement for the R1 zone, but no height control for the E2 zone.

Figure 2 below is a composite zone plan that shows the connection with zoning of the Gregory Hills lands to the north and west. As stated in this report, when this part Curans Hill (formerly referred as Manooka Valley) was considered for rezoning to residential purposes in 2000, Gregory Hills was rural land. It is clear from Figure 2 that the lands to the immediate west are zoned R1, with a minimum lot size of 125m², yet the lands are similar constraints and terrain. This Planning Proposal is requesting lots of 250m², but that is the minimum proposed. To assist a comparison plan of the existing zoning and proposed zoning is shown at Annexure A.

FIGURE 2 – CURRENT ZONE UNDER LEP 2010 AND SEPP 2006
2.3 MINIMUM SUBDIVISION LOT SIZE

The minimum lot size for subdivision of the R1 zone is in accordance with Figure 3 below, which is 500m², noting there is no minimum lot size for the E2 zone. As stated above, the minimum lot size for land in Gregory Hills and indeed adjoining lands in Turner Road is 125m². The request is for a minimum of 250m² and therefore consistent with adjoining lands. To assist a comparison plan of the existing lot size map and proposed lot size map is shown at Annexure A. The lot sizes are minimum and allow a variety of built form outcomes to be achieved in accordance with the R1 – General Residential zone.

![FIGURE 3 – MINIMUM LOT SIZE](image)

2.4 HEIGHTS OF BUILDINGS

Clause 4.3 refers to the heights of buildings. The Heights of Building Map has a height restriction of 9.5m (refer to Figure 4 below). Future dwellings would need to comply with the height requirement.
2.5 DEVELOPMENT NEAR ZONE BOUNDARIES

Clause 5.3 enables Council to approve a use if it adjoins land within another zone. However, this clause does not apply to land zoned E2, hence the need to rezone the land.

3 Part 1 – Statement of Objectives or Intended Outcomes of the Planning Proposal

This section of the Planning Proposal sets out the objectives and intended outcomes of the proposed amendment to Camden LEP 2010. This Planning Proposal has the express purpose of facilitating the development of the land for urban purposes generally in accordance with the Concept Plan. The E2 zoning of the land was derived from required setbacks at that time. Since the Department of Office & Water have redefined riparian corridors and the distance or setback required from top of bank depending on the category of the riparian corridor. The subject corridor is essentially at the top of the catchment, although it is noted that the corridor started within Gregory Hills, the corridor has been altered significantly. A considerable number of studies have been undertaken in accordance with latest practice to redefine the corridor in consultation with the Department of Office of Water. Such studies informed the proposed corridor width and the outcome of the subdivision that will occur following rezoning.

The objective of the proposal is to facilitate value adding to the Site in a way that sensitively interfaces with surrounding residential development. The planning proposal as submitted to Council rezones the land to R1 – General Residential zone, which provides the following stated objectives:

- To provide for the housing needs of the community.
- To provide a variety of housing types and densities.
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.
• To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
• To minimise conflict between land uses within the zone and land uses within adjoining zones

The intended outcomes of the proposal include:
• Allow the land to be developed for residential housing, having regard to the technical studies that support the proposal;
• Meet housing targets provided in the Sydney Metropolitan Strategy and promoting housing choice and diversity which respond to the needs of Camden’s community;
• To provide for housing of the Camden LGA;
• Preserve the residential amenity of the immediate area;
• Conserve and define the riparian corridor within the E2 zoning of the lands.


The site is currently zoned ‘part R1 General Residential, part E2 Environmental Conservation and part E4 – Environmental Living’ under Camden LEP 2010. An extract of the LEP map as it relates to the subject site is provided in Figure 2 above.

4.1 PROPOSED CHANGES TO MAPS

The Planning Proposal seeks to amend the following maps:

It is proposed to amend Camden LEP 2010 by permitting the Site to be developed for housing by amending the Land Zoning Map LZN_17_20, the Heights of Building Map HOB_017_20 to 9.5m (J). It is also proposed to amend the Minimum Lot Size Map LSZ_017_20 to 250m² (I).

5 Part 3 – Justification

5.1 INTRODUCTION

The Guide to preparing Planning Proposals states that the overarching principles that guide the preparation of planning proposals are:

1. The level of justification should be proportionate to the impact the planning proposal will have;
2. It is not necessary to address a question (see Section 2.3(a)) if it is not considered relevant to the planning proposal. In such cases the reason why it is not relevant should be briefly explained; and
3. The level of justification should be sufficient to allow a Gateway determination to be made with the confidence that the LEP can be finalised within the time frame proposed.
This overview establishes the case for the zoning change proposed in the LEP amendment. It should be noted that the level of justification is commensurate with the impact of the rezoning proposal having regard to the technical studies that have been prepared to inform the subdivision application. It was considered that the E4 zone had no real purpose having regard to residential development immediately adjoining to the north, which allows subdivision of lots at a minimum of 125m².

Indeed, the rezoning of the land for reduced lot sizes provides a more affordable product in the market place and the building market has matured over the years to design dwellings to address smaller lots and lot frontages. Housing affordability is essentially unaffordable for a number of people and the proposed subdivision will ensure that lots are affordable. In addition the smaller lots proposed will ensure that dual occupancy developments do not occur. Such uses are permissible under the R1 – General Residential zone, as are other forms of residential accommodation. The lot sizes proposed will result in Torrens Title lots being created.

This issue was expressed by the Planning Institute of Australia in a recent article, as follows:

With housing affordability at the top of the political agenda at both a state and national level, the Planning Institute of Australia (PIA) has called on the Federal Government to acknowledge that tackling housing affordability is much more than a 'supply issue'.

PIA CEO David Williams said that despite record supply levels in recent years, prices have continued to rise in Sydney and Melbourne – proving that an increase in supply is not the solution.

"Housing markets are complex systems. A genuine solution needs to take into account where people work, shop, study and where they feel part of a community," Mr Williams said.

With the average median house price in Greater Sydney tipping $600,000 and Sydney CBD over $900,000, Mr Williams said the great Australian dream of owning your own home is undeniably becoming out of reach for Millennials.

In the statement last week, the Planning Institute said that while it welcomes the Federal Government’s consideration of its role in financing affordable housing stock, all financial levers must be considered when rebalancing supply and demand.

"The Federal Government’s establishment of a government lender as part of its affordability solution is a catch-up response after decades of neglect and only addresses a small part of a much larger problem," Mr Williams said.

"The Federal Government must seriously consider an overhaul of the Capital Gains Tax discounts and negative gearing policies to help overcome the lack of housing affordability".

PIA said it is not just the Federal Government but all levels of government that have their role to play in ensuring that Australia does not compromise its liveability by forcing young Australians to live on the fringes.

"State Governments play a key role in improving access to housing. The supply of a wide range of different types of housing is critical, including incentives for the delivery of affordable housing.

"Local authorities must develop local 'housing needs assessments' and set affordable housing targets at a grassroots level."
Mr Williams said now is the time for governments to look at innovative solutions to combat housing affordability.

"They need to work with planners and the industry to deliver more cost-effective housing for young Australians that sets Australia as a front runner in housing diversity, liveability and affordability," he said.

PIA is urging the Federal Government, when putting together their May budget, to change their narrow approach and address the range of factors beyond supply that are seriously impacting housing affordability.

The E4 zoning was done at a time when Gregory Hills was not considered for urban development. As such, a more holistic approach to the rezoning of the lands has been considered, including the review of the riparian corridor, which effectively commences at the rear of the property (north).

The proposed rezoning would ensure that there was additional development potential for the land for residential purposes, particularly having regard to the zoning of lands in the immediate area. The following uses are permissible in the R1 zone:

- Attached dwellings;
- Bed and breakfast accommodation;
- Boarding houses;
- Child care centres;
- Community facilities;
- Dwelling houses;
- Exhibition homes;
- Group homes;
- Home-based child care;
- Home businesses;
- Home industries;
- Hostels;
- Kiosks;
- Multi dwelling housing;
- Neighbourhood shops;
- Places of public worship;
- Residential flat buildings;
- Respite day care centres;
- Roads;
- Semi-detached dwellings;
- Seniors housing;
- Shop top housing;
- Any other development not specified in item 2 or 4.

The following land uses are prohibited.

- Agriculture;
- Air transport facilities;
- Amusement centres;
- Animal boarding or training establishments;
- Boat building and repair facilities;
- Boat sheds;
- Camping grounds;
- Car parks;
- Caravan parks;
- Charter and tourism boating facilities;
- Commercial premises;
- Correctional centres;
- Crematoria;
- Depots;
- Eco-tourist facilities;
- Electricity generating works;
- Entertainment facilities;
- Extractive industries;
- Forestry;
- Freight transport facilities;
- Function centres;
- Heavy industrial storage establishments;
- Home occupations (sex services);
- Industries;
- Mortuaries;
- Public administration buildings;
- Recreation facilities (major);
- Research stations;
- Restricted premises;
- Rural industries;
- Rural workers’ dwellings;
- Service stations;
- Sewerage systems;
- Sex services premises;
- Storage premises;
- Tourist and visitor accommodation;
- Transport depots;
- Truck depots;
- Vehicle body repair workshops;
- Vehicle repair stations;
- Warehouse or distribution centres;
- Waste or resource management facilities;
- Wharf or boating facilities;
- Wholesale supplies

It is proposed to amend the existing planning controls to allow the land to be development for residential purposes in accordance with the subdivision plan.

5.2 SECTION A – NEED FOR THE PLANNING PROPOSAL

5.2.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT

The Turner Road Planning Proposal seeks to amend the Camden LEP 2010 by rezoning the Turner Road site from part of the land for residential purposes from E2 – Environmental Conservation and E4 Environmental Living to R1 – General Residential LZN_17_20 and amend the Heights of Building Map HOB_017_20 to 9.5m (J). It is also proposed to amend the Minimum Lot Size Map LSZ_017_20 to 250m² (L).
The Turner Road Planning Proposal is a direct planning response to development that is occurring in the South West Growth area, in particular the Oran Park and Gregory Hill Growth areas under SEPP (Sydney Region Growth Centres) 2006. Gregory Hills adjoins directly to the north and the minimum lot size for development is 125m². With the development of Gregory Hills, the riparian corridors have been redefined as they discharge into the subject lands. The subject E2 Environmental Conservation corridor was defined by having greater setbacks than currently provided for waterfront land under the Water Management Act 2000.

In addition, detailed assessment of the corridor width and stormwater flows from upstream development through the corridor system, has enabled the corridor to be correctly defined, which has resulted in a reduction of the width, as proposed by this Planning Proposal.

The E4 Environmental Living zone was also based on land to the north (Gregory Hills) being rural lands and therefore the zoning was based on having a transition between residential land and rural land. With Gregory Hills being developed for urban purposes, the whole landscape of the area has changed and the requirement to have an E4 zone is considered inappropriate, particularly the adjoining residential lands are developed for smaller lots. It would be noted that the majority of the land is zoned R1.

From a residential development perspective, the Turner Road Planning Proposal is consistent with and can meet the planning principles set out in SEPP 2006.

In summary, the development of the Turner Road Planning Proposal site:
- offers the staged development of land identified for residential growth within the Currans Hill area;
- is located with good walkable access to bus services;
- is designed to easily connect with both existing and proposed streets and the broader area;
- is located with good access to open space, schools, community and retail facilities; and
- can be redeveloped with relative ease, with large parts of the site free of environmental, flooding and heritage constraints.

These issues are addressed in the section addressing the consistency with Council’s strategic plans.

5.2.2 COMMUNITY STRATEGIC PLAN

Council approved the Community Strategic Plan (CSP) in June 2017, superseding Camden’s previous Strategic Plan ‘Camden 2040 – A Strategic Plan for Camden’. The Plan is a road map for a long term community vision with key directions, objectives, strategies and indicators.

The Planning Proposal is consistent with the Community Strategic Plan Directions as outlined in the Table 2 below:

<table>
<thead>
<tr>
<th>Community Strategic Plan</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Direction 1: Actively Managing Camden Local Government Area’s Growth – Strategy 1.1.1 Ensure provision of appropriate urban development for sustainable growth in the Camden LGA.</td>
<td>The Planning Proposal aligns with this Direction and Strategy by providing additional housing.</td>
</tr>
</tbody>
</table>
The Planning Proposal aligns with this Direction and Strategy by conserving Cumberland Plain Woodland vegetation and the riparian corridor within an E2 Environmental Conservation zone.

5.2.3 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

In the current circumstances, the Turner Road Planning Proposal is considered the best and most appropriate means of facilitating a rezoning and redevelopment of the site.

The current zoning only allows that part of the land to be conserved for the riparian corridor. The detailed technical studies have defined the corridor following discussions with the NSW Office of Water.

The proposed rezoning importantly can be stylised as an amendment to Camden LEP 2010, notably adopting relevant zoning, minimum lot size and maximum height of building provisions.

This represents the most logical way of achieving the intended objectives and outcomes under the prevailing legislation to amend the zoning of the land.

Overall, the proposal will provide a community benefit for the following reasons:

- It constitutes a balanced and appropriate use of land and is in keeping with the emerging residential character for housing in the Camden LGA and adjoins existing residential land.
- The proposal will contribute to Council’s requirement to facilitate new dwelling growth in accordance with the Subregional Strategy targets.
- The proposal will provide housing choice and lifestyle to meet the needs of the community.
- The proposal will not result in any significant adverse environmental impacts, as detailed in the various technical studies.

This is consistent with a number of Strategies discussed below.

5.3 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Assessment Criteria

a) Does the proposal have strategic merit? Is it:
   - Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
   - Consistent with a relevant local council strategy that has been endorsed by the Department; or
   - Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.
The Turner Road Planning Proposal is considered generally consistent with the objectives, principles, actions and initiatives of the various metropolitan and regional plans, the draft district plan and the growth and development strategy that apply to the site.

The key relevant plans and strategies for consideration are:
1. *A Plan for Growing Sydney*
2. *Draft Western City District Plan*
3. *Draft Greater Sydney Region Plan*

### 5.3.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY?

### 5.3.2 DRAFT WESTERN CITY DISTRICT PLAN

The Greater Sydney Commission has developed a draft Western City District Plan, which sets out aspirations and proposals for Greater Sydney’s South West District, which includes the local government areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly (refer to Figure 5 below).

Following the finalisation of the draft District Plans, the Greater Sydney Commission will review and amend the overarching metropolitan plan - *A Plan for Growing Sydney* (refer to 5.3.4 below).

The Greater Sydney Commission states that the draft South West District Plan is to be a matter for consideration by consent authorities in respect of planning proposals.

The draft *Western City District Plan* is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It is a guide for implementing the draft *Greater Sydney Region Plan* at a district level and is a bridge between regional and local planning.

The Planning Proposal is consistent with the priorities for the draft Western City District Plan as outlined in the Table 3 below:

<table>
<thead>
<tr>
<th>Draft Western City District Plan</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Priority W3: Providing services and social infrastructure to meet people’s changing needs.</td>
<td>The Planning Proposal aligns with this Priority by providing affordable housing and choice.</td>
</tr>
<tr>
<td>Planning Priority W6: Creating and renewing great places and local centres, and respecting the Districts heritage.</td>
<td>The Planning Proposal aligns with this Priority by ensuring Aboriginal Cultural Heritage material is conserved.</td>
</tr>
</tbody>
</table>
5.3.3 DRAFT GREATER SYDNEY REGION PLAN

The draft Plan is seeking to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities - the Western Parkland City, The Central River City and the Eastern Harbour City.
The proposed rezoning site is within the Western Parkland City. This Planning Proposal is consistent with the visions and priorities of the draft Sydney Regional Plan as outlined in the Table 4 below:

<table>
<thead>
<tr>
<th>Draft Greater Sydney Regional Plan</th>
<th>Compliance Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liveability Objective 6: Services and infrastructure meet communities’ changing needs.</td>
<td>The Planning Proposal aligns with this objective as it will provide additional housing choice.</td>
</tr>
<tr>
<td>Liveability Objective 10: Greater Housing Supply.</td>
<td>The Planning Proposal aligns with this objective as it supplies additional housing with a range of housing types that will accommodate an increasing population.</td>
</tr>
<tr>
<td>Sustainability Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</td>
<td>The Planning Proposal aligns with this objective as it conserves a riparian corridor with an E2 Environmental Conservation zone.</td>
</tr>
</tbody>
</table>

5.3.4 A PLAN FOR GROWING SYDNEY

This Plan was announced on 14 December 2014. Some of the Plan’s key actions include:

- Shifting the city’s gravity from east to west by establishing Parramatta as a major CBD, alongside the Sydney CBD, for jobs and world-class shopping and entertainment
- Creating vibrant new neighbourhoods with access to local jobs and first-class local amenities by renewing the area between Greater Parramatta and the Olympic Peninsula
- Delivering the Sydney Green Grid project to link open space across the Greater Metropolitan area
- Transforming Western Sydney by delivering more jobs closer to home, including confirming Penrith, Camden and Liverpool as Regional City Centres

There are four Goals and the following Goal is applicable.

Goal 2: A city of housing choice, with home that meet our needs and lifestyles.

Under Goal 2 there are four Directions as follows:

Direction 2.1: Accelerate housing supply across Sydney
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs
Direction 2.3: Improve housing choice to suit different needs and lifestyles
Direction 2.4: Deliver timely and well planned greenfield precincts and housing

There are a series of Actions that are applicable to achieving the Directions. Action 2.1.1 – Accelerate Housing Supply and Local Housing Choices under Direction 2.1 is applicable to the proposal; whilst Actions 2.3.1 – Require Local Housing Strategies to Plan for a range of Housing Types is also applicable. Under these Actions the Government has stated that:

**Action 2.1**

“The Government’s goal is to deliver the housing that Sydney needs. Demographic projections of households provide the best indication of the total level of housing supply Sydney needs.”
These projections indicate an additional 664,000 new dwellings will be required in Sydney over the next 20 years. This estimate forms the basis for planning for new housing in Sydney.”

The site is well located in terms of existing infrastructure.

**Action 2.3**

“To respond to these issues, the Government will introduce planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services. It will also encourage further innovative, well-designed, smaller homes to suit lifestyles and budgets.”

The Planning Proposal is consistent with providing residential land within an established area of Currans Hill.

**5.3.5 IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL’S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?**

The local strategic planning context was summarised at 5.2.1.1 and 5.2.1.2 above and clearly identifies the growth that will occur in Camden in the ensuing years.

The subject planning framework has importantly identified opportunities for the development in Camden, leveraging off the existing infrastructure and the prevailing sense of community, but does not identify the subject land given the location outside nominated growth areas and is already zoned for residential purposes.

**5.3.6 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?**

The lands are subject to the provisions of a raft of State Environmental Planning Policies. The subject policies are noted below in Table 5 and importantly do not prohibit and/or significantly constrain the Planning Proposal.

<table>
<thead>
<tr>
<th>TABLE 5 – APPLICABLE STATE POLICIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSESSMENT OF CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES</strong></td>
</tr>
<tr>
<td><strong>SEPP No 1</strong></td>
</tr>
<tr>
<td>SEPP No 1</td>
</tr>
<tr>
<td>SEPP No 4</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>SEPP 4 aims to permit development for a purpose which is of minor environmental significance, development for certain purposes by public utility undertakings and development on certain land reserved or dedicated under the National Parks and Wildlife Act 1974 without the necessity for development consent. Also regulates complying development for conversion of fire alarms.</td>
</tr>
<tr>
<td>SEPP 4 generally applies to development across NSW. Turner Road Planning Proposal is considered to be consistent</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SEPP No 6</th>
<th>Number of Storeys in a Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP 6 aims to remove confusion arising from the interpretation of provisions in EPIs controlling the height of buildings.</td>
<td></td>
</tr>
<tr>
<td>In accordance with current best planning guidance and practice in LEPs and DCPs, building heights are calculated and shown in metres (m) and not storeys. Turner Road Planning Proposal is considered to be consistent</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SEPP No 14</th>
<th>Coastal Wetlands</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aims to ensure NSW coastal wetlands are preserved and protected.</td>
<td></td>
</tr>
<tr>
<td>Does not apply to the Camden LGA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SEPP No 15</th>
<th>Rural Landsharing Communities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aims to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.</td>
<td></td>
</tr>
<tr>
<td>Does not apply to the Camden LGA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SEPP No 19</th>
<th>Bushland in Urban Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPP19 aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.</td>
<td></td>
</tr>
<tr>
<td>SEPP 19 applies in areas across NSW, but does not include Camden LGA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SEPP No 21</th>
<th>Caravan Parks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents. SEPP 21 applies across NSW except land to</td>
<td></td>
</tr>
<tr>
<td>SEPP applies across NSW, but is not relevant to the planning proposal. Turner Road Planning Proposal is consistent</td>
<td></td>
</tr>
<tr>
<td>SEPP No 22 Shops and Commercial Premises</td>
<td>Aims to permit change of use from commercial premises to commercial premises, and shop to shop even if the change is prohibited by another EPI, provided only minor effect and consent is obtained from relevant authorities. Applies to NSW but excludes specified land under Parramatta LEP and Penrith LEP.</td>
</tr>
<tr>
<td>SEPP No 26 Littoral Rainforests</td>
<td>Aims to protect littoral rainforests from development.</td>
</tr>
<tr>
<td>SEPP 29 Western Sydney Recreation Area</td>
<td>Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area. SEPP 29 only applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park.</td>
</tr>
<tr>
<td>SEPP No 30 Intensive Agriculture</td>
<td>Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.</td>
</tr>
<tr>
<td>SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)</td>
<td>SEPP 32 seeks to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.</td>
</tr>
<tr>
<td>SEPP No 33 Hazardous and Offensive Development</td>
<td>Aims to provide additional support and requirements for hazardous and offensive development</td>
</tr>
<tr>
<td>SEPP No 36</td>
<td>Manufactured Home Estates</td>
</tr>
<tr>
<td>SEPP No 39</td>
<td>Spit Island Bird Habitat</td>
</tr>
<tr>
<td>SEPP No 44</td>
<td>Koala Habitat Protection</td>
</tr>
<tr>
<td>SEPP No 47</td>
<td>Moore Park Showground</td>
</tr>
<tr>
<td>SEPP No 50</td>
<td>Canal Estate Development</td>
</tr>
<tr>
<td>SEPP No 52</td>
<td>Farm Dams and other works in land management areas</td>
</tr>
<tr>
<td>SEPP No 55</td>
<td>Remediation of Land</td>
</tr>
<tr>
<td>SEPP No</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>60</td>
<td>Exempt and Complying Development</td>
</tr>
<tr>
<td>62</td>
<td>Sustainable Aquaculture</td>
</tr>
<tr>
<td>64</td>
<td>Advertising and Signage</td>
</tr>
<tr>
<td>SEPP No 65</td>
<td>Design Quality of Residential Apartment Development</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Aims to improve the design qualities of residential flat building development in New South Wales. SEPP 65 and the accompanying Apartment Design Guide aim to improve the design quality of apartments across New South Wales. Clause 28 of SEPP 65 requires that a consent authority should take into consideration include provisions to ensure that the design quality principles and the Apartment Design Guide.</td>
</tr>
<tr>
<td>SEPP No.70</td>
<td>Affordable Housing (Revised Schemes)</td>
</tr>
<tr>
<td></td>
<td>Aims to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&amp;A Amendment (Affordable Housing) Act 2000. Applies specifically to land within the Greater Metropolitan Region, including Ultimo/Pyrmont, City of Willoughby and Green Square.</td>
</tr>
<tr>
<td>SEPP No.71</td>
<td>Coastal Protection</td>
</tr>
<tr>
<td></td>
<td>Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast. Applies to land within the NSW coastal zone, as defined by SEPP maps.</td>
</tr>
<tr>
<td>Penrith Lakes Scheme 1989</td>
<td>Aims to provide a development control process establishing environmental and technical matters, which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.</td>
</tr>
<tr>
<td>SEPP (Housing for Seniors or People with a Disability) 2004</td>
<td>Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.</td>
</tr>
<tr>
<td>SEPP (BASIX) 2004</td>
<td>Aims to ensure consistency in the implementation of the BASIX scheme throughout the State</td>
</tr>
<tr>
<td>Kurnell Peninsula 1989</td>
<td>Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under Sutherland Shire LEP 2006.</td>
</tr>
<tr>
<td>SEPP (Major Development) 2005</td>
<td>Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.</td>
</tr>
<tr>
<td>Sydney Region Growth Centres 2006</td>
<td>Aims to co-ordinate the release of land for development in the Sydney’s Growth Centre and applies to all land in a ‘growth centre’.</td>
</tr>
<tr>
<td>Temporary Structures 2007</td>
<td>Aims to encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection</td>
</tr>
<tr>
<td>SEPP (Exempt and Complying Development Codes) 2008</td>
<td>Aims to provide streamlined assessment process for development that complies with specified development</td>
</tr>
<tr>
<td>SEPP (Infrastructure) 2007</td>
<td>Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</td>
<td>Aims to provide for the proper management and development of mineral, petroleum and extractive material resources.</td>
</tr>
<tr>
<td>SEPP (Miscellaneous Consent Provisions) 2007</td>
<td>Not applicable</td>
</tr>
<tr>
<td>SEPP (Rural Lands) 2008</td>
<td>Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes</td>
</tr>
<tr>
<td>SEPP (State and Regional Development) 2010</td>
<td>Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.</td>
</tr>
<tr>
<td>Kosciuszko National Park - Alpine Resorts 2007</td>
<td>Aims to protect and enhance the natural environment of the alpine resorts area. Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.</td>
</tr>
<tr>
<td>Western Sydney Employment Area 2009</td>
<td>Aims to promote economic development and the creation of employment in the Western Sydney Employment Area</td>
</tr>
<tr>
<td>Provision</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Western Sydney Parklands</strong></td>
<td>Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)</td>
</tr>
<tr>
<td><strong>Affordable Rental Housing 2009</strong></td>
<td>Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing</td>
</tr>
<tr>
<td><strong>Urban Renewal 2010</strong></td>
<td>Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts. Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.</td>
</tr>
<tr>
<td><strong>Sydney Drinking Water Catchment 2010</strong></td>
<td>Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal. Applies to land within the Sydney drinking water catchment.</td>
</tr>
<tr>
<td><strong>SEPP 53 Transitional Provisions 2010</strong></td>
<td>Aims to enact transitional provisions consequent on the repeal of SEPP 53 - Metropolitan Residential Development. Only applies to specified land in Ku-ring-gai LGA.</td>
</tr>
<tr>
<td><strong>Port Botany and Port Kembla 2013</strong></td>
<td>Aims to provide consistent planning regime for the development and delivery of port infrastructure. Applies to the land within Botany City Council in the area known as</td>
</tr>
<tr>
<td>SREP Number</td>
<td>Name</td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>SREP 5</td>
<td>Chatswood Town Centre</td>
</tr>
<tr>
<td>SREP 8</td>
<td>Central Coast Plateau</td>
</tr>
<tr>
<td>SREP 9</td>
<td>Extractive Industry No. 2 1995</td>
</tr>
<tr>
<td>SREP 11</td>
<td>Penrith Lakes</td>
</tr>
<tr>
<td>SREP 16</td>
<td>Walsh Bay</td>
</tr>
<tr>
<td>SREP 18</td>
<td>Public transport corridors</td>
</tr>
<tr>
<td>SREP 19</td>
<td>Rouse Hill Development Area</td>
</tr>
<tr>
<td>SREP</td>
<td>Description</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>SREP 20 Hawkesbury Nepean</td>
<td>Aims to protect the Hawkesbury-Nepean River System and applies to certain LGAs within Greater Metropolitan Region.</td>
</tr>
<tr>
<td>SREP No 24 Homebush Bay Area</td>
<td>Aims to encourage the coordinated and environmentally sensitive development of the Homebush Bay area.</td>
</tr>
<tr>
<td>SREP 25 Orchard Hills</td>
<td>Aims to protect the prime agricultural land of Orchard Hills within the City of Penrith.</td>
</tr>
<tr>
<td>SREP 26 City West</td>
<td>Aims to promote the orderly and economic use and development of land within the City West area (Pyrmont and Ultimo).</td>
</tr>
<tr>
<td>SREP 28 Parramatta</td>
<td>Aims to establish regional planning aims for the Parramatta Primary Centre within Parramatta City Council and City of Holroyd.</td>
</tr>
<tr>
<td>SREP30 St Marys</td>
<td>Aims to support the redevelopment of St Marys by providing a framework for sustainable development. Applies to land within the Blacktown and Penrith LGAs.</td>
</tr>
<tr>
<td>SREP 33 Cooks Cove</td>
<td>Establishes the zoning and development controls for the Cooks Cove site in Rockdale LGA.</td>
</tr>
<tr>
<td>Sydney Harbour Catchment 2005</td>
<td>Aims to establish a balance between</td>
</tr>
</tbody>
</table>
promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole. SREP applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River.

5.3.7 IS THE PLANNING CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S 117 DIRECTIONS)?

The planning proposal is consistent with the applicable Ministerial Directions (s.117 Directions) see Table 5 below.

TABLE 5 – CONSIDERATION OF MINISTERIAL DIRECTIONS

<table>
<thead>
<tr>
<th>TURNER ROAD PLANNING PROPOSAL</th>
<th>ASSESSMENT OF CONSISTENCY WITH SECTION 117 MINISTERIAL DIRECTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. EMPLOYMENT AND RESOURCES</strong></td>
<td></td>
</tr>
<tr>
<td><strong>1.1 Business and Industrial Zones</strong></td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
| **1.2 Rural Zones** | Not applicable | **Objective**  
| | | (1) the objective of this direction is to protect the agricultural production value of rural land.  
| | | **What a relevant planning authority must do**  
| | | (4) A planning proposal must  
| | | (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone  
| | | (b) not contain provisions that will increase the permissible density of land within a rural zone  
| | | **Consistency**  
| | | (5) A planning proposal may be inconsistent with the terms |
of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction.

<table>
<thead>
<tr>
<th>1.3 Mining, Petroleum Production and Extractive Industries</th>
<th>Not applicable</th>
<th>S.117 Direction is not relevant to the Turner Road Planning Proposal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4 Oyster Aquaculture</td>
<td>Not applicable</td>
<td>S.117 Direction is not relevant to the Turner Road Planning Proposal.</td>
</tr>
<tr>
<td>1.5 Rural Lands</td>
<td>Not applicable</td>
<td>S.117 Direction is not relevant to the Turner Road Planning Proposal.</td>
</tr>
</tbody>
</table>

2. ENVIRONMENT AND HERITAGE

| 2.1 Environmental Protection Zones                       | Applicable     | **Objective**
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(1) The objective of this direction is to protect and conserve environmentally sensitive areas.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>What a relevant planning authority must do</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for the minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.</td>
</tr>
</tbody>
</table>

**Turner Road Planning Proposal**

The Turner Road Planning Proposal proposes to rezone the land to: R1 Low Density Residential and E2 Environmental Conservation.

The areas of the Turner Road site proposed for residential is not considered environmentally sensitive area. Those parts of the site that are considered more
environmentally sensitive are proposed to remain as E2 Environmental Conservation. On this basis, the Turner Road Planning Proposal is considered consistent with S.117 Direction 2.1 for Environmental Protection Zones.

<table>
<thead>
<tr>
<th>2.2 Coastal Protection</th>
<th>Not applicable</th>
<th>S.117 Direction is not relevant to the Turner Road Planning Proposal.</th>
</tr>
</thead>
</table>
| 2.3 Heritage Conservation | Applicable | **Objective**  
The objective of Direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.  
**What a relevant planning authority must do**  
(4) A planning proposal must contain provisions that facilitate the conservation of:  
(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,  
(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and  
(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.  
(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:  
(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or  
(b) the provisions of the planning proposal that are inconsistent are of minor significance.  
**Turner Road Planning Proposal**  
The Turner Road site contains no listed heritage items of local, state or national heritage significance. There has been identified an indigenous artefact (refer to Annexure E).
In these circumstances, the Turner Road Planning Proposal is considered capable of being consistent with S.117 Direction 2.3 for Heritage Conservation.

<table>
<thead>
<tr>
<th>2.4 Recreation Vehicle Areas</th>
<th>Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>S.117 Direction is not relevant to the Turner Road Planning Proposal.</td>
</tr>
</tbody>
</table>

### 3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

#### 3.1 Residential Zones

**Applicable**

**Objectives**

1) The objectives of this Direction 3.1 are:

(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,

(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and

(c) to minimise the impact of residential development on the environment and resource lands.

2) This direction applies to all relevant planning authorities

3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:

(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),

(b) any other zone in which significant residential development is permitted or proposed to be permitted.

**What a relevant planning authority must do**

4) A planning proposal must include provisions that encourage the provision of housing that will:

(a) broaden the choice of building types and locations available in the housing market, and

(b) make more efficient use of existing infrastructure and services, and

(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and

(d) be of good design.

5) A planning proposal must, in relation to land to which this direction applies:

(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and

(b) not contain provisions which will reduce the permissible
6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objective of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or

(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) of minor significance.

**Turner Road Planning Proposal**

The Turner Road Planning Proposal is considered consistent with Direction 3.1, as it proposes to:

- increase housing supply and broaden choice and locations of available building types in the local housing market
- make more efficient use of urban land optimising the use of existing infrastructure and services
- offer well connected housing in a location that is already zoned for residential purposes
- demonstrate good urban and environmental design
- be consistent with the structured growth of the area
- be consistent with the structured growth and densities defined in the immediate area

| 3.2 Caravan Parks and Manufactured Home Estates | Not applicable | S.117 Direction is not relevant to the Turner Road Planning Proposal. |
| 3.3 Home Occupations | Not applicable | S.117 Direction is not relevant to the Turner Road Planning Proposal. |
3.4 Integrating Land Use and Transport  

<table>
<thead>
<tr>
<th>Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>The objective of Direction 3.4 is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</td>
</tr>
<tr>
<td>a) improve access to housing, jobs and services by walking, cycling and public transport, and increase the choice of available transport and reduce dependence on cars, and</td>
</tr>
<tr>
<td>c) reduce travel demand including the number of trips generated by development and the distances travelled, especially by car, and</td>
</tr>
<tr>
<td>d) support the efficient and viable operation of public transport services, and provide for the efficient movement of freight.</td>
</tr>
</tbody>
</table>

What a relevant planning authority must do

A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and

(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).

Turner Road Planning Proposal

The Turner Road Planning Proposal is considered consistent with S.117 Direction 3.4, as it can enable a well-located site to:

- make better use of its close proximity to local shopping and services, employment, recreational opportunities and the local bus network; and
- provide an increase in population in a mix of new housing.

3.5 Development Near Licensed Aerodromes  

| Not applicable |
| S.117 Direction is not relevant to the Turner Road Planning Proposal. |

3.6 Shooting Ranges  

| Not applicable |
| S.117 Direction is not relevant to the Turner Road Planning Proposal. |

4. HAZARD AND RISK

4.1 Acid Sulphate Soils  

| Not applicable |
| Camden LEP 2010 does not define Acid Sulphate Soils and S.117 Direction is not considered relevant to the Turner Road Planning Proposal. However, the Camden LGA is known to contain acid sulphate soils and infrastructure will be designed to protect against such soil. |
### 4.2 Mine Subsidence and Unstable Land

<table>
<thead>
<tr>
<th><strong>Objective</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</td>
</tr>
</tbody>
</table>

#### Where this direction applies

(2) This direction applies to land that:

(a) is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or  
(b) has been identified as unstable land.

#### When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that:

(a) is within a mine subsidence district, or  
(b) has been identified as unstable in a study, strategy or other assessment undertaken:

(i) by or on behalf of the relevant planning authority, or  
(ii) by or on behalf of a public authority and provided to the relevant planning authority.

#### What a relevant planning authority must do if this direction applies

(4) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:

(a) consult the Mine Subsidence Board to ascertain:

(i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and  
(ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and

(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and  
(c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

(5) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).
### Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objective of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or

(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) of minor significance.

Turner Road Planning Proposal is not located in a Mines Subsidence District.

<table>
<thead>
<tr>
<th>4.3 Flood Prone Land</th>
<th>Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The objectives of this Direction 4.3 are:</strong></td>
<td></td>
</tr>
<tr>
<td>a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</td>
<td></td>
</tr>
<tr>
<td>b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</td>
<td></td>
</tr>
<tr>
<td>Direction 4.3 applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</td>
<td></td>
</tr>
<tr>
<td>Direction 4.3 applies to the site, as the site is located within ‘flood prone land’, which is defined in the Floodplain Development Manual, 2005 is defined as ‘Land susceptible to flooding by the Probable Maximum Flood (PMF) event’.</td>
<td></td>
</tr>
<tr>
<td><strong>Turner Road Planning Proposal</strong></td>
<td></td>
</tr>
<tr>
<td>The Turner Road Planning Proposal site is not known to be located within a flood liable area and is considered consistent with the provisions of Direction 4.3 Flood</td>
<td></td>
</tr>
<tr>
<td>4.4 Planning for Bushfire Protection</td>
<td>Applicable</td>
</tr>
<tr>
<td>-------------------------------------</td>
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</tr>
<tr>
<td><strong>The objectives of Direction 4.4 are:</strong></td>
<td></td>
</tr>
<tr>
<td>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</td>
<td></td>
</tr>
<tr>
<td>(b) to encourage sound management of bush fire prone areas.</td>
<td></td>
</tr>
<tr>
<td><strong>What a relevant planning authority must do</strong></td>
<td></td>
</tr>
<tr>
<td>(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, (5) a planning proposal must:</td>
<td></td>
</tr>
<tr>
<td>(a) have regard to Planning for Bushfire Protection 2006</td>
<td></td>
</tr>
<tr>
<td>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</td>
<td></td>
</tr>
<tr>
<td>(c) ensure that bushfire hazard reduction is not prohibited within the APZ.</td>
<td></td>
</tr>
<tr>
<td>(6) a planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</td>
<td></td>
</tr>
<tr>
<td>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:</td>
<td></td>
</tr>
<tr>
<td>(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</td>
<td></td>
</tr>
<tr>
<td>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</td>
<td></td>
</tr>
<tr>
<td>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act</td>
<td></td>
</tr>
</tbody>
</table>
(c) contain provisions for two-way access roads which links perimeter roads and/or to fire trail networks
(d) contain provisions for adequate water supply for firefighting purposes,
(e) minimise the perimeter of the area of land interfacing the hazard which may be developed
(f) introduce controls on the placement of combustible materials in the Inner Protection Area.

**Turner Road Planning Proposal**

It is considered that the Turner Road Planning Proposal is capable of providing adequate arrangements for bushfire protection and meeting the requirements of Direction 4.4 Planning for Bushfire Protection (refer to Annexure C).

<table>
<thead>
<tr>
<th>5. REGIONAL PLANNING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5.1 Implementation of Regional Strategies</strong></td>
</tr>
<tr>
<td><strong>5.2 Sydney Drinking Water Catchments</strong></td>
</tr>
<tr>
<td><strong>5.3 Farm land of State and Regional Significance on the NSW Far North Coast</strong></td>
</tr>
<tr>
<td><strong>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</strong></td>
</tr>
<tr>
<td><strong>5.8 Second Sydney Airport: Badgerys Creek</strong></td>
</tr>
<tr>
<td><strong>5.9 North West Rail Link Corridor Strategy</strong></td>
</tr>
</tbody>
</table>
## 6. LOCAL PLAN MAKING

<table>
<thead>
<tr>
<th>Section</th>
<th>Applicability</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>6.1 Approval and Referral Requirements</strong></td>
<td>Applicable</td>
<td>Direction 6.1 ensures that LEP provisions encourage the efficient and appropriate assessment of development. Planning proposals must be substantially consistent with the terms of this direction. As a standard template instrument, Camden LEP 2010 contains the relevant referral provisions so as to ensure the efficient and appropriate assessment of development. Should it proceed, as an amending instrument to Camden LEP 2010, the Turner Road Planning Proposal will be consistent with this direction.</td>
</tr>
</tbody>
</table>
| **6.2 Reserving Land for Public Purposes** | Not applicable | The objectives of Direction 6.2 are: 
- to facilitate the provision of public services and facilities by reserving land for public purposes, and 
- to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. 

The direction states that a planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). 

**Turner Road Planning Proposal does not rezone land for public purposes** |
| **6.3 Site Specific Provisions** | Applicable | Direction 6.3 seeks to discourage unnecessarily restrictive site-specific planning controls. 

The direction states that: 

(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: 

- allow that land use to be carried out in the zone the land is situated on, or 
- rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or 
- allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument. |
(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.

Turner Road Planning Proposal

The Turner Road Planning Proposal is considered to be consistent with these requirements, as it:

- Proposes to rezone the land:
  - R1 General Residential
  - E2 Environmental Conservation

  Removes the E4 Environmental Management

- Proposes to establish Height of Building and Lot Size development standards to apply to the land, that are consistent with the development standards in Camden LEP 2010.

7. METROPOLITAN PLANNING

7.1 Implementation of - A Plan Growing for Sydney

(issued 14 January 2015)

Applicable

Direction 7.1 gives legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

This direction applies to land in Camden LGA. It requires that planning proposals shall be consistent the NSW Government’s A Plan for Growing Sydney (December 2014).

The direction notes that a planning proposal may be inconsistent only if the Relevant Planning Authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with A Plan for Growing Sydney:

- is of minor significance, and
- the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.

Turner Road Planning Proposal

The Turner Road Planning Proposal is considered to be consistent with the broad strategic intent of the NSW Government’s A Plan for Growing Sydney.

This planning proposal report explains the consistency of the Turner Road Planning Proposal with both A Plan for Growing Sydney (December 2014) and other strategic documents.
7.2 Implementation of Greater Macarthur Land Release Investigation (Issued 22 September 2015)  

Not applicable  

The objective of this direction is to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).

This direction applies to Campbelltown City Council and Wollondilly Shire Council.

This direction applies when a relevant planning authority prepares a planning proposal for land within the Greater Macarthur Land Release Investigation Area, as identified in the Preliminary Strategy.

(5) Planning proposals shall be consistent with the Preliminary Strategy published in September 2015.

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning & Environment (or an officer of the Department nominated by the Secretary), that:

- the provisions of the planning proposal that are inconsistent are of minor significance, and
- the planning proposal achieves the overall intent of the Preliminary Strategy and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Macarthur Land Release Investigation Area.

**Turner Road Planning Proposal**

The Turner Road Planning Proposal is considered to be consistent with the broad strategic intent of the NSW Government’s *Greater Macarthur Land Release Investigation*. However, this does not apply to the Turner Road Planning Proposal.

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### 5.4 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

#### 5.4.1 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?

#### 5.4.1.1 CONTAMINATION ASSESSMENT

Based on the results of our current investigation and previous investigations, seven areas of environmental contamination (AEC I to VII) were identified and these areas need to be remediated in order to ensure suitability of the site for the proposed residential subdivision development.
5.4.1.1 REMEDIATION ACTION PLAN

In order to ensure suitability of the site for the proposed residential subdivision development, site remediation will be required to clean up the site. The following sections describe the components essential for the remediation of the site. Appropriate modification of these components may be required depending upon actual site conditions encountered during the remediation process and other factors involving the logistics of the work to be carried out.

5.4.1.2 REMEDIATION GOALS

The remediation goal is to clean up all areas of environmental concerns as described in above to ensure the site is suitable for the proposed residential subdivision development.

5.4.1.3 REMEDIATION STRATEGY AND PROCESS

The remediation strategy is as follows:

**AEC I, II and III - Buried rubbish fill containing bonded asbestos**

- Excavation of all buried fill and removal of all asbestos impacted fill/soil where possible and this may require manual isolation of asbestos fragments. The asbestos and building rubbish should be isolated and stockpiled separately if possible for disposal.
- Validation sampling and laboratory testing should be carried out on the excavated surface to ensure the underlying soil and walls of the excavation are clean of contaminants of concern within the Acceptance Criteria.
- In the event where the validation samples are found to have contamination, further excavation and removal of the affected soil should be carried out and additional validation sampling should be carried out to confirm complete removal of the contaminated soil.
- All rubbish and asbestos fill should be disposed off site to an OEH approved landfill. The asbestos impacted fill may be classified as “Special waste - Asbestos Waste” based on the OEH’s guidelines (Reference 12). All rubbish fill which are not impacted by asbestos may be classified as “General Solid Waste (Non putrescible).

**AEC IV, V and VI – Surface rubbish fill, some containing bonded asbestos**

- Stripping of surface rubbish fill and removal of all asbestos impacted fill/soil where possible and this may require manual isolation of asbestos fragments. The asbestos and building rubbish should be isolated and stockpiled separately if possible for disposal.
- Validation sampling and laboratory testing should be carried out on the stripped surface to ensure the underlying soil and walls of the excavation are clean of contaminants of concern within the Acceptance Criteria.
- In the event where the validation samples are found to have contamination, further excavation and removal of the affected soil should be carried out and additional validation sampling should be carried out to confirm complete removal of the contaminated soil.
- All rubbish and asbestos fill should be disposed off site to an OEH approved landfill. The asbestos impacted fill may be classified as “Special waste - Asbestos Waste” based on the OEH’s guidelines (Reference 12). All rubbish fill which are not impacted by asbestos may be classified as “General Solid Waste (Non putrescible)
AEC VII– House area with Lead Contamination

Lead impacted soil around the existing house and surround may be remediated by removal off site. This will involve:

- Excavation of the upper topsoil/fill impacted by Lead in AEC VII and stockpiled separately.
- Validation sampling and laboratory testing should be carried out on the excavated surface to ensure the underlying soil is clean of contaminants of concern within the Acceptance Criteria.
- In the event where the validation samples are found to have contamination, further excavation and removal of the affected soil should be carried out and additional validation sampling should be carried out to confirm complete removal of the contaminated soil.
- The Lead contaminated stockpile to be disposed offsite should be characterised in accordance with OEH’s guidelines (Reference 12). The stockpile may be preliminarily classified as “General Solid Waste (non-putrescible). Note that fill containing asbestos would need to be classified as “Special waste – Asbestos Waste”.

5.4.1.2 BUSHFIRE IMPACT

The subject property is shown as bushfire prone on Council’s Bushfire Prone Maps. As such a bushfire hazard assessment accompanies the application at Annexure C. The following provides details of the assessment.

5.4.1.2.1 VEGETATION TYPES

In accord with PBP, the predominant vegetation class has been assessed within the development and calculated for a distance of at least 140m out from the proposed development.

The majority of the area proposed for subdivision has been cleared and now consists of weedy areas, cleared grasslands and scattered paddock trees.

A narrow riparian corridor occurs within the subject land. The existing small patch of Alluvial Woodland within the corridor is less than 1 ha in size. Following rehabilitation the riparian corridor will include a strip of vegetation that is less than 20m in width consisting of grasses and sedges (Juncus and Carex) with scattered trees.

This vegetation is considered to be negligible and is not considered a bushfire hazard, consistent with the Guide for Bush Fire Prone Land Mapping (RFS, 2014). A small patch of vegetation occurs to the north east of the subject land which is less than 1 ha in size and is also not considered a bushfire hazard in accordance with the Guide.

An area of remnant vegetation (less than 2ha in size) occurs to the south of the subject land, on the opposite side of Turner Road within a vegetated riparian corridor. For the purposes of applying PBP this is considered a ‘low hazard’.

5.4.1.2.2 RECOMMENDATIONS AND CONCLUSION

The proposal consists of residential subdivision adjoining a narrow riparian corridor which is in the process of being rehabilitated and revegetated.
The development aim and objectives of PBP and the standards for subdivision as specified in Section 4.1.3 of PBP as outlined below:

- Asset protection zones are provided as outlined in Section 3 of this report.
- Water supply is to be installed in accordance with the requirements outlined in Section 5.
- Electrical services are to be underground.
- Any gas services are to be installed and maintained in accordance with AS/NZS 1596:2008.
- Public roads are to comply with the requirements outlined in Section 5 of this report.

5.4.1.3 FLORA AND FAUNA

The proposal involves the removal of trees, as detailed below, but will be replaced with landscaping (Annexure G). Notwithstanding, an ecological constraints assessment has been prepared by Eco Logical Australia (ELA), with a copy of the report provided at Annexure D. The following provides a summary of the report.

5.4.1.3.1 VEGETATION AND FAUNA HABITAT

Fauna is supported on the subject site by vegetation communities, including exotic pasture and remnant paddock trees. Habitat features are very limited, and include riparian areas and one hollow bearing tree. The bird species observed were common species found in urbanised environments in particular Noisy Minor (Manorina melanocephala), Magpie-lark (Grallina cyanoleuca), and Australian Raven (Corvus coronoides).

Woodlands on the subject site are not of sufficient size and complexity to support resident populations of sedentary bird species, whilst they do provide other resources to transient or wide ranging threatened species. The vegetation on the subject site provides no linkages to other areas of habitat. Along the eastern boundary of the subject site the adjacent development has established a riparian corridor which provides a linkage between Narellan Creek and the Scenic Hills area.

5.4.1.3.2 THREATENED ECOLOGICAL COMMUNITIES

The threatened community Cumberland Plain Woodland (CPW) occurs within the subject site. This community was in the form of approximately 25 scattered paddock trees within predominantly exotic pasture. This community is a critically endangered ecological community (CEEC) under the TSC Act and is also listed as critically endangered under the EPBC Act.

A small remnant of River-Flat Eucalypt Forest (RFEF) on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions occurs along the main drainage line on the site. Due to the small size and poor quality of the vegetation, the vegetation does not meet the definition of CPW under the EPBC Act.

5.4.1.3.3 THREATENED FLORA

No threatened flora species were recorded in the subject site during the field survey.
5.4.1.3.4  THREATENED FAUNA

No threatened fauna species were recorded in the subject site during the field survey.

5.4.1.3.5  CONCLUSIONS AND RECOMMENDATIONS

5.4.1.3.5.1  ASSESSMENTS OF SIGNIFICANCE

The proposal would result in the removal of approximately 25 scattered paddock trees of the CPW community and approximately 0.2 ha of the RFEF community.

The proposal would also remove one hollow bearing tree and dewater three existing dams. Reconstruction of the creek is proposed to improve water quality and revegetation of the riparian corridor is proposed under a Vegetation Management Plan for the subject site.

The results of the assessments of significance indicate that the proposal is not likely to have a significant impact on the following communities and species:

- Cumberland Plain Woodland in the Sydney Basin Bioregion (CPW) (TSC Act)
- River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions (RFEF) (TSC Act)
- *Falsistrellus tasmaniensis* (Eastern False Pipistrelle) (TSC Act)
- *Mormopterus norfolkensis* (East Coast Freetail Bat) (TSC Act)
- *Myotis macropus* (Southern Myotis) (TSC Act)
- *Scoteanax rueppellii* (Greater Broad-nosed Bat) (TSC Act)
- *Pteropus poliocephalus* (Grey-headed Flying-Fox) (TSC Act and EPBC Act).

Mitigation measures and offsets are discussed in Section 6.3.1.5.1 below.

5.4.1.3.5.2  MITIGATION MEASURES

A number of mitigation measures will be implemented which will minimise the potential impact on threatened species and communities listed under the TSC Act. General mitigation measures that should be implemented include:

- Weed control to ensure the enhancement and protection for remaining CPW and RFEF throughout the subject site, including control of any noxious or environmental weeds, the management of the introduction of weed propagules to the subject site through washing down of construction and vegetation clearing equipment prior to their use
- Following of the hygiene protocol for the control of disease in frogs (DECC, 2008)
- Installation of specific erosion and sediment controls as to avoid sediment and other pollution entering waterways
- Regular monitoring inspections of the subject site before and after heavy rainfall and follow-up work to repair / install erosion and sedimentation controls
- Using herbicides in accordance with appropriate guidelines with regard to environmental and personal safety.
- Inclusion of native winter-flowering trees within the rehabilitated riparian zone.
- Dam dewatering in accordance with the method proposed below.
5.4.1.3.5.3 DAM DEWATERING PLAN

Three man-made dams lie within the subject site. It is recommended that a ‘Dam Dewatering Plan’ be established prior to construction to ensure mitigation measures are in place to reduce or avoid any adverse environmental impacts as a consequence of the development.

While the final outline of the Dam Dewatering Plan will be dependent on further field work results, it is likely it would cover aspects such as:

- Assessment of water quality and discharge options
- Management of aquatic pests and weeds (e.g. Gambusia, Carp, Salvinia, Alligator Weed)
- Relocation of native aquatic species (e.g. Eastern Long-necked Turtles, Gudgeons)
- Relocation or protection of key habitat elements (such as waterbird nests or unique flora)
- Options for enhancing or protecting any remaining habitat during works.

5.4.1.4 ABORIGINAL HERITAGE

An Aboriginal due diligence assessment was undertaken by Eco Logical Australia (Annexure E). The following provides a summary of the assessment.

5.4.1.5 RECOMMENDATIONS

Based on the results of this Aboriginal heritage due diligence assessment the following is recommended:

- A search of the AHIMS register confirmed a registered Aboriginal archaeological site (52-2-2122) is known to exist on the property. The advanced search shows the site as valid, indicating it has not be destroyed. The advanced search shows two permits issued against the site 2576 and 2838. Copies of these permits were requested by ELA to the OEH. The OEH sent a copy of permit 2838, which was a consent to destroy four sites including site 52-2-2221 dated 6 December 2007 for five years. It is understood from the OEH that permit 2576 is superseded by permit 2838. The site visit demonstrated that site 52-2-2221 has not been impacted and development has not occurred in this area. The AHIP is now expired and is no longer valid for future impacts to this site.
- Whilst no surface Aboriginal objects or sites were relocated during the site visit, the extent of the proposed development has the potential to impact on this previously recorded Aboriginal site. The soils in the vicinity of site 52-2-2122 retain low to moderate integrity and should therefore be the subject of further assessment. The site 52-2-2122 and area of archaeological sensitivity is within an area proposed for development but should be considered for conservation by the proponent.
- If conservation of the site 52-2-21211 and area of sensitivity cannot be achieved, further assessment and an application for an Aboriginal Heritage Impact Permit (AHIP) under section 90A of the National Parks and Wildlife Act 1974 will be required.
- Applications for an AHIP must be accompanied by an Aboriginal Cultural Heritage Assessment report, as set out the guidelines of the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2010). Applications for an AHIP must provide evidence of consultation with the Aboriginal communities as required under Part 8A of the NPW Regulation 2009 and in accordance with OEH’s Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW, 2010b). An Aboriginal Cultural Heritage Assessment Report documents the process of investigation, consultation and assessment undertaken.
• The ponded 2nd order stream located to the west of the registered site has the potential to retain sub surface soils that have not been impacted by channel reforming and grading particularly on the eastern margins. As part of the further assessment, a limited program of archaeological test excavations should be undertaken on the eastern side of the ponded area and between it and the reported AHIMS site (52-2-2122) to confirm the extent of the subsurface archaeological material (Figure 7), being the area bounded by lots 19-25, 27 and 47 on the proposed layout.
• Due to the steep nature of the property, shallow soils and past soil disturbance, it is assessed that there is a low likelihood for Aboriginal objects to occur in upper slope areas or those areas disturbed by residential development and the construction of dams and drainage channels. Therefore, no further archaeological assessment is recommended in these areas.
• If suspected Aboriginal objects, such as stone artefacts are located during future works, works must cease in the affected area and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, the OEH must be notified under section 89A of the NPW Act. Appropriate assessment and management should be sought and may include approvals under a section 90 AHIP should objects be moved or harmed.
• In the extremely unlikely event that human remains are found, works should immediately cease and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, the OEH may also be contacted at this time to assist in determining appropriate management.

5.4.1.6 TRAFFIC IMPACTS

The potential impacts of traffic on the surrounding road system have been addressed by Transport and Urban Planning (refer to Annexure F). The following summarises the assessment.

5.4.1.6.1 SUMMARY AND CONCLUSIONS

It is our view that the subdivision proposal represents an appropriate use of the site economically from both a traffic planning and road safety viewpoint. The conceptual design measures incorporated therein are intended to minimise any affect on adjoining lands. The proposed access treatments to the lands from the state road network are minimal and should not impede the operation, efficiency or safety of the adjoining local road system.

The proposed pavement width will allow vehicles to proceed safely at the operating speed (i.e. 40-50 km/h) intended for that level of road in the local and internal network and with only minimal delays in the peak period. The safety of pedestrians and cyclists where it is intended they use the carriageway will also be assured by providing sufficient width and reducing travel speeds.

The pavement widths and sight lines will also provide for unobstructed access to individual allotments. Motorists should be able to comfortably enter or reverse from an allotment in a single movement, taking into consideration the possibility of a vehicle being parked on the carriageway opposite the driveway.

In accord with RMS traffic generation rates the full development of all allotments is likely to result in an additional 203 peak hour trips along Ascot Street. These 203 vehicle movements represent significant increase over existing low volumes during the AM / PM peak hour.
However, combined future traffic volumes (i.e. existing plus projected) are still likely to result in two way totals of around 300 vehicles per hour, which is in keeping with the recommended RMS / AMCORD threshold for collector roads.

The impact of the additional traffic generation by the proposal should not diminish the acceptable level of service to existing traffic flows on Ascot Street or Currans Hill Road in the short term and in the broader sense have a marginal impact on other major road or intersections on the adjacent road network given the existing poor intersection service levels along Narellan Road.

5.4.1.7 STORMWATER ASSESSMENT

A drainage plan has been prepared by JMD Development Consultants Pty Ltd (Annexure H). The plans indicate that the overland flow and drainage within the proposed subdivision can be collected and drained downstream. The report concludes as follows:

“The site is required to incorporate independent stormwater detention to reduce stormwater flows off the developed site to that which occurs under current conditions. Separate detention is being provided on the northern external catchment to manage the flows entering this site.

The stormwater runoff from the site has been modelled by JMD using the XP-Rafts computer program.

Various storm durations in the 1 in 5 year ARI, 1 in 10 year ARI and 1 in 100 year ARI storm events were analysed. The modelling results which are detailed in Annexure B and summarised in Section 3 of this report demonstrate that the detention basins proposed to be constructed on the development operate to satisfy on-site detention requirements. Peak flows from the developed site in both the 1 in 5 year ARI and 1 in 100 year ARI events are reduced to less than that which occurs under current site conditions.

The development will need to treat stormwater flows generated off the site to ensure that stormwater discharging from the site meets current water quality targets. The target objectives defined in Council’s design code are outdated and so the water quality measures to be incorporated into the development have been designed to meet the water quality objectives outlined in the more recent Oran Park DCP.

The modelling of water quality measures has been undertaken using the MUSIC computer program. It has been determined that the incorporation of 2500L water tanks and water reuse for toilet, laundry and hot water on each lot, gross pollutant traps on all stormwater discharge points to the central drainage channel and construction of a raingarden complying with the specification in section 4 of this report with a minimum bed area of 945m² will ensure that the water quality outcomes are satisfied.

The existing gully through the site will need to be shaped to form a drainage flow path compliant with Council’s design code. The channel collects flows off an external catchment area of some 20.4ha and the development site and conveys the collected stormwater flows to a proposed rain garden and detention basin immediately upstream of Turner Road. It is proposed to construct this drainage channel to the profile indicated at Section 5 of this report incorporating a number of drop structures to reduce the grade of the channel and control flow velocity.
5.4.1.8 SALINITY

In respect of salinity issues, GeoEnviro Consultancy has undertaken an assessment of this issue (refer to Annexure I).

The following provides a summary of the outcomes of the assessment.

5.4.1.8.1 COMMENTS AND ASSESSMENT

From our review of the previous reports and our recent site inspection, the general site conditions noted in our 2004 assessment report remained predominantly the same with no obvious ground disturbance or change in landuse that may alter the salinity pathways. On this basis, we are of the opinion that soil salinity chemistry is expected to remain predominantly unchanged since our 2004 and 2009 investigations. The following is a summary of site conditions previously encountered:

- The site is generally underlain by natural clayey soil profile overlying shale found to be present at depths varying from 1.0m to 3.0m below existing ground surface.
- Groundwater was not encountered within the soil profile in our previous test pit investigation (maximum investigation depth of 3m) and moisture content of the underlying soil was found to be less than the plastic limit.
- The laboratory test results indicate the topsoil to be Non to Moderately saline (i.e. 0.3 to 5.0 ds/m) and the underlying the natural clay to be generally Slightly to Moderately saline (i.e. less than 6.5 ds/m).
- The insitu soil was generally assessed to be sodic and highly dispersive.
- The subsurface soil was found to have low Sulphate however in an environment with the lowest pH of 4.3, the soil is assessed to be Moderately aggressive to buried concrete based on current guideline

5.4.1.8.2 SALINITY MANAGEMENT STRATEGY

Based on the laboratory test results, site is impacted by saline soil and we therefore recommend the proposed development to adopt a good soil and water management strategy.

The management strategies are as follows:

- Appropriate batter slopes for excavations should be adopted to prevent erosion and scouring. Under good drainage conditions, the following batter slopes or less may be adopted
- Any site regrading should be planned to reduce cutting and filling to the absolute minimum and the earthworks undertaken in stages to alleviate erosion and localised instability problem. To minimise the effects of erosion, all batters, whether in cut or fill should be stabilised by planting (or the application of a sprayed-on mulch) with appropriate species of vegetation as soon as practical after construction.
- The site should be regularly inspected for rills, erosion and scouring of slopes as the insitu soil was assessed to be very dispersive. In areas with notable ground instability, the upper 300mm of the ground surface should be treated by stabilising with 3% by weight of lime or covering the area with good quality stable fill such as ripped sandstone.
- Detention ponds should be regularly monitored for water quality and cloudy water should be appropriately treated by flocculation with gypsum.
• Trenching for underground services should be carried out in a manner such that there is minimal rotation and vertical displacement of the original soil profile.
• Further sampling and laboratory analysis may be required out in areas showing signs of instability in order to determine preventative course of action and minimise potential salinity problems.
• All proposed imported fill should be verified by sampling and testing to ensure the material is Non to Slightly saline. Moderately saline soil may be considered suitable provided the salinity level is not higher than the insitu soil. Supporting information and documentation should be supplied verifying that the subject material complies.
• Adequate revegetation of the site should be carried out and this may involve treatment of topsoil material and planting appropriate plant species which are salt-tolerant.
• Reference should be made to the AS 2159 (Reference 8) and AS3600 (Reference 9) for recommendations on protection of buried concrete and steel structures.

5.4.1.8.3 VEGETATION MANAGEMENT PLAN

Eco Logical Australia has prepared a vegetation management plan for the riparian corridor (Annexure J). The following summarises the report:

Monitoring

The bush regeneration contractor will be engaged by the land owner to monitor the vegetation for changes over time. Monitoring will be required on a six monthly basis for the first two years and then annually until handover to Council, estimated to be five years from practical completion.

Short term (follow up) monitoring, is to be undertaken after the initial weed control works. This will determine if the initial treatment has been effective in controlling the target species or if follow up treatments are required and for how long. Follow up monitoring will prevent controlled areas from being reinfested. This monitoring is essential to inform the maintenance works and to get maximum value for money from the initial weed control works.

Long term (annual) weed monitoring will be used for initial work schedule planning, where and when to target weed control works in the coming year and appropriate works to be implemented noting that varying climatic conditions throughout the year may mean that the initial schedules need to be altered.

Photo monitoring points

A number of photo monitoring points will be established across the site to provide a visual reference of changes in the vegetation and performance of the stream works. This will be undertaken prior to the commencement of works and at the beginning of each summer season. The lead supervisor will set up 8 photo points across the site with the following distribution:

• Zone 1: Low flow areas – 3 photo points
• Zone 2: Detention basin batters – 2 photo points
• Zone 3: Revegetation – 3 photo points.

The following method will be used to establish and monitor the photo points:
Mark the photo point with a six foot star picket and map the location of each photo point. Take a digital photo of each photo point with the whole length of the star picket visible in the photo to act as a reference point. Organise the digital photos logically with each image labelled with a unique reference number indicating the location of the photo point, the direction of the photo and the date the photo is taken.

Quadrats

Quadrats (1 m x 1 m) should be undertaken adjacent the photo points located in each zone during each monitoring period. Data collected will include:

- A species list of native species and their percentage cover
- A species list of exotic species and their percentage cover
- Survival rate of all planted vegetation per strata level: i.e. tree, shrub and groundcover
- Vegetation condition.

Reporting

The bush regeneration contractor will be engaged by the land owner to report on progress of the vegetation for changes over time. Reporting will be required on a six monthly basis for the first two years and then annually until handover to Council, estimated to be five years from practical completion.

- Works carried out, including a measure of effort (e.g. number of hours, change in weed densities, etc.) and other relevant information (e.g. weed species targeted, areas worked, dominant techniques used, etc.)
- Photos from monitoring points
- Quadrant information
- Any observations, such as the occurrence of new weed species
- A description of any problems or issues encountered (e.g. threatened species, rates of regeneration, etc) and how they were overcome
- A summary of how the site-specific objectives and performance criteria have been met (or not). If these have not been met, further explanation and a proposed response may be necessary
- Relevant maps.

Each report will include:

This annual report will highlight the effectiveness of the program and identify any changes needed to improve (i.e. changes to weed control techniques, types of herbicides used or weed priority).

Performance criteria

The progress and compliance with the VMP will be monitored and reviewed every reporting period (i.e. six monthly for the first two years then annually afterwards). This process will involve the contractor(s), the land owner and the lead supervisor. Annual reports will be submitted to Camden Council. If required, reporting will be followed by a site visit to discuss.
The performance criteria are shown in Table 2. Where non-performance occurs and is not immediately rectified a ‘stop the clock’ notice on the maintenance period may be issued by Camden Council until the non-performance is rectified. In the case of performance criteria not being met due to extreme acts of nature (e.g. fire, flooding) or vandalism, discussions may be held with Camden Council to consider alternative performance criteria.

5.4.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

The Planning Proposal will adopt the local provisions to the Standard Instrument Local Environmental Plan (SI LEP) to minimise the likely environmental impacts of future development. In this regard, it is proposed to adopt the provisions within LEP 2010 in respect of minimum lot size, building height and minimum lot size for the R1 zone.

5.4.3 HOW HAS THE PLANNING ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The PP has addressed the current land supply limitations and move towards fulfilling the accommodation needs attached to the subregional population and housing projections.

The proposal has positive social and economic contributions as discussed above in the various Strategies by providing much needed housing choice in the LGA.

Indeed, under the proposed scenario, no adverse social and/or economic impacts are foreshadowed, but rather positive impacts will accrue in this regard.

5.5 SECTION D – STATE AND COMMONWEALTH INTERESTS

5.5.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

Public infrastructure will be required to be augmented to support the development of the subject land as communicated in this PP.

Amplification/enhancement of offsite infrastructure, including community infrastructure, will involve relevant contributions pursuant to Section 94 (EP&A Act). Such contributions will be determined in response to more detailed planning actions as the PP progresses.

5.5.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

The Gateway determination will identify any consultation required with State or Commonwealth Public Authorities. This will include:

- Consultation required in accordance with a Ministerial Direction under section 117 of the EP&A Act: and

- Consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act 1979, as amended.
6  Mapping

A subdivision plan is submitted with this application as Annexure A. The required Maps have been prepared in accordance with the Standard Technical Requirements for LEP maps.

7  Part 5 – Community Consultation

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” outlines community consultation parameters. The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

Before proceeding to public exhibition, the Director General of Planning (or delegate) must approve the form of the Planning Proposal as being consistent with the “Gateway” determination (EP&A Act 57(2)).

It is envisaged that further community consultation would occur through the public exhibition of detailed documents lodged with the development application for the development proposal. This further consultation will, at a minimum include, advertising in local papers, exhibition material provided at Camden Council administration buildings and libraries and Camden Council’s webpage and the required written notifications that would ordinarily be required.

Once Council is satisfied with the amended Planning Proposal following determination at the Gateway, it is recommended that it will be publicly exhibited for a period of 28 days, as it is considered that the PP falls within the definition of “low impact” Planning Proposals.

The exhibition would include letters to nearby and adjoining landowners. The written notice will:

- Give a brief description of the objectives and intended outcomes of the Planning Proposal;
- Identify the land the subject of the Planning Proposal;
- Provide information of when and where the details of the Planning Proposal can be inspected;
- Give the contact details of Council for the receipt of submissions and for any enquiries;
- Indicate the last date for submissions to be received by Council; and
- Include any other information as instructed by the Gateway process.

Any submissions received in response to the community consultation would need to be fully considered, in accordance with the prevailing statutory provisions. Should there emerge any issues which occasion a significant amendment/s to the PP and proposed LEP amendment, re-exhibition and further consultation may be required.

8  Indicative Project Timeline

The following project timeline is advanced in Table 6 below.
### TABLE 6 – PROJECT TIMELINE

<table>
<thead>
<tr>
<th>Project Detail</th>
<th>Timeframe</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodgement</td>
<td>N/A</td>
<td>February 2018</td>
</tr>
<tr>
<td>Council Review/Reporting</td>
<td>3 months</td>
<td>May 2018</td>
</tr>
<tr>
<td>Anticipated commencement date (Gateway determination)</td>
<td>2 months from submission to DoPE</td>
<td>July 2018</td>
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<tr>
<td>Anticipated timeframe for the completion of required technical information – after specialist study requirements determined</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Amendment of Planning Proposal, if needed</td>
<td>1 month</td>
<td>August 2018</td>
</tr>
<tr>
<td>Commencement and completion dates for public exhibition period &amp; government agency consultation – after amending Planning Proposal, if required</td>
<td>2 months</td>
<td>October 2018</td>
</tr>
<tr>
<td>Dates for public hearing, if required</td>
<td>Not required</td>
<td>N/A</td>
</tr>
<tr>
<td>Timeframe for consideration of submissions</td>
<td>1 month</td>
<td>November 2018</td>
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<tr>
<td>Timeframe for the consideration of proposal post exhibition, including amendments and maps and report to Council</td>
<td>1 month</td>
<td>December 2018</td>
</tr>
<tr>
<td>Date of submission to the Department to finalise the LEP (including 6 week period for finalisation)</td>
<td>2 months</td>
<td>February 2019</td>
</tr>
<tr>
<td>Anticipated date RPA will make the plan, if delegated</td>
<td>Not applicable</td>
<td>N/A</td>
</tr>
<tr>
<td>Anticipated date RPA will forward to the Department for notification</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 9 Conclusion

The preceding commentary has clearly established a case for the limited review the planning provisions as they pertain to the subject lands. It is proposed that the subject lands be zoned R1 – General Residential and that Camden LEP 2010 by amending the Land Zoning Map LZN_17_20, the Heights of Building Map HOB_017_20 to 9.5m (J).