



# **PLANNING PROPOSAL POLICY P2.0262.3**

# PLANNING PROPOSAL POLICY

**DIRECTORATE:** Planning and Environment

**BRANCH:** Strategic Planning

**CATEGORY:** 3

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## 1. Purpose

- 1.1 The purpose of this Policy is to outline the process and requirements for the submission, assessment, notification and management of Planning Proposals and associated processes, such as Development Control Plan (DCP) amendments.

## 2. Alignment with Community Strategic Plan

- 2.1 Council's [Community Strategic Plan 2036](#) identifies five key directions to guide Council towards achievement of the vision for Camden to 2036 that "Camden is a connected, diverse, and thriving community, embracing opportunities of growth, while valuing our rich heritage and protecting and sharing responsibility for our natural environment".

The following objective is applicable to this Policy and relevant to the key direction of Leading:

- L3 - Our Council decisions are informed, accountable and transparent.

## 3. Scope

- 3.1 This Policy is designed to be used as a guidance document and may be varied with the approval of Manager Strategic Planning or Director Planning and Environment.
- 3.2 This Policy relates to all Council officers who engage in the assessment and management of Planning Proposals and to Proponents who are involved in the preparation and submission of Planning Proposals and Development Control Plans (DCPs).
- 3.3 This Policy applies to all Planning Proposals to amend the Camden Local Environmental Plan 2010 (Camden LEP) and/or State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Precincts SEPP).
- 3.4 The Policy also applies to the preparation of all new and amended DCPs (including those associated with Planning Proposals).

- 3.5 If any part of this Policy is inconsistent with statutory provisions prepared by the NSW Department of Planning, Housing and Infrastructure (DPHI), the latter provisions will prevail.

#### **4. Objectives**

4.1 The objectives of this Policy are to provide general guidance to:

- Council officers on the process for managing Planning Proposals and DCPs; and
- Proponents on the Planning Proposal and DCP process, including the requirements for the submission of Planning Proposals and DCPs.

#### **5. Policy Statement**

##### **5.1 Strategic Context**

5.1.1 All Planning Proposals and DCPs will be assessed against the strategic framework that is in force at the time of assessment.

5.1.2 To demonstrate strategic merit, an application must demonstrate consistency with relevant Strategic Planning documents, including but not limited to:

- i. [Greater Sydney Region Plan, 'A Metropolis of Three Cities'](#);
- ii. [Western City District Plan](#);
- iii. [Ministerial Directions](#);
- iv. Council's [Community Strategic Plan](#), [Local Strategic Planning Statement](#), [Supporting Strategies](#); Plans Policies and Guidelines.
- v. [South West Growth Area Structure Plan](#) and [Guide](#).
- vi. Relevant Government Policy, Guidelines and Legislation

##### **5.2 Planning Proposal Categories**

5.2.1 The DPHI [LEP Making Guideline](#) establishes the categories for Planning Proposals and timeframes for their assessment. This Policy incorporates elements of these categories with amendments.

5.2.2 The categorisation of a Planning Proposal is at the discretion of Council officers.

*Note: The categorisation of a Planning Proposal may change as the Proposal is progressed, due to changes in scope or additional complexities.*

5.2.3 The categories that apply to Planning Proposals in the Camden LGA are detailed in **Table 1**:

**Table 1 – Planning Proposal Categories**

<b>Category</b>	<b>Description</b>	<b>Fees and Charges Category</b>
Housekeeping Amendments (Basic)	<p>A Planning Proposal initiated by Council to undertake general housekeeping amendments.</p> <p>This can include:</p> <ul style="list-style-type: none"> <li>a. correcting an error or anomaly</li> <li>b. ensuring consistency with an endorsed/approved local strategy</li> <li>c. listing a heritage item</li> <li>d. reclassification of land where the Governor’s approval is not required</li> <li>e. matters consistent with section 3.22 of the EP&amp;A Act</li> </ul>	N/A
Planning Proposal (Principal)	<p>A Planning Proposal initiated by Council that is not a Housekeeping Amendment. These can arise by changes in legislation and policy, reviews of planning instruments, consultation with stakeholders and recommendations in specialist studies and actions in strategic plans. Examples may include:</p> <ul style="list-style-type: none"> <li>a. introducing new clauses</li> <li>b. listing and mapping Environmental Heritage</li> <li>c. reclassifying land</li> <li>d. introducing new land uses</li> <li>e. rezoning land, amending height limits and lot sizes</li> <li>f. mapping amendments</li> </ul>	N/A
Minor (Standard) Planning Proposal	<p>A Proponent initiated Planning Proposal that is generally consistent with any of the following criteria:</p> <ul style="list-style-type: none"> <li>a. small scale (typically involving a spot rezoning of one or two lots or adding an additional permitted land use)</li> <li>b. correcting a zoning anomaly or other minor error within the legislative framework</li> </ul>	Minor

<b>Category</b>	<b>Description</b>	<b>Fees and Charges Category</b>
	<ul style="list-style-type: none"> <li>c. unlikely to have significant impacts on the natural, built, social and economic environment</li> <li>d. requiring minimal environmental studies to be completed</li> </ul> <p>Examples of Minor Planning Proposals include low complexity spot rezoning(s) or additional permitted use(s) and/or a Proponent requested housekeeping amendment.</p>	
<p>Major (Complex) Planning Proposal</p>	<p>A Proponent initiated Planning Proposal that is generally consistent with any of the following criteria:</p> <ul style="list-style-type: none"> <li>a. medium scale (typically involving less than 500 additional lots, or equivalent dwellings)</li> <li>b. requires multiple local environmental studies to be completed</li> <li>c. requires consultation with multiple public agencies and infrastructure providers</li> <li>d. results in a significant increase in demand for supporting local, regional, or State infrastructure and requires infrastructure funding</li> <li>e. increases to maximum building height</li> <li>f. responds to a new Policy (e.g. local character or a new provision not in the Standard Instrument Template)</li> <li>g. responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends</li> <li>h. is progressed under the State Environmental Planning Policy (Planning Systems) 2021 - Chapter 3 Aboriginal Land</li> </ul>	<p>Major</p>

<b>Category</b>	<b>Description</b>	<b>Fees and Charges Category</b>
	<ul style="list-style-type: none"> <li>i. any other amendment or amendments that are not categorised as a principal, basic, minor (standard) or significant Planning Proposal</li> </ul>	
Significant Planning Proposal	<p>A Proponent initiated Planning Proposal that is generally consistent with any of the following criteria:</p> <ul style="list-style-type: none"> <li>a. involves large scale consideration of precinct-wide outcomes</li> <li>b. provides for 500 or more lots (or equivalent dwellings)</li> <li>c. involves major changes to a town centre, proposes commercial, retail, industrial or other large scale non-residential land uses</li> <li>d. seeks to facilitate significant growth</li> <li>e. requires coordination and consultation with a range of stakeholders including, but not limited to, multiple public agencies and infrastructure providers</li> <li>f. involves major Policy review and/or a variation to the strategic framework</li> </ul>	Significant

### **5.3 Timeframes for Assessment of Planning Proposals**

5.3.1 The DPHI LEP Making Guideline sets out timeframes for the assessment of Planning Proposals, however, adherence to these timeframes can be impacted by a number of factors including:

- i. Complexity – a number of technical issues may need to be considered and resolved before the Proposal can progress.
- ii. Outstanding information – required information is not provided within a reasonable timeframe.
- iii. Servicing – the timing of a Proposal is not in line with Public Agency infrastructure servicing plans.
- iv. Significant Planning Proposals – due to scale and complexity, assessment of Significant Planning Proposals is unlikely to be in line with the guideline timeframes.

5.3.2 To support the timely assessment of Planning Proposals, Council officers will return a Proposal through the NSW Planning Portal when:

- i. significant additional information is required at lodgement, and/or
- ii. any required additional information cannot be provided within a reasonable timeframe.

Note: A 'reasonable timeframe' means within a period that would not prevent achieving the benchmark timeframes.

5.3.3 Where timeframes cannot be met due to significant delays in progressing a Planning Proposal and/or insufficient information is submitted, a Planning Proposal may be reported to Council for finalisation.

#### **5.4 Probity Considerations for Major and Significant Planning Proposals**

5.4.1 Significant Planning Proposals are to be supported by governance documentation that includes a [Project Overview](#), [Communication and Engagement Plan](#), Fee Agreement (to be provided by Council officers following lodgement) and [Probity Plan](#).

5.4.2 Major and Significant Planning Proposals that impact land where the Proponent is not the owner or has not entered into an option to purchase agreement with the land owner, will require the appointment of a probity advisor to oversee the process.

5.4.3 A probity advisor may also be required where a Major or Significant Planning Proposal has a large number of stakeholders, a significant project value and/or the potential for conflict exists.

5.4.4 The appointment of a probity advisor is at the discretion of Council officers and this decision can be made at any time during the assessment of a Planning Proposal.

5.4.5 The costs associated with the probity advisor are to be paid by the Proponent.

#### **5.5 Assessment of Infrastructure Demand**

5.5.1 Planning Proposals must include an assessment of the capacity of local, regional and State infrastructure, identify solutions/opportunities to address any infrastructure shortfalls, and establish a mechanism for fair and reasonable contributions to be made that are proportionate to the demand for additional infrastructure generated by the proposal.

5.5.2 Proponents must demonstrate satisfactory arrangements are in place to address additional demand for local and State infrastructure. This includes, but is not limited to:

- i. Passive and active open space;
- ii. Community and educational facilities;
- iii. Utilities and other services;
- iv. Traffic and transport infrastructure; and
- v. Drainage and water management.

5.5.3 Any Proposal to enter into a Planning Agreement or prepare a new/amended Contributions Plan in conjunction with a Planning Proposal, must be lodged with and consider the Planning Proposal.

## 5.6 Categories of Development Control Plans

5.6.1 This section applies to amendments to Development Control Plans (DCP), including those that form part of a Planning Proposal.

5.6.2 The category of a DCP is based on meeting one or more of the criteria in **Table 2**:

**Table 2 – Development Control Plan Categories**

Category	Criteria (one or more)	Fee Category
Minor Development Control Plan	<ul style="list-style-type: none"> <li>• minor amendments to wording or diagrams or maps.</li> <li>• unlikely to have significant impacts on the natural, built, social and economic environment.</li> <li>• requiring minimal environmental studies to be completed.</li> </ul>	Minor
Major Development Control Plan	<ul style="list-style-type: none"> <li>• extensive amendments to wording or diagrams or maps required.</li> <li>• requires local environmental studies and assessments to be completed to support the amendment on matters such as traffic, flooding, heritage, landscape, ecological and bushfire.</li> <li>• requires consultation with multiple public agencies and infrastructure providers.</li> <li>• significant changes to an Indicative Layout Plan.</li> </ul>	Major



Category	Criteria (one or more)	Fee Category
Housekeeping Amendments and Anomalies Rectification	<ul style="list-style-type: none"> <li>• minor corrections and updates to references, wording and/or maps.</li> <li>• will not impact on the natural, built, social and economic environment.</li> <li>• does not require the preparation of, or amendments to, environmental studies.</li> </ul>	Proponent Initiated Housekeeping and Anomalies

**5.7 Fees and Charges for Proponent-led Planning Proposals and Development Control Plans**

5.7.1 All Proponent-led Planning Proposals and Development Control Plans fees are subject to Council’s adopted [Schedule of Fee and Charges](#).

5.7.2 Payment of pre-lodgement fees is required prior to Council confirming a meeting date and time.

*Note: All Planning Proposals require payment of an initial fee that is not subject to refund at the time of submission.*

5.7.3 Minor and Major Planning Proposals require payment of a second processing fee following an initial Council decision on the Planning Proposal.

**5.8 Fee Agreements for Significant Planning Proposals**

5.8.1 All Proponent-led Significant Planning Proposals are at full cost recovery and require a signed Fee Agreement to be negotiated and executed during the scoping and review of the Planning Proposal.

5.8.2 The Fee Agreement for Significant Planning Proposals will cover all costs including the following:

- i. administration involved in the process;
- ii. staff resourcing/salary for Council officers managing the Planning Proposal (including consultants);
- iii. preparation of specialist studies (including peer-review studies) required to progress the Proposal;
- iv. review of flood modelling;
- v. urban design and master planning fees;
- vi. preparation/amendment of a Contributions Plan and/or Planning Agreement;
- vii. notification/advertisement and public exhibition costs (includes translation costs when required);

- viii. overhead costs;
- ix. workshops with land owners, including facilitation costs; and
- x. legal fees.

5.8.3 All legal fees for the checking and execution of the Fee Agreement are the responsibility of the Proponent and are payable at the time of service.

5.8.4 Other costs may be included in a Fee Agreement and are at the discretion of Council officers and determined in negotiation with the Proponent. This will be assessed on a case-by-case basis, depending on the circumstances of each Planning Proposal.

## **5.9 Consistency with Council Design Guides and Benchmarks**

5.9.1 Planning Proposals and supporting documentation should be consistent with Council's design specifications, guides and established infrastructure provision benchmarks.

## **5.10 Planning Proposal Submission Requirements**

5.10.1 Planning Proposal applications must be submitted through the NSW Planning Portal.

5.10.2 Receipt of a Planning Proposal is subject to Council being satisfied that the following have been met and/or provided:

- i. The Planning Proposal has been prepared in accordance with the DPHI LEP Making Guideline;
- ii. Initial payment of the relevant Planning Proposal fee;
- iii. Completed Planning Proposal application form;
- iv. Specialist studies (as identified in the Planning Proposal checklist and/or pre-lodgement advice);
- v. Political disclosure and donation form;
- vi. Planning Proposal checklist; and
- vii. Completed Governance Documentation (for Significant Planning Proposals).

## **5.11 Requirements for Technical and Specialist Studies to support Planning Proposals and Development Control Plans**

5.11.1 The Proponent is responsible for paying all costs associated with specialist studies required for the assessment of a Planning Proposal, including peer reviews.

5.11.2 Supporting specialist and technical studies to inform a Planning Proposal are to be submitted with the Planning Proposal.

5.11.3 Council officers will not accept a study unless it addresses all relevant matters.

*Note: If Council officers or a government agency are not satisfied with a study, it may need to be revised to address deficiencies or a new study may need to be commissioned.*

5.11.4 Further studies may be requested during the assessment of a Planning Proposal. This may be due to any of the following:

- i. changes in Policy and/or legislation;
- ii. identification of new issues;
- iii. a requirement in a Gateway Determination;
- iv. at the request of specialist staff or government agencies; and/or
- v. other reasons as specified by Council officers.

5.11.5 Council officers will only request technical studies that are considered necessary for the thorough and proper assessment of a Planning Proposal.

## **5.12 Acknowledgement of a Planning Proposal**

5.12.1 Following submission of a Planning Proposal into the NSW Planning Portal, Council officers will assess the Proposal and supporting information, including any governance documentation (Significant Planning Proposals only) and payment of preliminary fees.

5.12.2 If the information lodged is adequate, the Planning Proposal will be acknowledged. If further information is required, acknowledgement will be deferred until that information is provided (including the payment of preliminary fees).

5.12.3 The submission date of a Planning Proposal will be the date on which Council formally acknowledges receipt of the Proposal.

## **5.13 Withdrawing a Planning Proposal**

5.13.1 A Planning Proposal can be withdrawn at the Proponent's or Council officer's request, prior to the Gateway Determination. The Proponent must provide Council with the withdrawal request in writing. A refund of fees (full or partial) is at the discretion of Council.

5.13.2 Council officers may request a Proponent to withdraw a Planning Proposal in any or all of the following circumstances:

- i. The Planning Proposal does not demonstrate strategic and/or site-specific planning merit;

- ii. The Planning Proposal is not supported by the Camden Local Planning Panel (CLPP) and/or Council officers;
- iii. The Proponent has failed to respond to Council's request for further information within the timeframe specified in the request, and an extension to time has not been requested and/or approved by Council officers. The required timeframe is at the discretion of Council officers and will be determined on a case-by-case basis.

5.13.3 If a Planning Proposal is not withdrawn following a request to withdraw from a Council officer, the Proposal may be reported to Council for finalisation.

#### **5.14 Initial Notification of a Planning Proposal**

5.14.1 The initial notification requirements for a Planning Proposals may include:

- i. Notification for a minimum period of 14 calendar days;
- ii. Notification letter with a copy of the Initial Notification Fact Sheet; and
- iii. Publishing a copy of the Planning Proposal on Council's Your Voice Camden website.
- iv. Any other requirements identified by the Governance Framework (for Significant Planning Proposals only).

*Note: The initial notification period will depend on the size and/or complexity of the proposal.*

5.14.2 Prior to reporting a Planning Proposal to the CLPP and Council, Council officers may undertake initial notification with adjoining landowners.

*The decision whether to undertake initial notification of a Planning Proposal is at the discretion of Council officers.*

5.14.3 Initial notification will be conducted in accordance with the [Camden Community Participation Plan](#).

5.14.4 Council may also consider undertaking initial notification for Council-led Planning Proposals.

5.14.5 Submissions received during the initial notification period will be considered in a report to the CLPP and Council.

5.14.6 Submitters at initial notification will be advised of any public exhibition required by the Gateway Determination.

5.14.7 Submissions received during the initial notification period (if applicable) will not be counted as submissions to the formal public exhibition required by a Gateway Determination.

### **5.15 Consultation with Aboriginal and Torres Strait Islander people**

5.15.1 Council is committed to ensuring Aboriginal and Torres Strait Islander people are consulted throughout the Planning Proposal process. This includes:

- i. ensuring consultation is undertaken in the preparation of Aboriginal Cultural Heritage Assessments; and
- ii. consultation with registered Aboriginal stakeholder groups during the initial notification and public exhibition phases.

### **5.16 Consultation with Public Agencies**

5.16.1 Council officers may consult with public agencies prior to reporting a Planning Proposal to the CLPP and Council, where it is considered appropriate.

5.16.2 Preliminary agency advice will inform recommendations to the CLPP and Council.

5.16.3 Further consultation with public agencies will be undertaken in accordance with the Gateway Determination, and the outcome reported to Council.

5.16.4 Where a public agency raises an objection to a Planning Proposal that cannot be resolved within an appropriate timeframe, the Proponent may be requested to withdraw the Proposal.

### **5.17 Timeframes for Public Agency Advice and Extensions of Time**

5.17.1 Public agencies will be provided with a minimum 28-day notification period and be notified either by letter, email or via the NSW Planning Portal.

5.17.2 Time extensions may be granted to public agencies, where considered appropriate.

### **5.18 Public Exhibition**

5.18.1 Public exhibition will be undertaken in accordance with the EP&A Act and Regulations, Camden Community Participation Plan and/or as specified in a Gateway Determination.

5.18.2 The consideration of submissions will be consistent with the submission principles outlined in the Camden Community Participation Plan.

5.18.3 Time extensions will only be considered where a person makes the request in writing to Council officers. Generally, only one extension will be granted and the maximum extension timeframe is 14 days.

5.18.4 Any late submissions will be accepted, however Council officers cannot guarantee that late submissions will be addressed within the report.

### **5.19 Camden Local Planning Panel (CLPP)**

5.19.1 All Planning Proposals must be reported to the CLPP for advice prior to Council determination, unless the General Manager determines that a Planning Proposal relates to:

- i. The correction of an obvious error in a local environmental plan;
- ii. Matters that are consequential, transitional, machinery or otherwise minor in nature; or
- iii. Matters the General Manager considers will not have any significant adverse impact on the environment or adjoining land.

5.19.2 If the CLPP's advice is that the Planning Proposal should not proceed, Council officers may recommend the Proponent:

- i. withdraw the Planning Proposal; or
- ii. amend the Planning Proposal to address the Panel's advice.

5.19.3 The [Camden Local Planning Panel Operational Procedures](#) sets out information in relation to CLPP meeting procedures and requirements.

### **5.20 Camden Design Review Panel (DRP)**

5.20.1 Planning Proposals and Development Control Plans may be referred to the DRP for advice.

5.20.2 The DRP is advisory and referral is at the discretion of Council officers.

5.20.3 The DRP provides independent advice to assist in achieving design excellence in the following areas:

- i. Certain development types (e.g. medium and/or high density, commercial and/or mixed uses);
- ii. Large complex Planning Proposals;
- iii. Development control plans;
- iv. Urban masterplanning/indicative layout plans; and

- v. Any other Proposal that, in the opinion of Council officers should be considered to the DRP.

5.20.4 Advice provided by the DRP may result in a request for additional information and/or amendments to a Planning Proposal or DCP.

5.20.5 DRP meetings are not open to the general public, however Proponents may attend.

5.20.6 Fees for DRP are in accordance with Council's [Schedule of Fees and Charges](#) and will be paid by the Proponent.

### **5.21 Adding and removing land to a Proponent-initiated Planning Proposal by Council**

5.21.1 Council may add or remove land from the Planning Proposal where:

- i. the landowner of the land to be added or removed has been consulted with;
- ii. the Proponent has agreed to fund any additional costs required for changes and/or new studies required to support the amendments; and
- iii. it will achieve a better outcome based on the Council officer's assessment of planning merit.

### **5.22 Changing a Proponent**

5.22.1 A change to a Proponent should be made in writing by the original Proponent and the NSW Planning Portal is to be updated to reflect this change.

5.22.2 In the event that the Proponent(s) sell the site to another landowner, the Governance Documents and Fee Agreement will be updated, and a new funding agreement is to be executed.

### **5.23 Potential Conflict of Interest for Council related Planning Proposals**

5.23.1 Management controls will be applied where a Planning Proposal is submitted by or on behalf of Council and/or where Council holds a commercial interest in the land.

5.23.2 For a Planning Proposal on land owned or managed by Council or where a Planning Proposal (other than a Principal and Basic category) is submitted by or on behalf of Council, and Council holds a commercial interest, the following measures may be applied:

- i. The Planning Proposal to be accompanied by either a management strategy statement (informed by a probity plan), which details how potential conflicts will be managed, or a statement that the Council has no management strategy for the Proposal;
- ii. An independent consultant may be engaged to undertake the assessment of the Planning Proposal;
- iii. Council will not seek to be authorised as the Local Plan Making Authority (LPMA); and
- iv. A probity advisor may be engaged.

5.23.3 Management controls do not need to be applied where the potential conflict of interest is low. This may include a Planning Proposal:

- i. involving the reclassification of land (on the basis that the Planning Proposal has been initiated following a decision to reclassify land and has been informed by community and stakeholder engagement);
- ii. involving Land Reservation Acquisition amendments or land to be transferred to Council;
- iii. that is LGA wide and not site specific;
- iv. seeking to heritage list land or include land within a conservation area; or
- v. Involving rezoning land to a Conservation zone or a Public Recreation zone or an SP2 zone for public infrastructure.

5.23.4 Where relevant, Council initiated Planning Proposals will consider and acknowledge any indirect land interests.

## **5.24 Finalisation of a Planning Proposal**

5.24.1 A Planning Proposals is unable to be finalised until:

- i. all conditions of a Gateway Determination have been met;
- ii. all matters raised by agencies have been addressed and 9.1 Directions satisfied; and
- iii. all matters raised by the community during public exhibition have been considered.

5.24.2 A Council resolution is required prior to sending a Planning Proposal to DPHI for finalisation.

## **6. Roles and Responsibilities**

### **6.1 Councillors**

Councillors are responsible for upholding this Policy, including awareness of the purpose, scope and requirements.



## **6.2 General Manager**

The General Manager is responsible for:

- Ensuring that all Council staff are aware of the purpose and scope of the Policy and be satisfied that Council's staff are complying with and implementing the requirements of this Policy.

## **6.3 Director Planning and Environment**

The Director Planning and Environment is responsible for this Policy and will coordinate the following functions in relation to the Policy:

- Ensuring relevant staff are aware of this Policy and its requirements.
- Ensure full compliance with the provisions of this Policy.

## **6.4 Manager Strategic Planning**

The Manager Strategic Planning is responsible for this Policy and will coordinate the following functions in relation to the Policy:

- Keeping this Policy current.
- Ensuring relevant staff are aware of this Policy and its requirements.
- Ensure full compliance with the provisions of this Policy.
- Providing a point of contact about the purpose and application of the Policy.
- Determining Planning Proposal and Development Control Plan categories.

## **6.5 Council Officers**

Council officers are responsible for the following functions in relation to the Policy:

- Implementing the requirements of this Policy when conducting their statutory functions in relation to the assessment of Planning Proposals and requests for Development Control Plan amendments.

## **7. Reporting**

Nil.

## **8. Evaluation**

### **8.1 The success of this Policy will be measured by:**

- No reported breaches of this Policy; and
- Planning Proposals being submitted and managed in accordance with the Policy.

## **9. Definitions**

<b>Agencies</b>	Government departments and public authorities who have a role in the review and assessment of a planning proposals.
<b>Camden Design Review Panel (DRP)</b>	A panel of independent design professionals that provide advice to assist in achieving design excellence outcomes.
<b>Camden Local Planning Panel (CLPP)</b>	Camden's Local Planning Panel (CLPP) is a panel of three independent expert members and a community member who provide advice to Council on Planning Proposals. LPPs are mandatory in Greater Sydney under the EP&A Act, and are intended to ensure that decisions are made on technical merits, efficiency, fairness, and transparency, with the added benefit of local knowledge.
<b>Camden Precinct Collaboration Group (PCG)</b>	Comprises a member or members of the Executive of the DPHI, a member or members of the Executive of Council, and a member or members of the Executive of other NSW Government agencies.
<b>Communication and Engagement Plan</b>	Forms part of the Governance documentation required to be submitted with a Significant Planning Proposal and details key messages, stakeholders and communication mechanisms, at different stages of the planning process.
<b>Community Participation Plan</b>	A document prepared in accordance with the EP&A Act that sets out how Camden Council will engage the community in the plan making process.
<b>Consultant</b>	A specialist who provides expert professional advice, undertakes investigations and prepares reports in relation to a Planning Proposal.

<b>Council Officers</b>	Council staff and contractors on behalf of Council who are responsible for assessing and managing the Planning Proposal process. Council officers have a responsibility to ensure the Proponent is kept informed throughout the assessment process.
<b>Draft Planning Proposal</b>	A Planning Proposal that has not been considered by Council. For example, when a Planning Proposal is submitted to Council it is referred to as a “draft Planning Proposal” until Council resolves to support it and forward it to the Department of Planning and Environment with a request for a Gateway Determination.
<b>ELG</b>	Council’s Executive Leadership Group.
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979.</i>
<b>Fee Agreement</b>	Forms part of the Governance Documentation to be negotiated during the scoping and review phase of the Planning Proposal and sets out the contract agreement for Council to undertake precinct planning at full cost recovery.
<b>Gateway Determination</b>	A document issued by the Minister for Planning and Public Spaces or a delegated authority which specifies whether a Planning Proposal is to proceed and, if so, under what conditions.
<b>Governance Documentation</b>	Refers to documents required to be completed and submitted with a Significant Planning Proposal and includes: <ul style="list-style-type: none"><li>• <a href="#">Project Overview</a>;</li><li>• <a href="#">Probity Plan and Attachments</a>;</li><li>• <a href="#">Communication and Engagement Plan</a>; and</li><li>• Fee Agreement.</li></ul> Templates for these documents are attached to this Policy.
<b>Growth Area</b>	Refers to land identified as a growth area precinct under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Precincts SEPP).

<b>Initial Notification of Planning Proposal (Initial Notification)</b>	Community consultation undertaken at the beginning of the planning process prior to a Planning Proposal being considered at a CLPP meeting and an Ordinary Council meeting. Initial notification of a Planning Proposal is not a statutory requirement.
<b>Lead Consultant</b>	Is a consultant nominated by the Proponent to be the key contact for all matters relating to the Planning Proposal. The Lead Consultant may be responsible for administration matters relating to the proposal, coordination of other consultants and participate in the Project Working Group (PWG). However, the Lead Consultant cannot sign any fee agreement on behalf of the Proponent.
<b>Letter of Offer</b>	A letter that details the terms of the proposed Planning Agreement between Council and the Proponent.
<b>LGA</b>	Local Government Area.
<b>LG Act</b>	<i>Local Government Act 1993.</i>
<b>Local Environmental Plan (LEP)</b>	A legal document prepared by Council and approved by the State Government to regulate land use and development. An LEP will identify land use zones, and permissible uses, lot sizes for subdivision and other planning considerations within an LGA.
<b>Local Plan Making Authority (LPMA)</b>	Authority responsible for making the Local Environmental Plan as identified by the Gateway Determination. This may be the Minister for Planning and Public Spaces (or delegate) or the relevant council. Council may seek to be authorised as the LPMA for some Planning Proposals.
<b>NSW Planning Portal</b>	A website which provides public access to the planning services, publications, and information in the NSW Planning Database. Planning Proposals for Council's consideration are also submitted via the NSW Planning Portal and Proponents can track progress of their application on the Portal.

<b>Parliamentary Counsel's Office (PCO)</b>	Are responsible for drafting and providing access to most of the legislation for New South Wales, drafting all Bills for Acts required for introduction into Parliament and drafting a wide range of statutory instruments, including regulations, rules, proclamations, orders and environmental planning instruments (EPIs).
<b>Planning Proposal</b>	A written document that explains the intended effects of a proposed Local Environmental Plan (LEP) and/or State Environmental Planning Policy (SEPP) and sets out the justification for making that plan. LEPs are prepared in accordance with the <a href="#">Local Environmental Plan Making Guideline</a> (prepared by DPHI).
<b>Planning Proposal Checklist</b>	A checklist that details information to be submitted with a Planning Proposal. This must be completed and submitted at the same time as a Planning Proposal.
<b>Probity Plan</b>	Forms part of the <a href="#">Governance Documentation</a> required to be submitted with a Significant Planning Proposal and provides information on project governance, probity management and procedures.
<b>Project Control Group</b>	Comprises Council's Project Manager, Team Leader Strategic Planning, Manager Strategic Planning, and may include senior management officers of Council (as required), and members of other NSW Government agencies (as required).
<b>Project Overview</b>	Forms part of the Governance Documentation required to be submitted with a Significant Planning Proposal and provides information on the project background, scope of works, project program and risk management.
<b>Project Working Group</b>	Comprises Council's Project Manager and Council officers, Team Leader Strategic Planning, and may include senior management officers of Council, the Proponent, key consultants (as required), and members of other NSW Government agencies (as required).
<b>Proponent</b>	A developer, landowner or third party who initiates a proposal, prepares a planning proposal and submits it to the relevant Council. If Council initiates a Planning Proposal, Council is the Proponent.

The Proponent will have the responsibility of ensuring that information is provided in a timely manner and that it meets Council officers' expectations.

The Proponent also participates in the project working group (PWG) for significant Planning Proposals.

The Proponent may also have a consultant or number of consultants who act on their behalf on certain matters, including, but not limited to, the preparation and submission of the proposal.

Where the proponent nominates a consultant to be the key contact for the proposal, they will be known as the Lead Consultant and may carry role of the Proponent.

- Scoping Proposal** A written document and supporting information prepared to inform pre-lodgement of a Planning Proposal. It outlines a Proposal, the key matters, and expected consultation with agencies that may be needed.
- Technical Studies** Studies prepared in support of a Planning Proposal to understand such things as land constraints, development capability, heritage values and infrastructure requirements relevant to that Proposal. These are prepared under the guidance of the relevant legislation and Policy applying to the study type and must be prepared by an appropriately trained and experienced professional. A list of studies required to support a Planning Proposal is provided in Council's Planning Proposal Checklist.
- Reclassification of Land** All public land must be classified as "community" or "operational" in accordance with the *Local Government Act 1993* (LG Act). Reclassification of public land occurs when the classification applying to certain land needs to be changed. Reclassification of land may be undertaken through a Planning Proposal to amend the Camden LEP or by a resolution of Council under sections 31, 32 and 33 of the LG Act.
- State Environmental Planning Policies (SEPPs)** Policies prepared by DPHI that set the rules that control what development can occur on land and apply across the State.

## **10. Related Materials**

### **10.1 Related Legislation and Legal Instruments**

- *Camden Local Environmental Plan 2010*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Local Government Act 1993*
- *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*

### **10.2 Related Policies, Procedures and Other Guidance Material**

- [Camden Community Participation Plan](#)
- [Camden Design Review Panel Operational Procedures](#)
- [Camden Local Planning Panel Operational Procedures](#)
- [Contributions Planning Policy](#)
- DPHI [Local Environmental Plan Making Guideline](#)
- Governance Documentation Templates
- [Local Strategic Planning Statement](#)
- [Planning Agreement Policy](#)
- Planning Proposal Procedure
- [South West Growth Area Structure Plan and Guideline](#)
- [Works-in-Kind Policy](#)
- [Code of Conduct Policy](#)

<b>Approval and Review</b>	
<b>Responsible Branch</b>	Strategic Planning
<b>Responsible Manager</b>	Manager Strategic Planning
<b>Date Adopted</b>	Executive Leadership Group – 28/02/2024
<b>Version</b>	3
<b>EDMS Reference</b>	20/152756
<b>Date of Next Review</b>	28/02/2027

<b>Version Control</b>				
<b>Version</b>	<b>Date Adopted</b>	<b>Approved By</b>	<b>EDMS Ref.</b>	<b>Description</b>
1	07/05/2020	ELG	20/152756	Initial adoption of Policy.
2	22/04/2021	ELG	20/152756	New Provisions on Significant Planning Proposals
3	28/02/2024	ELG	20/152756	Review of Planning Proposal Policy, include in new template format (including separate Planning Proposal Procedure), align to DPHI Plan Making Guidelines, include DCP and DRP considerations and respond to Internal Precinct Planning Audit Recommendations.





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