



Harrington Grove

LOCAL PLAN PLANNING PROPOSAL

CAMDEN LOCAL ENVIRONMENTAL PLAN 2010

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Prepared for

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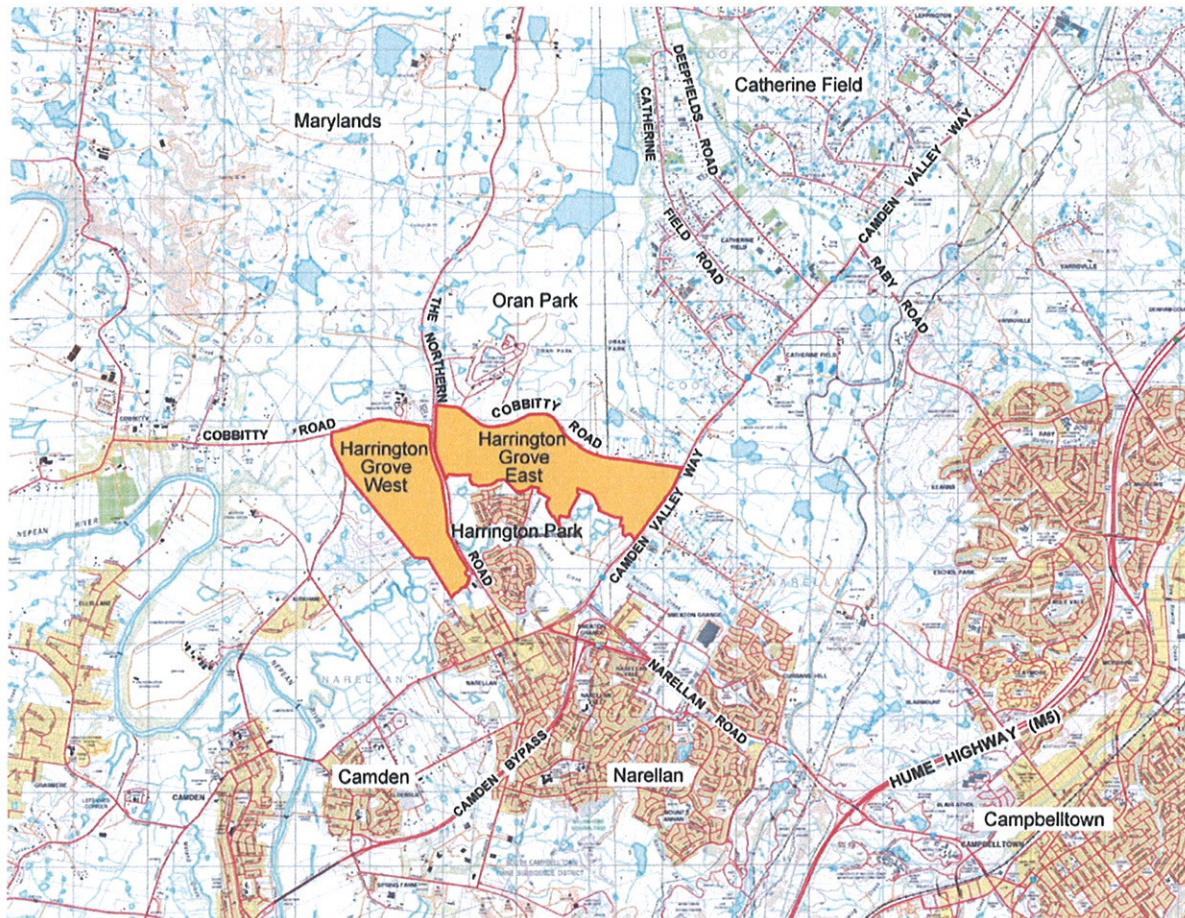
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INTRODUCTION

The land subject to this planning proposal is identified as Harrington Grove and the Harrington Park Homestead property. Harrington Grove is an approved community title residential development that includes over 1,200 residential lots. Harrington Grove occupies part of the former grazing property that was associated with the Harrington Park Homestead.

The subject land is located within the Camden Council Local Government Area and the site is 6km northeast of Camden, 20km southwest of the Liverpool CBD, and 50km southwest of the Sydney CBD. The residential development of Harrington Park is located immediately to the south of the site, with the South West Growth Centre abutting the northern boundary. Harrington Grove is bound by Cobbitty Road and Oran Park Drive to the north, Camden Valley Way to the east and Macquarie Grove Road to the west. The Northern Road divides the Harrington Grove development area in a north-south alignment.

Location Plan



Harrington Grove was rezoned for residential development in September 2007. Since then, a multi-purpose community facility incorporating a restaurant, cafe, function rooms and recreational activities has been constructed in addition to over 250 residential allotments. As part of the development over 280 hectares of land containing Cumberland Plain Woodland vegetation is being protected for conservation and rehabilitation, which is to be mostly maintained as part of the community title scheme but still accessible to the broader local community and general public.

As part of rezoning Harrington Grove, the land was comprehensively investigated to confirm its suitability for a residential development. Site investigation studies undertaken to determine the constraints of the subject land were used to support the evolution of a concept design for an environmentally responsive development outcome. The Concept Plan below illustrates the area of bushland to be retained and green spaces to be created, which is substantially greater than other urban developments within the region.

Harrington Grove Concept Plan



As seen in the Concept Plan, the site has been sensitively designed to allow residential development within areas of low environmental significance and areas with higher levels of environmental significance protected. Due to the size of the Harrington Grove site, the areas for residential development have been identified as Precincts (Refer to Attachment 1 - Site Location Plan). These Precincts have been adopted in the Camden Development Control Plan 2006.

This Planning Proposal seeks several modifications to the Camden Local Environmental Plan 2010 (CLEP 2010) to amend the maps relating to the zoning and minimum lots sizes for Harrington Grove and the Harrington Park Homestead property. The proposed amendments will better reflect the development already approved by Council, and rectify some anomalies between the existing CLEP 2010 controls and existing/future land uses within the Harrington Grove and Harrington Homestead lands.

In addition, part of the Planning Proposal amendments relate to an environmental approval issued by the Federal Department of Sustainability, Environment, Water, Population and Communities (DSEWPC), which was formerly the Department of the Environment, Water, Heritage and the Arts. The Department's approval required a change to the development philosophy in Precinct J as the existing outcome for this precinct was not considered to be an acceptable environmental outcome. Notwithstanding, DSEWPC considered the environmental outcome for the remaining areas of the Harrington Grove development to be of a high standard.

In summary, the amendments relate to the following LEP components:

1. Zoning maps
2. Minimum lot size maps

In general, the Planning Proposal is required to allow development to continue as was planned and intended prior to CLEP 2010 taking effect. Accordingly, amendment to CLEP 2010 is required to enable an appropriately zoned, coordinated and environmentally sensitive residential development to progress within Harrington Grove and Harrington Park.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The Harrington Grove site was initially rezoned for urban development in September 2007 as an amendment to the now superseded Camden Local Environmental Plan No. 74. During 2009/2010 Council prepared a new LEP in accordance with the NSW State Government's Standard LEP Template. CLEP 2010 was finalised in September 2010 and is now the principal Environmental Planning Instrument for Camden Council.

In preparing the new CLEP 2010, Council transitioned to the new Standard LEP format with a 'like for like' approach. Consequently, the preparation of the new LEP did not provide an opportunity to consider a change in zones or development standards that would facilitate principle changes in land use and/or permissibility between the current and previous LEPs. Now that CLEP 2010 is finalised, minor amendments to the maps of CLEP 2010 are sought to reflect the original development philosophy, environmental approvals issued by DSEWPC and approved subdivision layouts applying to Harrington Grove and the Harrington Park Homestead land.

The objectives of this Local Plan Planning Proposal are as follows:

- To update the Camden LEP 2010 in accordance with existing development approvals and land tenure arrangements.
- To rationalise zone boundaries and associated principal development standard boundaries to reflect constructed and approved development outcomes.
- To modify statutory provisions to reflect the requirements of an environmental approval issued by the Federal Department responsible for the environment.
- To implement the changed development philosophy within Harrington Grove by enabling the creation of 700m² or greater residential allotments within selected areas of the residential development to achieve a better environmental outcome.

The intended outcome is to achieve an LEP containing mapping that depicts boundaries and designate land uses within Harrington Grove that is consistent with cadastral boundaries, environmental and planning approvals, and/or physically constructed development.

PART 2 – EXPLANATION OF PROVISIONS

The objectives of this Planning Proposal are to be achieved by amending selected CLEP 2010 maps. The following maps and schedule will require amendment under this proposal:

1. Zoning maps:

- Sheet LZN_007
- Sheet LZN_012
- Sheet LZN_016
- Sheet LZN_017

2. Minimum Lot Size Maps:

- Sheet LSZ_007
- Sheet LSZ_012
- Sheet LSZ_016
- Sheet LSZ_017

3. Delete Schedule 1 Clause 9

The specific amendments to each LEP map and Schedule 1 are outlined below.

1. Amendments to Zoning Maps (Refer to Attachment 2)

Precinct J

It is proposed to amend the zone boundaries of the E2 Environmental Conservation and E4 Environmental Living zones in accordance with an environmental approval from the *Environmental Protection and Conservation Act* approval issued by the Federal Department of Sustainability, Environment, Water, Population and Communities (DSEWPC), which was formerly the Department of the Environment, Water, Heritage and the Arts (Refer to Attachment 4 - letter dated 25 May 2010 by Ecological Australia & Attachment 5 – DSEWPC Approval).

Prior to issuing their approval, DSEWPC conducted a comprehensive environmental assessment of the entire Harrington Grove development with particular regard to the conservation of the Cumberland Plain Woodland remnants. Following this environmental assessment, DSEWPC confirmed its support for the proposed development and environmental outcome throughout the entire Harrington Grove with exception to Precinct J.

Initially Precinct J proposed large allotments with each containing a large tract of Cumberland Plain Woodland vegetation. DSEWPC did not consider this arrangement to be a satisfactory environmental outcome for the ongoing protection of the Cumberland Plain Woodland vegetation. In particular, DSEWPC considered this arrangement fragmented the management of the Cumberland Plain Woodland vegetation, which would be detrimental to the ongoing conservation of this significant vegetation. Because

of this view, the DSEWPC was not prepared to issue their approval under the *Environmental Protection and Conservation Act* until a satisfactory environmental outcome was resolved for the Precinct J area.

To address their concerns, DSEWPC sought an environmental outcome for Precinct J that consolidates the Cumberland Plain Woodland within the precinct under a single management and tenure arrangement, which is to be offset by allowing a greater concentration of residential development within a defined 'development footprint'. Further, the 'development footprint' area was determined to be predominately of low environmental significance, and therefore, the more concentrated residential development area would ensure preservation of the Cumberland Plain Woodland and uphold the environmental conservation principles of the overall development. This arrangement is the key outcome for DSEWPC to enable the issue of the environmental approval under the *Environmental Protection and Conservation Act*.

As a result of the DSEWPC approval, the total area of land for residential uses has been substantially reduced. However, this has been offset by allowances for a greater density of residential development within the smaller defined development footprint, which has been formalised under the DSEWPC approval. The land within the development footprint has been deemed to be suitable for standard residential development providing the land outside the development footprint, which contains the significant Cumberland Plain Woodland, is contained under a single tenure and management arrangement.

The DSEWPC approval includes requirements for the future use and ownership of land within Precinct J. Annexure 1 in the DSEWPC approval defines the developable area, which corresponds with the boundaries in this proposal, as 'Development Footprint'. The remaining area of Precinct J, which contains the Cumberland Plain Woodland vegetation, is defined as 'Council Reserve'. Accordingly, DSEWPC has determined that the best environmental outcome for the area containing the significant vegetation should be that it is vested with Council.

Development resulting from the proposed amendments to Precinct J will continue to be consistent with the overarching objectives for the Harrington Grove Development. The principle objectives for Harrington Grove are outlined in Camden Development Control Plan 2011. Each objective with a corresponding explanation of how consistency with the objectives is achieved is listed in the table below.

Objectives	Response
1. Facilitate the development of Harrington Grove in a way that is environmentally sensitive and responds positively to the site's heritage and scenic character, while conserving large sections of regionally significant remnant bushland.	The proposed amendment will facilitate a better environmental outcome by ensuring a better management response to Cumberland Plain Woodland vegetation. This will therefore enhance the scenic character of the overall development and better conserve large portions of consolidated regionally significant bushland.

Objectives	Response
2. Provide a viable regionally significant habitat corridor in an east – west direction across the site, that retains the high value remnant Cumberland Plain Woodland and includes riparian corridors.	The consolidation of the Cumberland Plain Woodland into a single tenure and management arrangement will improve the viability of the habitat corridor that traverses Harrington Grove. There will be no fences and no clearing within the areas of highest environmental significance, which will preserve the ecological habitat in the highest possible standard and the lowest amount of interference.
3. Protect the scenic character and significant views.	The revised development will not adversely impact on the character of scenic views of the locality. The development footprint area is not visible from the Camden Valley to the south or elevated areas within Oran Park to the north. In addition, the character of Cobbitty Road will be maintained with the retention of mature trees within the roadside verges, which is where the majority of vegetation along Cobbitty Road is located.
4. Provide appropriate curtilages in accordance with the Conservation Management Plans around the areas of heritage significance.	The proposed amendment to Precinct J will not have any impacts of the heritage curtilages of Harrington Park or Oriellon Homesteads.
5. Facilitate the ongoing management and conservation of the natural and cultural heritage of the site.	The proposed amendments will result in superior outcome for the ongoing management of the Cumberland Plain Woodland. As determined by the DSEWPC, the proposed development outcome will result in a management arrangement that will better protect and conserve the bushland of highest significance.
6. Avoid development in areas of high salinity potential, areas with excessive steepness and associated instability.	The proposed development area has already been determined suitable for residential development, which is demonstrated by the existing E4 zoning.

Objectives	Response
7. Ensure future residents of the site are able to conveniently access employment, shops, educational, community facilities and recreational opportunities both within the site and in the surrounding area.	Access to the future residents within Precinct J will not change. Residents will be able to access the full range of facilities through highly connected pathway networks, which link to the community facility in Harrington Grove, retail and community facilities in Harrington Park, and future facilities and services within Oran Park.
8. Ensure that development is staged in a manner which is efficient in terms of infrastructure use and provision.	Precinct J will be delivered and coordinated in accordance with the timely and efficient provision of infrastructure, as initially intended. Preliminary investigations have confirmed that the residential area of Precinct J can be adequately and appropriately serviced. More detailed investigations into servicing and infrastructure will be undertaken as part of the comprehensive investigations following the Gateway Approval.
9. Provide opportunities for equestrian acreage and eco environmentally sensitive housing in a bushland setting.	The proposed development outcome will result in an enhanced eco environmentally sensitive setting and provide an extensive interface with the adjacent bushland setting. It is noted that the equestrian activities relate to the Precinct O area and not Precinct J.

Revising the zoning for Precinct J land by rebalancing the E2 Environmental Conservation and E4 Environmental Living zones increases the area zoned for E2 and is critical in delivering the outcomes associated with the DSEWPC approval. Further, it will result in a greater area (3.5ha) of Cumberland Plain Woodland protected under the E2 zone. This is therefore a considerably improved environmental outcome for the conservation of significant vegetation within Harrington Grove.

In light of the above, it is proposed to rezone the portions of land within the area of Precinct J currently zoned E4 Environmental Living to E2 Environmental Conservation and conversely other portions from E2 Environmental Conservation to E4 Environmental Living (Refer to Attachment 2 for proposed zone amendments).

Precinct I

Precincts I is predominantly zoned E4 Environmental Living to facilitate a sensitive form of residential development. Precinct I abuts Cobbitty Road on its northern boundary and borders the environmentally significant land of the community woodland on the remaining boundaries, which is zoned E2 Environmental Conservation.

Within this Precinct the boundary of the E4 zone is inconsistent with the boundary of the area approved for residential development. As a result, Precinct I contains a narrow strip of E2 zoned land along the interface with Cobbitty Road. Whilst it is appreciated that Council's intention was to protect the mature vegetation between the carriageway of Cobbitty Road and the residential areas of Harrington Grove to maintain the character of Cobbitty Road, the significant vegetation is primarily located within the roadside verge and not the Harrington Grove site. Furthermore, the land within the Harrington Grove site contains vegetation of lesser significance, which will become part of residential allotments under the existing subdivision approval for Harrington Grove. The existence of mature vegetation in the verge is illustrated in the photographs below.

Precinct I Interface with Cobbitty Road



In addition to the significant trees being located within the roadside verge, the strips of E2 zoned land, which are located entirely within an area approved for residential development, result in residential allotments that are affected by two different zones. The application of two different zones to a single landholding, in particular a residential allotment, presents a complicated situation for the landowner in managing, maintaining and using their land. It also presents a difficult situation for Council in administering their LEP and assessing development proposals.

In light of the above, it is proposed to rationalise the E4 zone to incorporate the entire area identified for residential development within this Precinct (Refer to Attachment 2 for proposed zone amendments). This will therefore result in zone boundaries that accord with boundaries approved by existing development consents and the cadastral boundaries of the residential allotments.

Harrington Park Homestead

Currently there are two different zones applying to the Harrington Park Homestead property. The main portion of the property, which contains the homestead and associated buildings, is zoned R5 Large Lot Residential with the northern portion of the property zoned RE1 Public Recreation. This is an anomaly that eventuated from adopting the zoning in Council's now superseded LEP No. 74.

It is therefore proposed that the northern portion of the homestead allotment be zoned R5 Large Lot Residential to reflect existing zoning of the main Harrington Park Homestead area and future dedication of land for public reserve. This will provide certainty to the owner regarding the use of the property and eliminate a situation where private land is identified for 'Public Recreation', which is normally a zone applied to land that is owned and managed by a public authority.

In addition, the northern portion of the homestead allotment comprises an operational parcel of land in relation to the Harrington Grove development, which contains activities such as a horticultural operation to provide mature street trees and maintenance sheds. It is intended to subdivide this operational land from the core Harrington Park Homestead land, which contains the areas of heritage significance.

Precinct F South

The southern boundary of Precinct F adjacent to the area known as Stage 34 of Harrington Park has an irregular alignment, which has resulted in a block of irregular shaped allotments. These allotments have varying widths and relatively long depths due to the difficulty in responding the urban layout to the existing boundary.

The land subject to the proposed rezoning is contains no remnant native vegetation but contains some immature plantation trees. The landform is gently undulating and slopes slightly toward the existing residential development of Harrington Park to the west and Camden Valley Way to the east. The land is at a lower elevation to the other areas of Precinct F and generally level with the existing adjacent residential development within Harrington Park.

A large landscape mound that has been planted with native trees is situated to the south, which was constructed as part of the works for the Sir Warwick Fairfax Drive connection to Camden Valley Way. This mound provides a physical visual screen to the Precinct F South area from the south, in particular when travelling towards the subject site on Sir Warwick Fairfax Drive. It also provides screening from Camden Valley Way in a northbound direction.

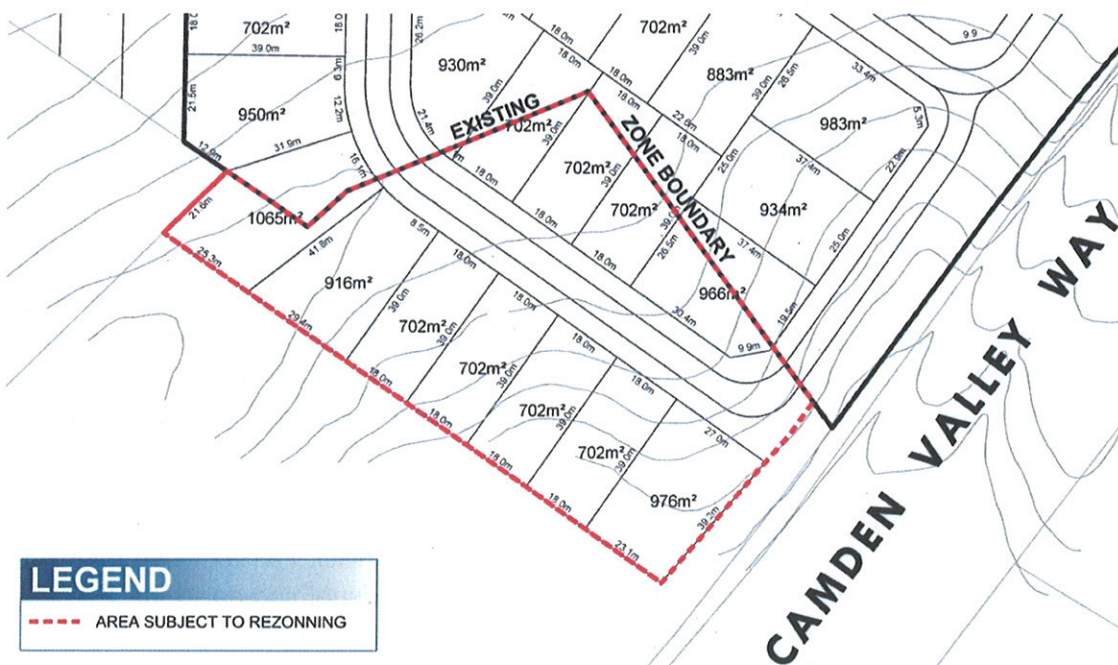
Due to the physical attributes of the landform, landscaped mound and the elevation of the subject land, the development of the Precinct F South area will result in no adverse visual impacts. In fact, the existing Precinct F area that is already zoned for regular residential development is more elevated and would be more visually prominent than the area subject to this proposal.

Precinct F South Area Site Photos



An indicative subdivision layout is illustrated in the diagram below. The subdivision layout is an orderly and regular subdivision pattern which results in a logical 'rounding-off' of the residential area for Precinct F that will have no adverse environmental or visual impacts.

Indicative Subdivision Layout



To accommodate this subdivision layout, an area of approximately 9100m² of the Stage 34 area needs to be rezoned. Accordingly, it is proposed that the 9100m² portion of land, which is identified as Precinct F South on the location plan (Refer Appendix 1), be rezoned from 'R5 Large Lot Residential' to 'R2 Low Density Residential' to reflect the current zoning for the balance of Precinct F within Harrington Grove.

In addition to creating a more orderly residential layout, the ability for the new residential allotments to mitigate traffic noise emissions from Camden Valley Way will be significantly improved. Whilst it has already been demonstrated that the existing irregular allotments are able to provide the necessary noise attenuation required for traffic noise

emissions from Camden Valley Way, a more regular subdivision layout that results in more contained private open spaces and built form will achieve a more optimal response to noise emissions.

This is demonstrated in the subdivisional layouts along the Camden Valley Way interface to the north. These approved residential allotments that front and side Camden Valley Way underwent rigorous noise modelling to ensure that noise emissions could be attenuated successfully. In comparison to the irregular shaped allotments, which form the existing southern boundary to Precinct F area, the regular shaped allotments were significantly better performing in mitigating the noise impacts.

In addition to the subdivision layout delivering a better response to traffic noise impacts, the design will achieve a better lot layout pattern that includes a logical 'rounding-off' of the interface between Precinct F and Stage 34 in Harrington Park.

The proposed amendment will facilitate a residential development that does not result in any adverse visual or environmental impacts and subdivision layout that will provide optimal noise attenuation opportunities for the future residents of Precinct F South. In addition, the proposal will result in an improved and more efficient use of land, and will contribute to increasing housing supply without any adverse impact on infrastructure or Council resources.

District Playing Fields

District playing fields and associated facilities are planned for Lot 8 DP 1132349, which are to be provided in accordance with the Voluntary Planning Agreement for Harrington Grove. The site is zoned RU1 Primary Production in CLEP 2010, which does not permit a full range of sporting facilities. Prohibited uses include indoor recreational facilities, such as swimming pools and gymnasiums, and major recreation facilities. Furthermore, the RU1 zone does not reflect the planned and intended use for this site, which is for a major public recreation and sporting complex.

A more appropriate zone for the site is RE1 Public Recreation, which permits a range of sporting facilities associated with the playing fields and aims to "provide a full range of recreational settings and activities". Accordingly, it is proposed that Lot 8 be zoned RE1 to reflect the future use of the land and to enable the successful delivery of the facilities required under the Harrington Grove Voluntary Planning Agreement.

2. Amendments to Minimum Lot Size Maps (Refer to Attachment 3)

Precinct J

It is proposed to amend the minimum lot size requirement for the Precinct J area from 2000m² to 700m² to enable the environmental outcome in the *Environmental Protection and Conservation Act* approval issued by the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) to be implemented (Refer to Attachment 4 - letter dated 25 May 2010 by Ecological Australia & Attachment 5 – DSEWPC Approval).

As detailed in the previous section explaining the proposed zoning amendments to Precinct J, DSEWPC has completed a comprehensive environmental assessment of

Harrington Grove and has confirmed its support for the proposed development except for Precinct J. The proposed larger allotments that fractured the ownership of the area containing significant vegetation was not considered by DSEWPC to be a satisfactory arrangement for the ongoing protection of the Cumberland Plain Woodland vegetation.

To obtain full support from DSEWPC to then enable the issue of an environmental approval under the *Environmental Protection and Conservation Act*, a smaller development footprint was identified where a greater concentration of residential development is allowed. The area of land outside the development footprint is to be contained under a single tenure and management arrangement. The difference in the development footprint under the existing LEP and the proposed amendment is as follows:

	Development Footprint	Conservation Area
Existing LEP	17.23ha	32.55ha
Proposed Amendment	13.65ha	36.13ha

In light of the above, the existing 2000m² minimum lot size in CLEP 2010 does not enable an increase in residential development within the smaller development footprint in accordance with the DSEWPC approval. Therefore, a minimum lot size of 700m² within the E4 zoned area of Precinct J is proposed to facilitate the improved environmental outcome approved by DSEWPC.

Precinct G

CLEP 2010 currently allocates a minimum lot size of 2000m² to Precinct G, which was adopted from the minimum lot size requirement in Camden DCP 2006 on a like-for-like basis. However, prior to the finalisation of CLEP 2010 Council approved a subdivision layout within Precinct G that contained lot sizes of around 700m² to 800m² or greater under Development Application 1267(5)/2006 (issued 16 June 2010) (Refer to Attachment 6 – Approved Subdivision Plan).

Accordingly, it is proposed to update the minimum lot size for Precinct G so it is consistent with the development approval applying to the site, being a minimum of 700m². In addition, the amendment to the minimum lot size will enable an irregular lot boundary for two allotments within the Precinct G area to be rectified.

Precinct O

CLEP 2010 allocates a minimum lot size of 2000m² to Precinct O, which was adopted from the minimum lot size requirement in Camden DCP 2006 on a like-for-like basis. However, the 2000m² minimum lot size requirement does not enable the necessary flexibility to deliver a lot layout that responds to the topography and development constraints applying to this Precinct.

It is intended to implement a minimum lot size regime that will deliver a lot layout reflective of the existing lot pattern in Kirkham Estate for area forming the floodplain of Narellan Creek, which are allotments that are typically 6000m² in area or greater. This

will ensure an existing development pattern is continued that respects the existing residents adjacent to Precinct O.

It is also the intention to enable the delivery of allotments with a range of differing land areas in response to changes in the landform for the more elevated areas of the Precinct. Accordingly, the allotments in the northern portion of the Precinct are expected to have a range of areas from the 700m² to 800m² and in excess of 2000m².

The lot sizes will be dependent on detailed the detailed subdivision design and will respond to the following considerations:

- provision of a suitable road access,
- provision of reticulated sewer to allotments,
- providing residential allotments that have a suitable buildable area that will not result in exorbitant dwelling construction costs, and
- providing suitable building pads for housing with adequate freeboard to flood levels.

Accordingly, it is proposed to amend the existing minimum lot size for Precinct O of 2000m² to:

- 6000m² for the allotments incorporating the flood liable land associated with Narellan Creek, and
- 700m² for the portion of the Precinct relating to the elevated areas of the Precinct.

It is noted that one portion of the Precinct abutting the Kirkham Estate is to retain the current lot size of 2000m² to ensure a similar subdivision pattern is formed on the boundary with existing residents of Kirkham Estate. This revised minimum lot size regime will ensure a subdivision layout that is sympathetic to the existing residents of Kirkham Estate and the landform pertaining to the Precinct.

It is also necessary to delete Clause 9 from Schedule 1 as this related to the previous vision of the site as an equestrian residential area.

Harrington Park Homestead

CLEP 2010 allocates a minimum lot size of 40ha for a portion of the Harrington Park homestead allotment. There is no minimum lot size annotated for the northern portion of the site, which reflects the area zoned 'RE1 Public Recreation'.

The Harrington Park homestead lot, not including the land to be dedicated as public reserve, is approximately 14.5ha in area and contains the homestead, a caretakers residence, sheds and a nursery, which supplies trees for the Harrington Grove residential estate to the north.

In addition to rezoning the northern portion of the parent lot to R5 Large Lot Residential, as explained in the previous section, it is proposed that the minimum lot size map be amended to incorporate a minimum lot size of 5ha and apply this minimum lot size requirement to the entire Harrington Park Homestead allotment.

Amendment to the minimum lot size requirement for the homestead allotment would enable the subdivision of the site to excise land containing the established nursery and land that does not constitute to the archaeological significance of the homestead. This portion of the homestead allotment is part of the working and operation landholding of the Harrington Grove development and does not form part of the core or significant area associated with the Harrington Park homestead.

A Heritage Impact Statement (HIS) has been prepared by Tropman & Tropman Architects to assess the potential heritage impacts and implications of subdividing the homestead allotment as well as defining the best option for boundary alignments for the proposed subdivision (Refer to Appendix 7).

A preferred lot layout for the Harrington Park Homestead lot has been identified in the HIS, proposing the creation of a two allotments of approximately 9ha and 5.5ha. The 9ha allotment would encapsulate all areas of archaeological potential associated with the homestead, whilst the 5.5ha allotment will encompass the existing nursery and land that does not constitute to the archaeological significance of the homestead.

The HIS confirms that the proposed subdivision of the homestead allotment for the purposes of excising land associated with the nursery and open space areas from the Harrington Park homestead would not affect the heritage curtilage of the estate or any significant views and vistas to the State heritage listed item. It also complies with the relevant policies of the Harrington Park Homestead Conservation Management Plan 2006.

The current minimum lot size requirements for the Harrington Park homestead allotment in the CLEP 2010 does not permit the subdivision of the site to excise the existing nursery and areas of minimal heritage significance. Therefore, a minimum lot size of 5ha for the entire allotment is proposed to facilitate the future subdivision of the site that has been comprehensively investigated by a heritage specialist.

Precinct F South

In addition to rezoning a portion of land to be incorporated into Precinct F South for residential purposes, as explained in previous section on the zoning changes, it is proposed that the minimum lot size of this area be amended to reflect the existing minimum lot size applying to the Precinct F area. Accordingly, it is proposed that the amended area corresponding with the R2 zone in Precinct F South for be allocated a minimum lot size of 700m² to ensure consistency with proposed zoning. The 700m² minimum lot size is consistent with the existing residential areas of Precinct F.

PART 3 – JUSTIFICATION

Section A - Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

This Planning Proposal for Harrington Grove and Harrington Park is not the result of any study or report that has specifically been prepared to support the proposed amendments as the Proposal is to mostly rectify anomalies and inconsistencies affecting the subject land. However, as discussed in the previous section, a major part of the Planning Proposal (Precinct J) is the result of the *Environmental Protection and Conservation Act* approval that has been issued by DSEWPC. DSEWPC determined that the entire Harrington Grove development was acceptable from an environmental viewpoint with the exception of Precinct J. The improved environmental outcome for Precinct J, which enabled DSEWPC to issue their approval, forms part of this Planning Proposal.

The broader planning and development of the Harrington Grove residential development commenced with high level planning through to the detailed development approvals in accordance with State and local strategic requirements.

Harrington Grove has been identified for urban development in the State Government's Metropolitan Development Program (MDP) since 2002. In the MDP the overall site is earmarked for approximately 1500 dwellings. Sydney Metropolitan Strategy, which was introduced in December 2005 to guide the growth of Greater Sydney, identifies Harrington Grove as an 'Existing Urban Area'. Similarly, the Draft South West Subregional Strategy identifies the site as a 'New Release Area'.

Following a detailed Local Environmental Study (LES) process, Harrington Grove was rezoned in September 2007. The LES comprehensively considered the environmental characteristics and attributes of the site to determine the suitability of portions of the site for residential development. This included detailed investigations of the following:

- Flora and Fauna
- Bushfire
- Riparian Ecology
- Soil and Salinity
- Archaeological and Cultural Heritage

The findings from the above studies were used as the basis for the zoning and detailed design to support the development approvals which currently apply to the Harrington Grove site.

In light of the above, the Planning Proposal is essentially proposing minor amendments to the statutory framework that has been already implemented under previous LEP processes and is a refinement of the work informed by the original LEP studies.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The changes included in this Planning Proposal are the proper and best means of achieving the included objectives and intended outcomes. Given the proposed amendments relate to land use issues and principal development standards set by CLEP 2010, the appropriate means to achieve the sought amendments to these statutory requirements is to amend Council's LEP.

Other available processes are not considered an appropriate means of achieving the objectives and intended outcomes of this Planning Proposal.

3. Is there a net community benefit?

As suggested in the Department's Local Plan-Making Guidelines, the Evaluation Criteria to undertake a Net Community Benefit analysis has been adapted from the Draft Centres Policy (April 2009). In some cases the Evaluation Criteria have been modified or removed to ensure the criteria are meaningful to this Planning Proposal.

Net Community Benefit Evaluation Criteria	Response
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The subject site for this Planning Proposal is within an area covered by the Sydney Metropolitan Strategy and the South West Sub-Regional Strategy for Sydney. These documents identify the subject land as 'Existing Urban Area' and 'New Release Area' respectively.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The Planning Proposal is in accordance with the established Metropolitan, regional and local planning frameworks, which is supported by Council and the Department of Planning. Therefore, it is not likely to set an undesirable precedent.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The Planning Proposal is consistent with the overall broad zoning regime adopted for the Harrington Grove and Harrington Park developments. Accordingly, no cumulative effect of similar spot rezoning proposals is to be expected.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The proposal will not directly facilitate permanent employment growth and will not result in any loss or impact on employment lands. The development of the land however results in considerable local employment.

Net Community Benefit Evaluation Criteria	Response
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The Planning Proposal will create a minor increase the supply of residential allotments and therefore have a positive impact on housing affordability and diversity.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The subject site is within a major urban growth area of Sydney, which has been comprehensively planned for public infrastructure requirements. The Harrington Park and Harrington Grove developments, along with the Oran Park and Turner Road Precincts of the South West Growth Centre, have or will contribute to the provision of major road upgrades and essential public infrastructure services. In addition, this includes the provision of an extensive public accessible cycling and pedestrian pathway network throughout Harrington Park, Harrington Grove and surrounding areas. Accordingly, there is adequate public infrastructure to accommodate the proposed amendments.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	As stated above, there are significant investments in infrastructure for the locality. However, any potential increases in patronage resulting from the proposal is not expected to have any actual impact.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The Harrington Grove site has been comprehensively investigated for environmentally impacts from the overall development. The proposal will reduce the overall footprint of private owned land and ensure a greater portion of the Cumberland Plain Woodland being protected in perpetuity. The proposal does not relate to land affected by flooding.

Net Community Benefit Evaluation Criteria	Response
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The proposal is compatible and desirably complementary with adjacent land uses, which include urban development in Oran Park to the north. Residential development of the same nature also lies within the subject site. There will be no impacts on amenity or the broader community and the quality public domain area of Harrington Grove and Harrington Park will be maintained.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	There are three main public interest reasons for progressing the Planning Proposal, including: 1. The supply of housing will increase, which will have a positive impact on affordability and diversity. 2. The public will have access to a significantly larger area of open space that will incorporate the protection of Cumberland Plain Woodland in accordance with an environmental approval issued by DSEWPC. 3. Considerable employment during the construction phase of the development and as part of the management of the woodland areas over time.

There is a significant net community benefit resulting from the Harrington Grove Planning Proposal, particularly as it will have a minor increase housing supply in the locality whilst reducing the overall footprint of residential development across Harrington Grove. It will also meet regional objectives to expand housing and it will not adversely impact an environmentally sensitive land as development has been carefully designed to respond to environmental considerations.

Section B - Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Plan for Sydney 2036 and the Draft South West Subregional Strategy apply to the area subject to this proposal. Metropolitan Plan for Sydney 2036 was recently reviewed and that the Draft South West Subregional Strategy is now under review.

Metropolitan Plan for Sydney 2036 identifies Harrington Grove as an 'Existing Urban Area' and sets broad objectives and actions to guide urban growth.

Relevant key objectives in Metropolitan Plan for Sydney 2036 relate to the subject land are the provision of housing and protecting the environment. The Planning Proposal is consistent with these objectives as it will deliver increased housing opportunities and better protect the Cumberland Plain Woodland.

The Structure Plan within Draft South West Subregional Strategy identifies the subject site as a 'New Release Area' for urban development. Harrington Grove is a relatively new release area that is identified for urban growth, and in particular residential development.

Relevant key aims in the Draft South West Subregional include:

- Accommodating housing needs of existing and future communities.
- Planning for major housing growth.
- Councils to plan for sufficient zoned land to accommodate their housing target in Principal LEPs.
- Protect and enhance the environmental assets.
- Conserve Sydney's heritage.

The Planning Proposal will result in a minor increase in housing in a planned growth area and will contribute to Council's housing target under the Draft South West Sub-Regional Strategy. In addition, the proposal will facilitate a better environmental outcome for the Cumberland Plain Woodland and rectify an anomaly in the zoning and minimum lot size of the Harrington Park Homestead.

The subject site is consistent with objectives and actions contained within both the Metropolitan Plan for Sydney 2036 and the Draft South West Subregional Strategy. Whilst the proposed amendments to Council's LEP are minor in the context of both strategies, the outcomes of this proposal will contribute significantly to achieving the objectives and actions.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

There are two local strategic plans relevant to the Planning Proposal, prepared by Camden Council.

Camden 2040 represents the community's vision for the Camden area over the coming three decades and details the strategies that will need to be prioritised by a range of agencies,

groups and individuals in order to achieve this vision. Camden 2040 establishes a strategic framework for the expected large-scale population growth and urban development that is

coming to the local government area in the coming decades, under the State Government's Metropolitan Plan. Furthermore, it identifies the strategies that will be required to achieve balanced and quality environmental, social, economic and governance outcomes for the community and place of Camden.

Camden 2040 includes six key directions as follows:

Key Direction 1	Actively Managing Camden's Growth
Key Direction 2	Healthy Urban & Natural Environments
Key Direction 3	A Prosperous Economy
Key Direction 4	Effective and Sustainable Transport
Key Direction 5	An Enriched and Connected Community
Key Direction 6	Strong Local Leadership

Each Key Direction outlines strategies, responsibilities and performance indicators for measuring success. Further, the relevant objectives to the Planning Proposal include:

- Ensuring greater choice and diversity in housing to meet a range of existing and future community needs.
- A commitment to strong leadership and partnerships in the urban planning and development process that carefully balances environmental, social and economic outcomes.
- Prioritising the protection and enhancement of biodiversity throughout the local government area and South West Growth Centre through the active management and restoration of bushland and riparian corridors.
- Reducing the environmental footprint of residents, businesses, organisations and government agencies in Camden.
- Encouraging and facilitating biodiversity conservation efforts on private lands through effective partnerships, assistance and education.

The objectives of this Planning Proposal are consistent with the strategies outlined in Camden 2040. The proposed changes will ensure that a range of housing options are provided for current and future residents, and will help create a sustainable community set in a natural landscape that ensures environmental impacts are minimised.

Camden Residential Strategy 2008 does not provide a detailed account of the Harrington Grove development but acknowledges it will contribute to a significant increase in the population due to residential development.

6. Is the planning proposal consistent with applicable state environmental planning policies?

The State Environmental Planning Policies (SEPPs) that are relevant to the Harrington Grove Planning Proposal are identified below.

Relevant SEPP/Deemed SEPP	Consistency of Planning Proposal
SEPP No 1 - Development Standards	The new CLEP 2010 contains provisions that supersede SEPP No.1.
SEPP No 55 - Remediation of Land	As part of the previous planning processes to zone the subject land, the site was comprehensively investigated for contamination and Areas of Environmental Concern have been identified. The current proposal does not create a need to undertake any further investigations for contamination.
SEPP (Building Sustainability Index: BASIX) 2004	BASIX will continue to apply to the construction of all residential dwellings.
SREP No 20—Hawkesbury-Nepean River	The development approvals applying to the subject land have considered the requirements of SREP No 20. The proposed amendments mostly reflect development that has already been approved except in the instance where the development in Precinct J has a smaller footprint, and therefore, a better environmental outcome.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Each s117 Ministerial Direction is listed below with an annotation stating whether it is relevant to the Harrington Grove Planning Proposal and confirming its consistency.

s.117 Direction Title	Applies	Consistency of Planning Proposal
1.1 Business and Industrial Zones	NA	Not applicable
1.2 Rural Zones	NA	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	NA	Not applicable
1.4 Oyster Aquaculture	NA	Not applicable
1.5 Rural Lands	NA	Not applicable

s.117 Direction Title	Applies	Consistency of Planning Proposal
2.1 Environment Protection Zones	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal will not affect the areas within the site that have been identified as environmentally sensitive areas, as determined by site investigation. In addition, a larger area of Cumberland Plain Woodland will be managed under a single management regime.
2.2 Coastal Protection	NA	Not applicable
2.3 Heritage Conservation	Y	The Planning Proposal is consistent with this Ministerial Direction. The proposed rezoning of the northern portion of the Harrington Park Homestead and amendment of the minimum lot size requirement for this allotment will not adversely impact on the heritage significance of the homestead. In addition, a Heritage Impact Statement has been prepared to ensure there will be no adverse impacts to items of heritage significance.
2.4 Recreation Vehicle Areas	NA	Not applicable
3.1 Residential Zones	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal is consistent with the strategic growth policy framework identified for South West Sydney. In addition, the proposal will increase housing choice, have a reduced environmental impact and use existing infrastructure.
3.2 Caravan Parks and Manufactured Home Estates	NA	Not applicable
3.3 Home Occupations	NA	Not applicable

s.117 Direction Title	Applies	Consistency of Planning Proposal
3.4 Integrating Land Use and transport	Y	The Planning Proposal is consistent with this Ministerial Direction. Road infrastructure within the site will be suitable for bus routes and pedestrian/cycle paths will link residential areas within the site to the surrounding areas of Oran Park and Harrington Park.
3.5 Development Near Licensed Aerodromes	NA	Not applicable
4.1 Acid Sulfate Soils	NA	Not applicable
4.2 Mine Subsidence and Unstable Land	NA	Not applicable
4.3 Flood Prone Land	NA	Not applicable
4.4 Planning for Bushfire Protection	Y	The Planning Proposal is consistent with this Ministerial Direction. Comprehensive bushfire assessments have been undertaken for each residential interface with the woodland and grassland areas. As a result Asset Protection Zones and Bushfire Attack Level construction standards are implemented throughout the development.
5.1 Implementation of Regional Strategies	Y	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal applies to an area identified for residential development and will contribute to increasing the supply of housing in the locality.
5.2 Sydney Drinking Water Catchments	NA	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA	Not applicable
5.6 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	NA	Not applicable
5.9 Second Sydney Airport: Badgerys Creek	NA	Not applicable
6.1 Approval and Referral Requirements	NA	Not applicable

s.117 Direction Title	Applies	Consistency of Planning Proposal
6.2 Reserving Land for Public Purposes	Y	The Planning Proposal is consistent with this Ministerial Direction. It will facilitate the removal of the RE1 zone from privately owned land which is not intended for acquisition by Council.
6.3 Site Specific Provisions	NA	Not applicable
7.1 Implementation of the Metropolitan Strategy	Y	The Planning Proposal is consistent with this Ministerial Direction. It meets objectives of the Metropolitan Strategy through facilitating urban growth by providing residential development as detailed in the Sydney Metropolitan Strategy Map.

Section C - Environmental, social and economic impact.

8. 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?

Extensive flora and fauna assessment of Harrington Grove was undertaken at the LES stage of the rezoning process, which confirmed the ecological attributes of the subject site. The assessment classified the level of significance of flora and fauna species found within the site and identified the presence of Cumberland Plain Woodland. Cumberland Plain Woodland has been classified as a threatened species by the NSW Department of Environment, Climate Change and Water.

The proposal will result in an improved conservation outcome for the Cumberland Plain Woodland. It will enable the consolidation of this threaten species into a single management regime, which represents some of the higher quality tracts of Cumberland Plain Woodland within the Harrington Grove development. This has been confirmed by the DSEWPC approval, which consolidates the Cumberland Plain Woodland vegetation into a single tenure and management arrangement.

In light of the above, the Planning Proposal will not result in any adverse environmental impacts.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no other likely environmental effects that could result from this proposal. The lands subject to this proposal are not affected by flooding and appropriate bushfire management and protection measures will be implemented as part of existing or any future development approvals. In addition, there are no other contamination or salinity issues that have not been dealt with as part of the overall planning for Harrington Grove and Harrington Park.

10. How has the planning proposal adequately addressed any social and economic effects?

Assessment of the economic and social impacts for the overall Harrington Grove development was undertaken as part of the initial rezoning process. Works resulting from the Planning Proposal will create employment during the construction phase of development and will also result in a larger area of publicly accessible land of environmental significance. In addition, it will boost the housing supply in the locality.

It is expected that the proposal will have minor economic and social effects over and above those derived from the whole of the Harrington Grove development. However, these effects will result in positive impacts for the local and wider community.

In addition, Harrington Park is almost fully built-out with residential dwellings and a full complement of community facilities and services have been established for the development.

Section D - State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

The subject site is within a major urban growth area of South West Sydney. It abuts the Oran Park and Turner Road Precincts of the South West Growth Centre, with construction of residential land and major public infrastructure provision well underway. In addition, as part of the development of Harrington Grove, there have been significant contributions towards public infrastructure to accommodate the demands of an increased population resulting from the residential development. Public infrastructure for the locality has sufficient capacity to accommodate any increased demand resulting from this proposal and is therefore not considered to affect the level of infrastructure already being provided.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

This section of the planning proposal is to be completed following consultation with the State and Commonwealth Public Authorities identified in the Gateway Determination. There has been no early consultation with State and Commonwealth public authorities other than the DSEWPC, which forms part of the basis for amending CLEP 2010.

DSEWPC determined that the overall environmental outcome of Harrington Grove was deemed appropriate except for the Precinct J area. Following extensive consultation with DSEWPC, an agreement to modify the development proposed for Precinct J that consolidates the Cumberland Plain Woodland within single ownership and under a common management regime was the outcome needed for DSEWPC to issue their environmental approval under the *Environmental Protection and Conservation Act* (Refer to Attachment 4 – DSEWPC Approval).

PART 4 – COMMUNITY CONSULTATION

The Planning Proposal is considered to be “low impact” as it is consistent with surrounding land uses and the strategic planning framework, and presents no infrastructure issues. Accordingly, an exhibition period of the full Local Plan documentation should extend for a maximum of 14 days.

Community consultation will be commenced by giving notice of the public exhibition of the Planning Proposal:

1. in a newspaper that circulates in the area affected by the Planning Proposal;
2. on the Camden Council website; and
3. in writing to adjoining landowners.

CONCLUSION

The Planning Proposal seeks:

1. Rezoning of selected areas to rationalise zone boundaries with cadastre and existing development approvals for subdivision.
2. Amending the minimum lot size of selected areas to enable an approval from DSEWPC and the current development philosophy and approvals applying to Harrington Grove.

An LEP amendment through the Gateway Process is the most appropriate method to effect the intended outcome of this proposal. In addition, the proposal is supported by State and local strategic planning guidelines as well as the statutory planning framework requirements, including Section 117 Directions and State Environmental Planning Policies.

The proposal has a positive outcome for the environment and community. Accordingly, progression of the proposal to the LEP Gateway is sought.