



**CAMDEN COUNCIL  
PLANNING PROPOSAL**

**Amendment to Growth Centres SEPP 2006**

**33 Bangor Terrace Cobbitty**

**Version 3  
DECEMBER 2019**

Document

Register

Version	Date	Details	Reference
1	February 2019	Original Planning Proposal submitted by proponent	19/90712
2	September 2019	Revised Planning Proposal submitted by proponent	19/368258
3	December 2019	Revised Planning Proposal submitted by Council for Gateway Determination	19/368375

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## **EXECUTIVE SUMMARY**

The subject site is located within the Arcadian Hills estate which forms part of the Denbigh Transition Area in the Oran Park Precinct under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP 2006).

The subject site partially falls within the heritage curtilage of Denbigh homestead which is listed on the State Heritage Register. Access to the site will be provided through a proposed road extending from Bangor Terrace.

The Planning Proposal seeks to make an amendment to the zoning, height of building, minimum lot size and special areas maps under the Growth Centres SEPP. This is to align zoning boundaries between E4 Environmental Living zoned land within the Denbigh Transition Area and the R1 General Residential zoned land south of the Denbigh Transition Area, to be consistent with the adopted Oran Park Part B Development Control Plan for the Denbigh Transition Area (Part B DCP).

The Planning Proposal has demonstrated merit to proceed to Gateway Determination.

## 1.0 INTRODUCTION

This Planning Proposal seeks to make amendments to the Growth Centres SEPP 2006 to align the boundaries between E4 Environmental Living zoned land within the Denbigh Transition Area and the R1 General Residential zoned land south of the Denbigh Transition Area, to be consistent with the adopted Oran Park Part B Development Control Plan for the Denbigh Transition Area (Part B DCP).

As a result, this will facilitate the development of six residue lots currently zoned E4 within Stage 8 of the Arcadian Hills estate. The proposal will result in a net increase of 1,300m<sup>2</sup> of land zoned R1 General Residential.

The subject site falls partially within the heritage curtilage of the Denbigh which is listed on the State Heritage Register. The Part B DCP prepared for the Denbigh Transition Area and development applications approved in the area have involved extensive consultation with the Office of Environment and Heritage.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EPAA 1979) and guidelines published by the Department of Planning, Industry and Environment (DPIE), namely 'A guide to preparing Planning Proposals' to ensure all matters requiring consideration are appropriately addressed.

This Planning Proposal explains the intent and justification for the amendments to the Growth Centres SEPP 2006, as it applies to the land.

At its meeting of 26 November 2019, Council considered a report on the Planning Proposal which is included in **Appendix 1**. Council subsequently resolved to forward the Planning Proposal to DPIE for Gateway Determination.

## 2.0 SITE DESCRIPTION AND CONTEXT

### 2.1 Overview

This section describes the subject site, its location and context.

### 2.2 Site Locality

The site is located at 33 Bangor Terrace, Cobbitty and is legally described as part Lot 745 DP1231306.

The subject site is within Stage 8 of the Arcadian Hills estate which forms part of the Denbigh Transition Area in Oran Park. The Denbigh Transition Area was rezoned in 2007 as part of the Oran Park Precinct. There is existing and future residential development to the west and south of the site. The site will be accessed by Bangor Terrace (local road) and Charles McIntosh Parkway (sub-arterial road) which connect to The Northern Road, located east of the site as shown in **Figure 1**.

The site partially falls within the heritage curtilage of Denbigh. Denbigh is listed on the State Heritage Register, with the listing comprising of the homestead, associated outbuildings and the landscape setting. Due to its interface with the Denbigh curtilage, the site forms part of the Denbigh Transition Area as shown in **Figure 2**.



#### LEGEND

-  Subject Site (33 Bangor Terrace, Stg 8 of Arcadian Hills Development)
-  Denbigh Curtilage
-  Denbigh Transition Area (Southern Viewscape)

Figure 1: Subject Site

## 2.2 Site Context

### Denbigh Transition Area

The Denbigh curtilage is separated from the proposed residential development within the Denbigh Transition Area by a natural ridgeline, which extends along the northern, eastern and southern boundaries of the heritage curtilage area. The Denbigh Transition Area comprises of the Southern, Central and Northern Viewscapes as per the Part B DCP. The site forms part of the Southern Viewscape Precinct, which is located along the southern boundary of the Denbigh curtilage.

Planning outcomes for the Denbigh Transition Area were determined as part of the preparation of the Part B DCP which came into force on 13 September 2016. It employs a range of measures to achieve visual screening of residential development from the Denbigh curtilage and to guide residential development within the Denbigh Transition Area.

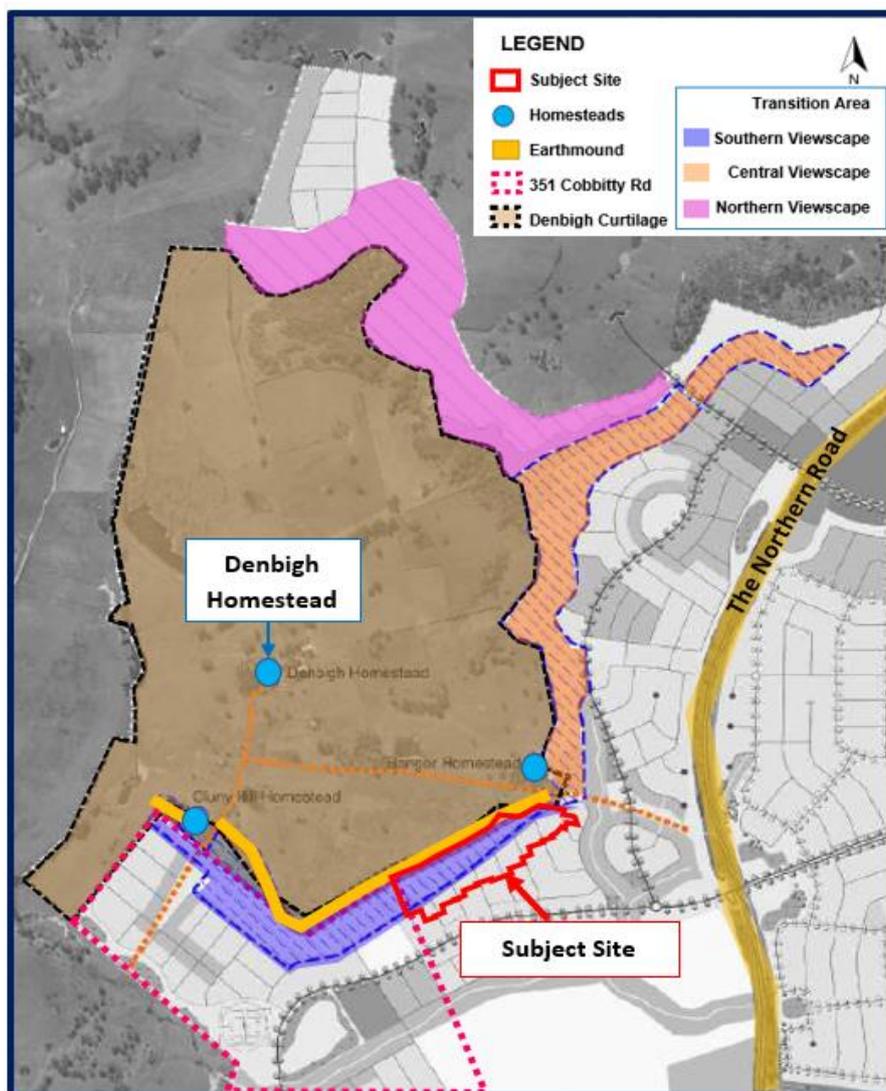


Figure 2: Site Context Map

## 3.0 STATUTORY FRAMEWORK

### 3.1 Zoning

The site is currently zoned E4 Environmental Living and R1 General Residential under the provisions of Growth Centres SEPP 2006. The area of the site proposed for rezoning is outlined in blue in **Figure 3**.

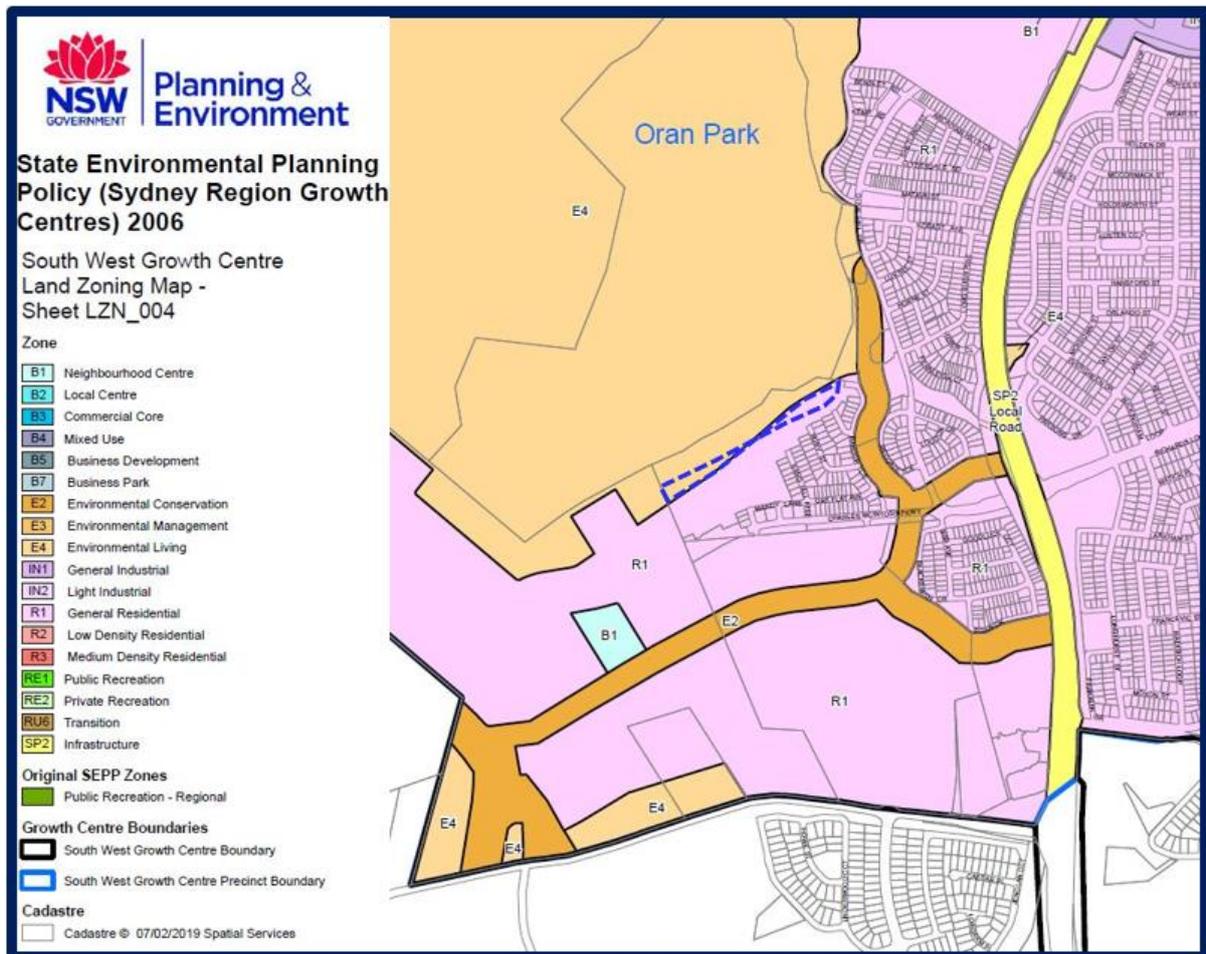


Figure 3: Zoning Extract from Growth Centres SEPP 2006 – Proposed area for rezoning outlined in blue (December 2019)

The Planning Proposal seeks to amend E4 Environmental Living and R1 General Residential zoning boundaries. An extract of the E4 and R1 land use table is provided below.

**E4 Environmental Living**

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Bed and breakfast accommodation; Drainage; Dwelling houses; Earthworks; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Horticulture; Recreation areas; Recreation facilities (outdoor); Roads; Telecommunications facilities; Temporary structures; Water recreation structures; Water recycling facilities; Waterbodies (artificial)

**4 Prohibited**

Any other development not otherwise specified in item 2 or 3

**R1 General Residential**

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Any other development not specified in item 2 or 4

**4 Prohibited**

Agriculture; Airports; Airstrips; Biosolid waste applications; Bulky goods premises; Business premises; Car parks; Cemeteries; Correctional centres; Crematoria; Dairies (pasture-based); Depots; Entertainment facilities; Extractive industries; Farm buildings; Freight transport facilities; Function centres (other than those within recreation areas or operated in conjunction with recreation areas or recreation facilities); Hazardous storage establishments; Helipads; Heliports; Home occupations (sex services); Industrial retail outlets; Industries; Landscape and garden supplies; Liquid fuel depots; Manor homes; Materials recycling or recovery centres; Mines; Mortuaries; Offensive storage establishments; Office premises; Passenger transport facilities; Public administration buildings; Registered clubs; Retail premises (other than neighbourhood shops and other than kiosks, markets, restaurants or take away food and drink premises within recreation areas or operated in conjunction with recreation areas or recreation facilities); Restricted premises; Restriction facilities; Roadside stalls; Rural industries; Rural workers' dwellings; Sawmill or log processing works; Service stations; Sewage treatment works; Sex services premises; Stock and sale yards; Storage premises; Timber and building supplies; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste disposal land fill operations; Waste management facilities; Wholesale supplies

## Consistency with the Zone Objectives

### **E4 Environmental Living**

#### **1 Objectives of zone**

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To preserve and maintain the natural values of core riparian areas and to allow development where it can be demonstrated that the development will not destroy, damage or have any other adverse effect on those values.
- To ensure that flood prone land is used in a manner appropriate to its environmental characteristics.

### **R1 General Residential**

#### **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To support the well-being of the community, including educational, recreational, community, religious and other activities and, where appropriate, neighbourhood shops if there will be no adverse effect on the amenity of proposed or existing nearby residential development.
- To allow for small scale kiosks, function centres, restaurants and markets that support the primary function and use of recreation areas, public open space and recreation facilities located within residential areas.
- To allow for small scale intensity tourist and visitor accommodation that does not interfere with residential amenity.
- To provide for a variety of recreational uses within open space areas.

This Planning Proposal is generally consistent with the relevant objectives of the E4 Environmental Living zone, for the following reasons:

- The proposal will facilitate low-impact, large lot residential development within the proposed E4 zone and this will be responsive to the rural aesthetic and value of Denbigh;
- The proposal maintains the transition area between the rural landscape of Denbigh and urban development in Arcadian Hills estate within Oran Park.

This Planning Proposal is generally consistent with the relevant objectives of the R1 General Residential zone, for the following reasons:

- The proposal will facilitate the development of six residue lots currently zoned E4, which will help provide for the housing needs of the community in Oran Park.
- The proposal will contribute to the variety of housing types and densities in the Arcadian Hills estate which has been identified for low to medium density development.

### 3.2 Other Controls

As the Planning Proposal seeks to amend zoning boundaries, it also seeks to amend other relevant planning controls applying to the subject site including the minimum lot size, maximum building height and special areas map.

The Planning Proposal seeks to apply a minimum lot size of 1,000m<sup>2</sup> to the proposed E4 Environmental Living zoned land and apply a minimum lot size of 125m<sup>2</sup> to the proposed R1 General Residential zoned land.

The Planning Proposal seeks to apply a maximum building height of 6m to the proposed E4 Environmental Living zoned land and apply a maximum building of 9.5m to the proposed R1 General Residential zoned land.

The Planning Proposal seeks to amend the special areas map to realign the boundary of the Denbigh Transition Area. This is to reflect the location of the approved landscape mound and the proposed E4 zoned land.

**Figures 3 to 6** provide the minimum lot size, height of building and special areas map extracts from the Growth Centres SEPP 2006.

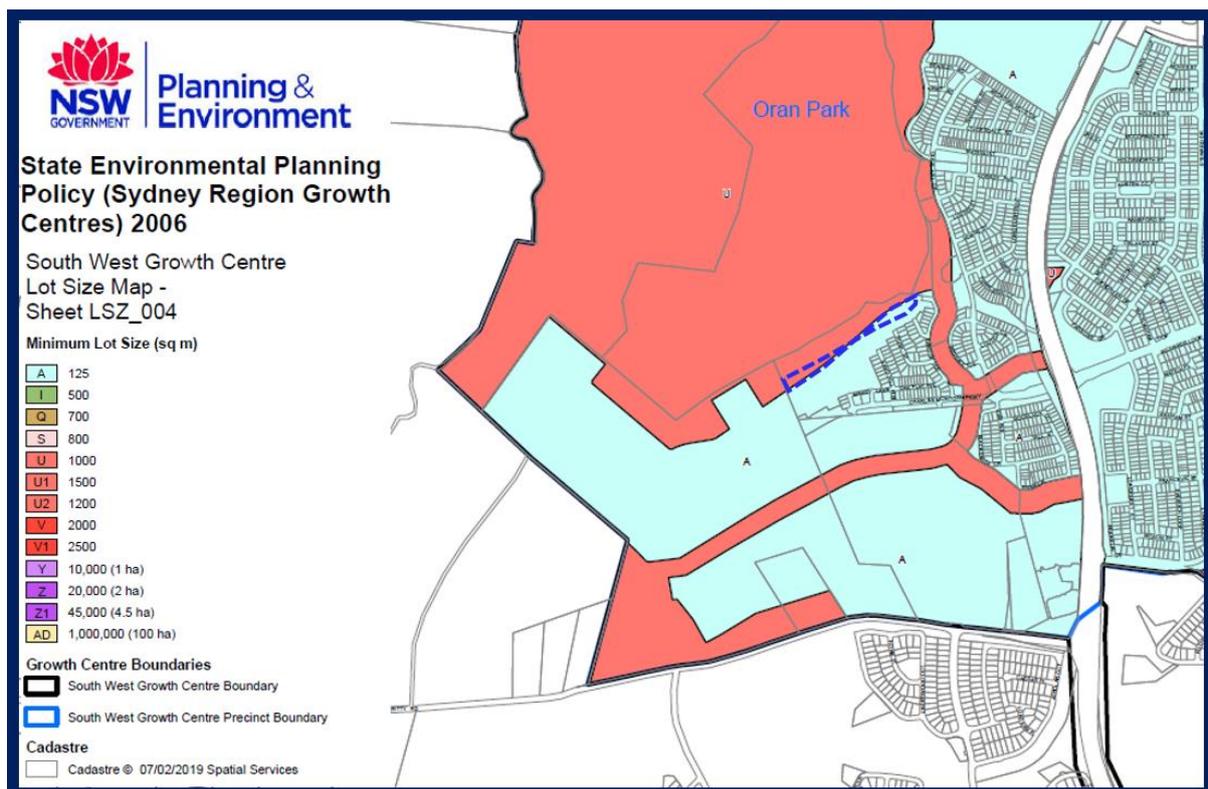


Figure 4: Minimum Lot Size Extract from Growth Centres SEPP 2006 (December 2019)

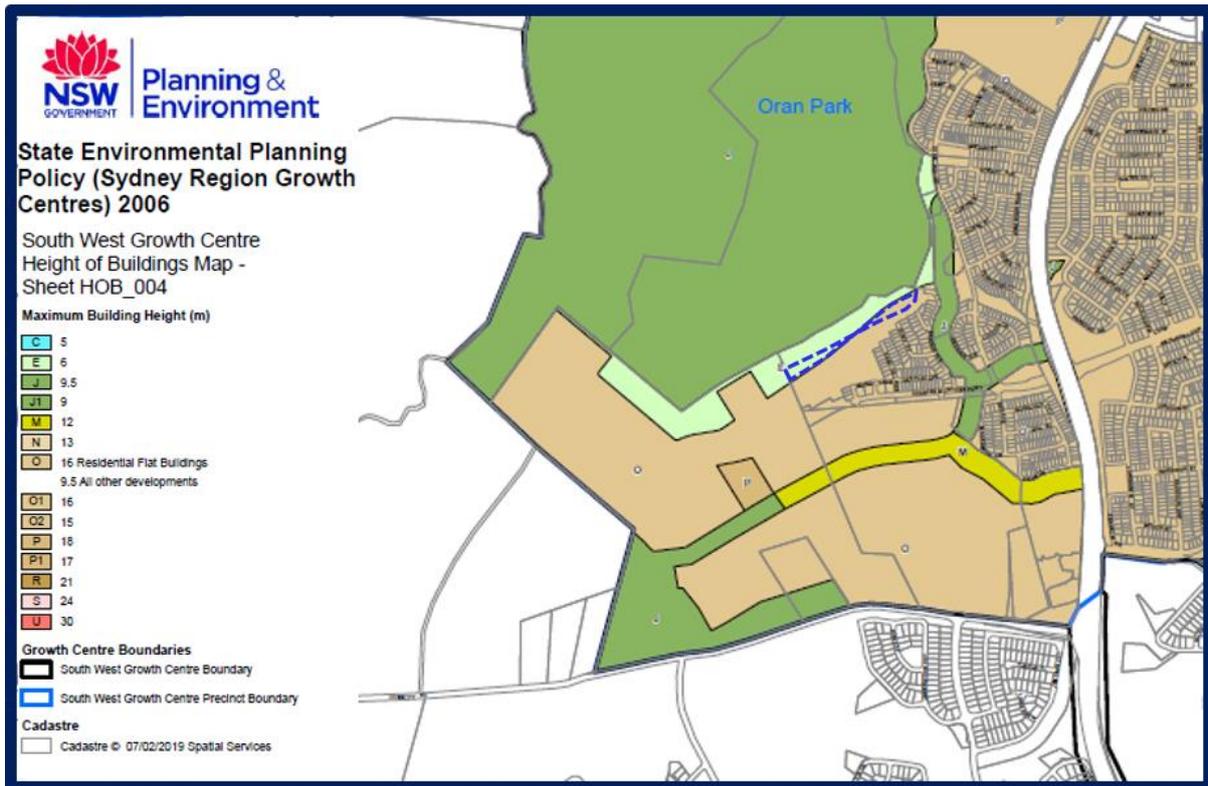


Figure 5: Height of Buildings Extract from Growth Centres SEPP 2006 (December 2019)

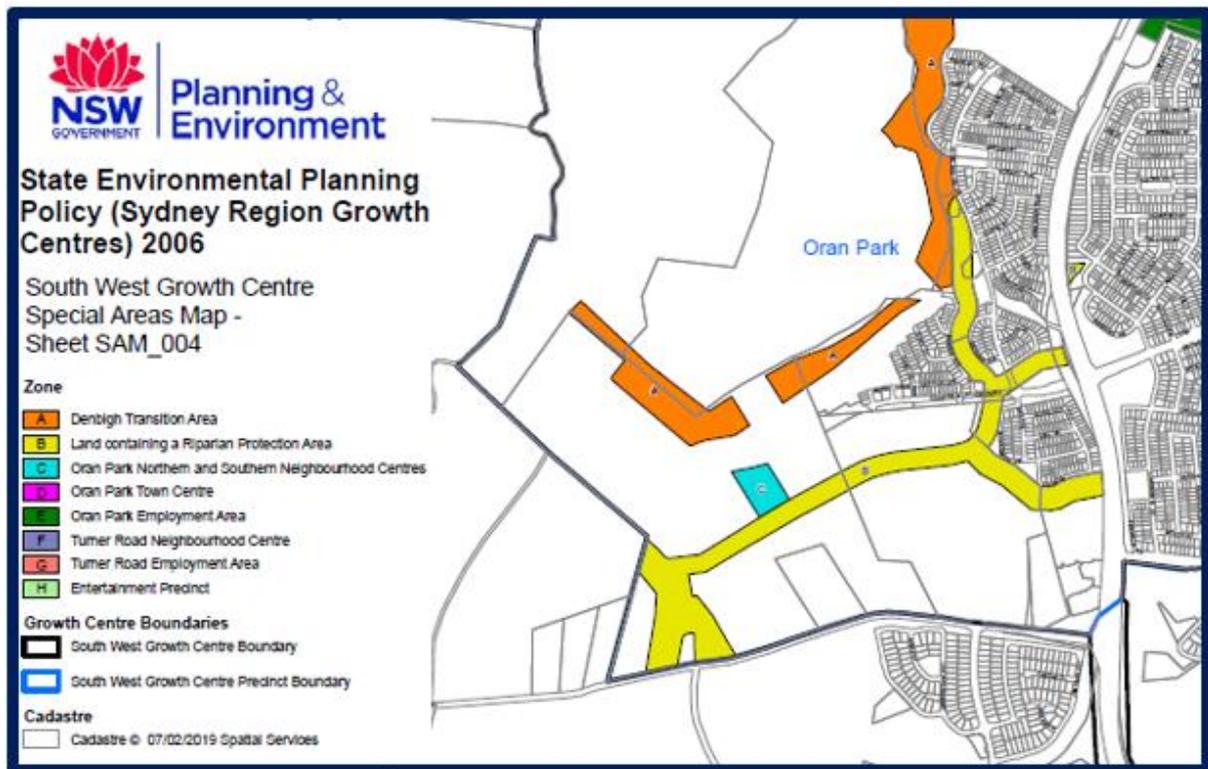


Figure 6: Special Areas Map Extract from Growth Centres SEPP 2006 (December 2019)

## 4.0 THE PLANNING PROPOSAL

### 4.1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the existing planning controls under the Growth Centres SEPP 2006 for the subject site as follows:

1. Amend the Land Zoning Map to realign the zoning boundaries between E4 Environmental Living and R1 General Residential.
2. Amend the Minimum Lot Size Map to apply a minimum lot size of 1,000m<sup>2</sup> to the proposed E4 zoned land and 125m<sup>2</sup> to the proposed R1 zoned land.
3. Amend the Height of Buildings Map to apply a maximum building height of 6m to the proposed E4 zoned land and 9.5m to the proposed R1 zoned land.

The proposed amendment Maps are included in Section 4.2 of this Planning Proposal.

The intended outcome of this Planning Proposal is to align the zoning boundaries between the E4 Environmental Living zoned land within the Denbigh Transition Area and the R1 General Residential zoned land south of the Denbigh Transition Area, to be consistent with the adopted Oran Park Part B DCP. This will facilitate the development of six residue lots currently zoned E4 within Stage 8 of the Arcadian Hills estate as shown in **Figure 7**. The proposal will result in a net increase of 1,300m<sup>2</sup> of land zoned R1 General Residential as shown in the land zoning area calculation in **Figures 8 and 9**.

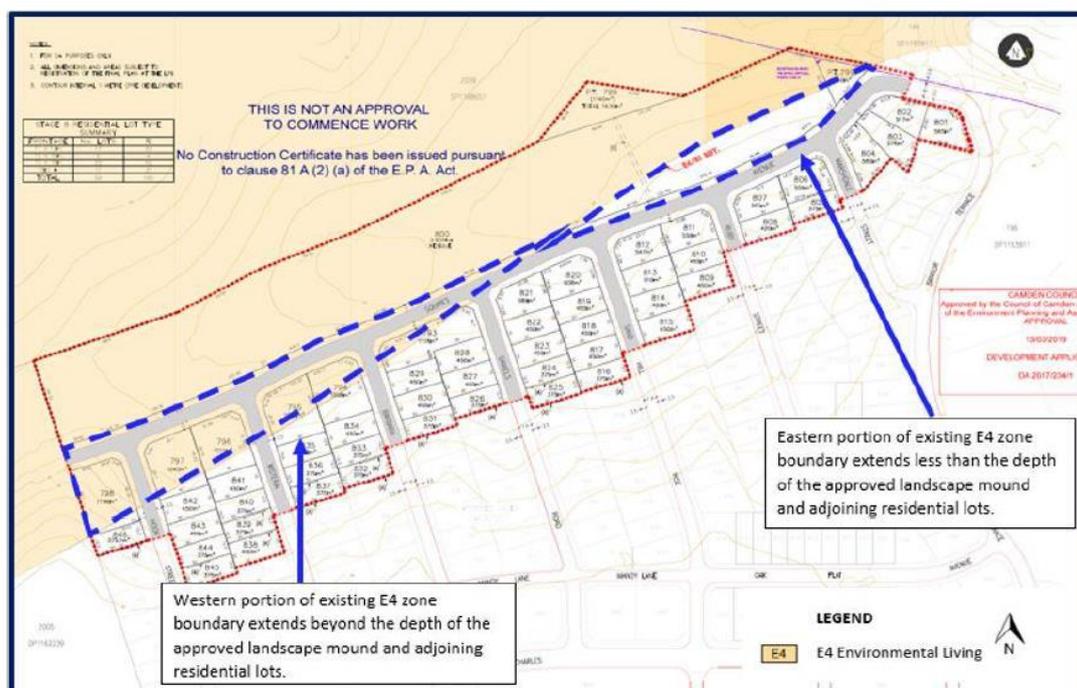


Figure 7: Approved Subdivision Plan for Stage 8 Arcadian Hills (DA/2017/234/1) and Current E4 Zoning Overlay

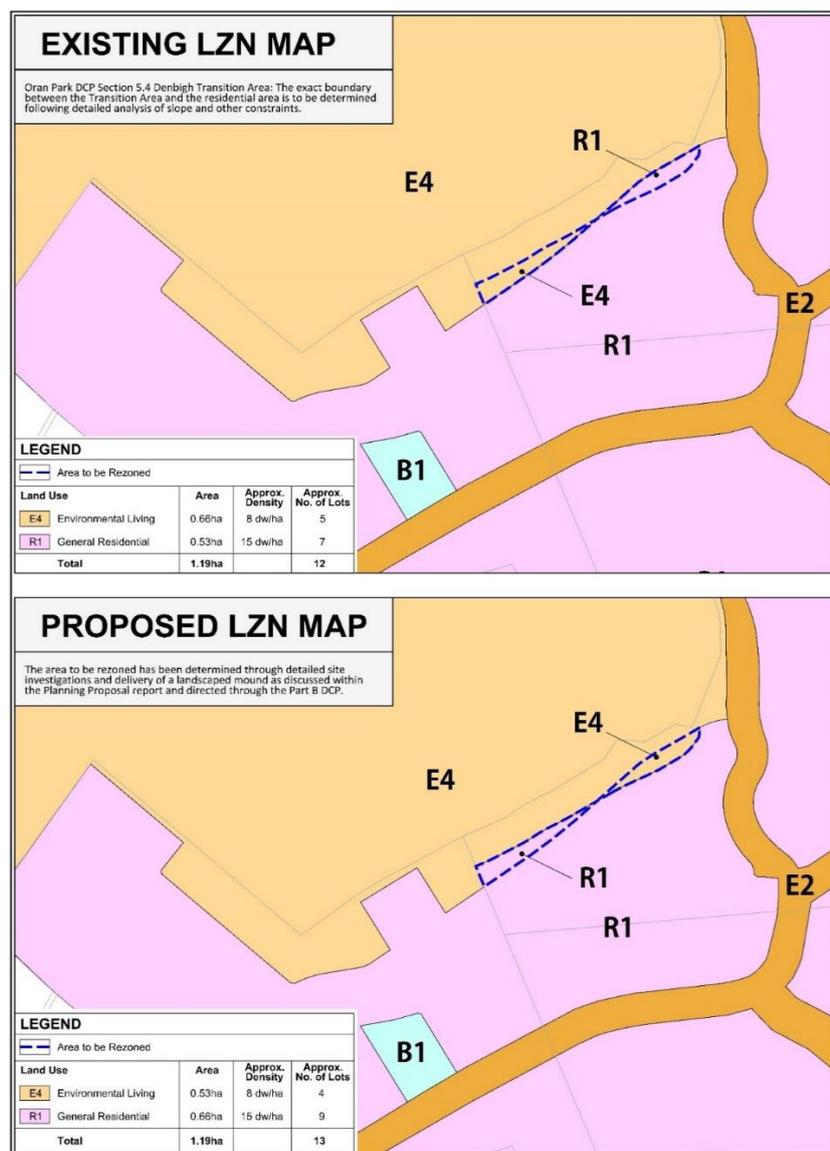
## 4.2 Explanation of Provisions

The objectives and intended outcomes of this Planning Proposal are to be achieved by amendments to the following maps:

- Land Zoning Map (Sheet LZN\_004)
- Minimum Lot Size Map (Sheet LSZ\_0004)
- Height of Buildings Map (Sheet HOB\_004)
- Special Areas Map (Sheet SAM\_004)

### Land Zoning Map Changes

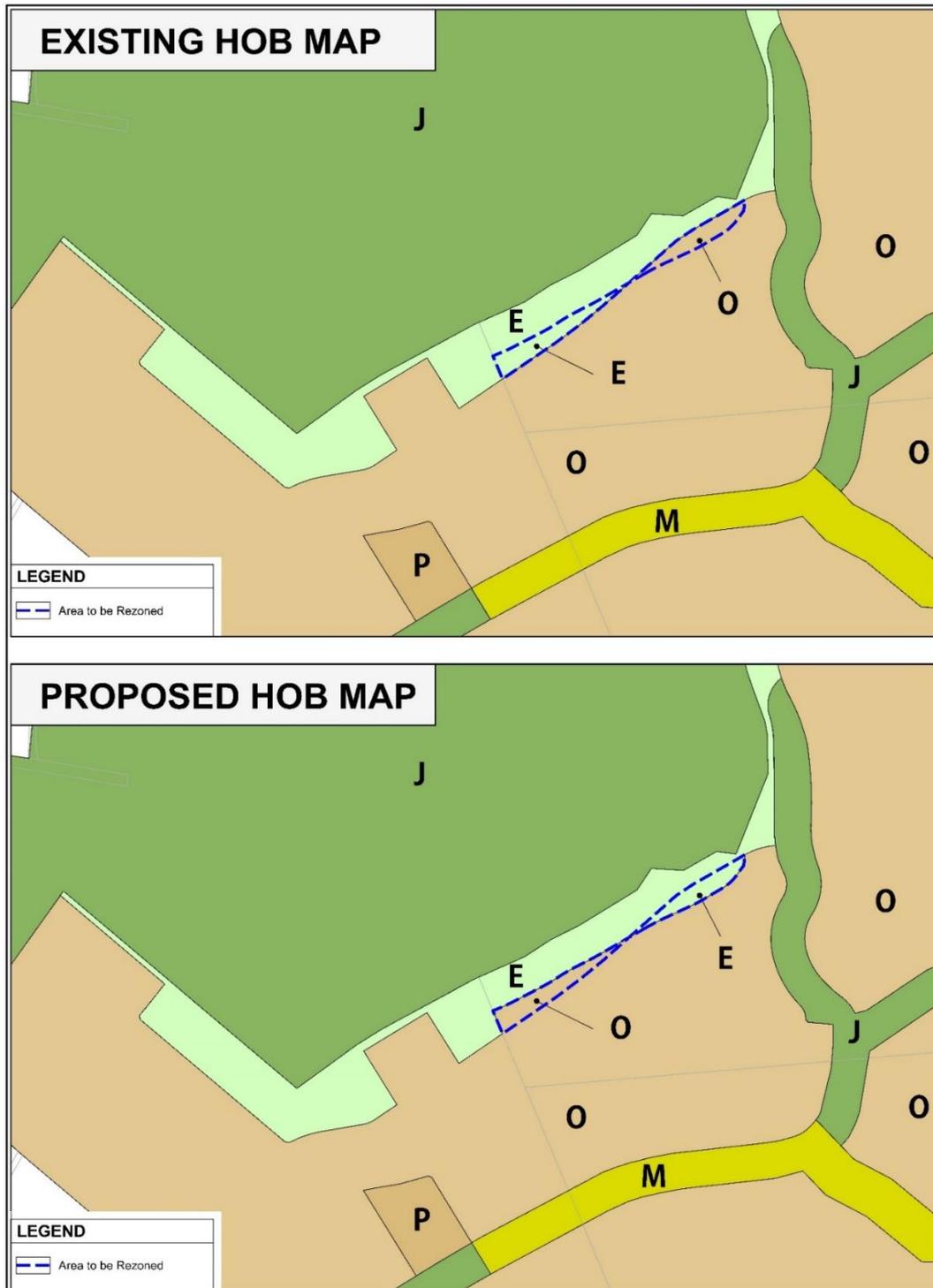
Figures 8 and 9 shows the extent of the proposed zoning amendment. The Proposal seeks to rezone 0.66ha of E4 Environmental Living zoned land in the western portion of the site to R1 General Residential. It also seeks to rezone 0.53ha of R1 General Residential zoned land in the eastern portion of the site to E4 Environmental Living.



Figures 8 and 9: Existing and Proposed Land Zoning Maps - Area proposed for rezoning outlined in blue

### Height of Building Map Changes

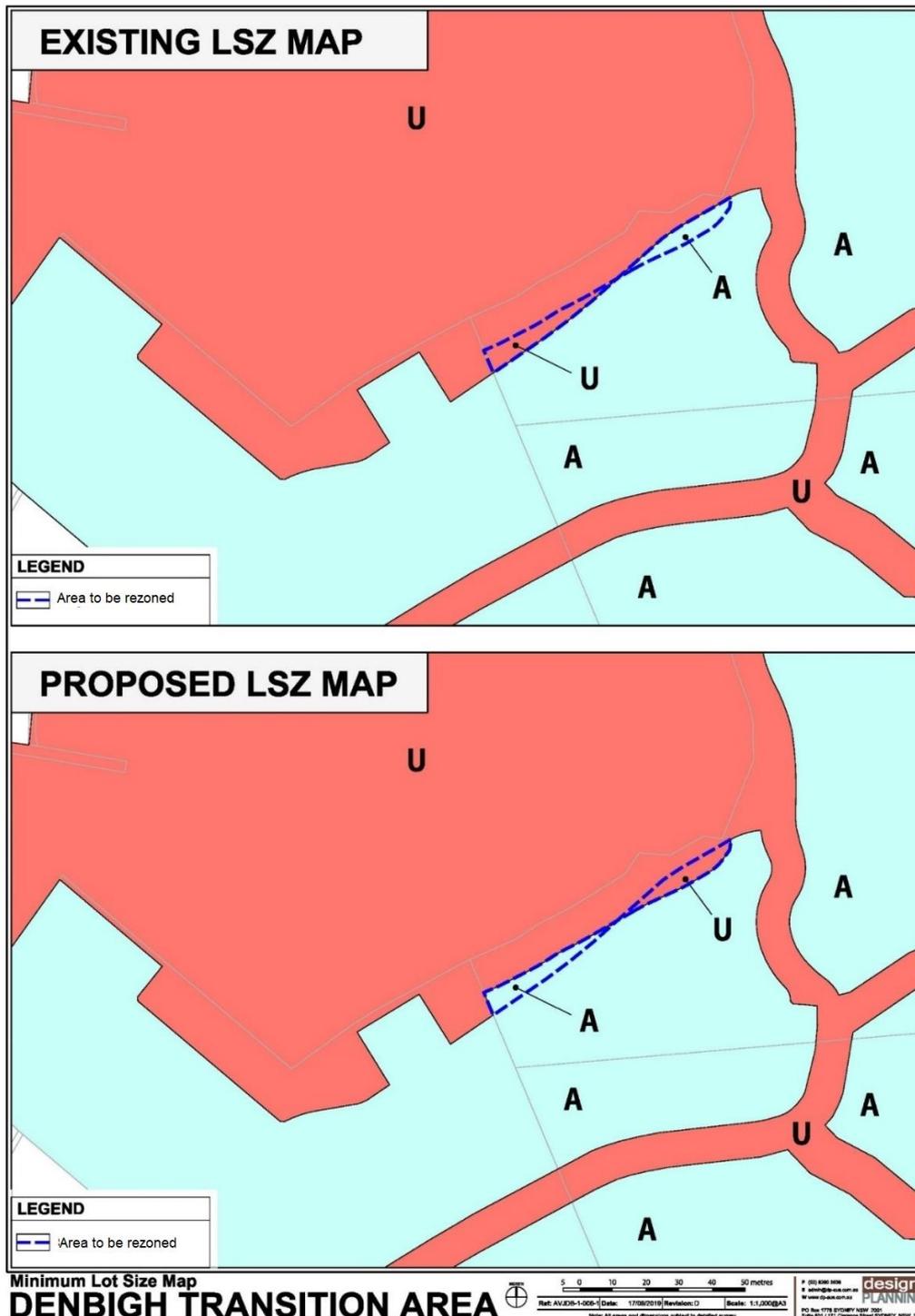
Figures 10 and 11 shows the proposed building height amendments. It seeks to apply a maximum building height of 9.5m (O) to the proposed R1 zoned land and 6m (E) to the proposed E4 zoned land.



Figures 10 and 11: Existing and Proposed Height of Building Maps

### Lot Size Map Changes

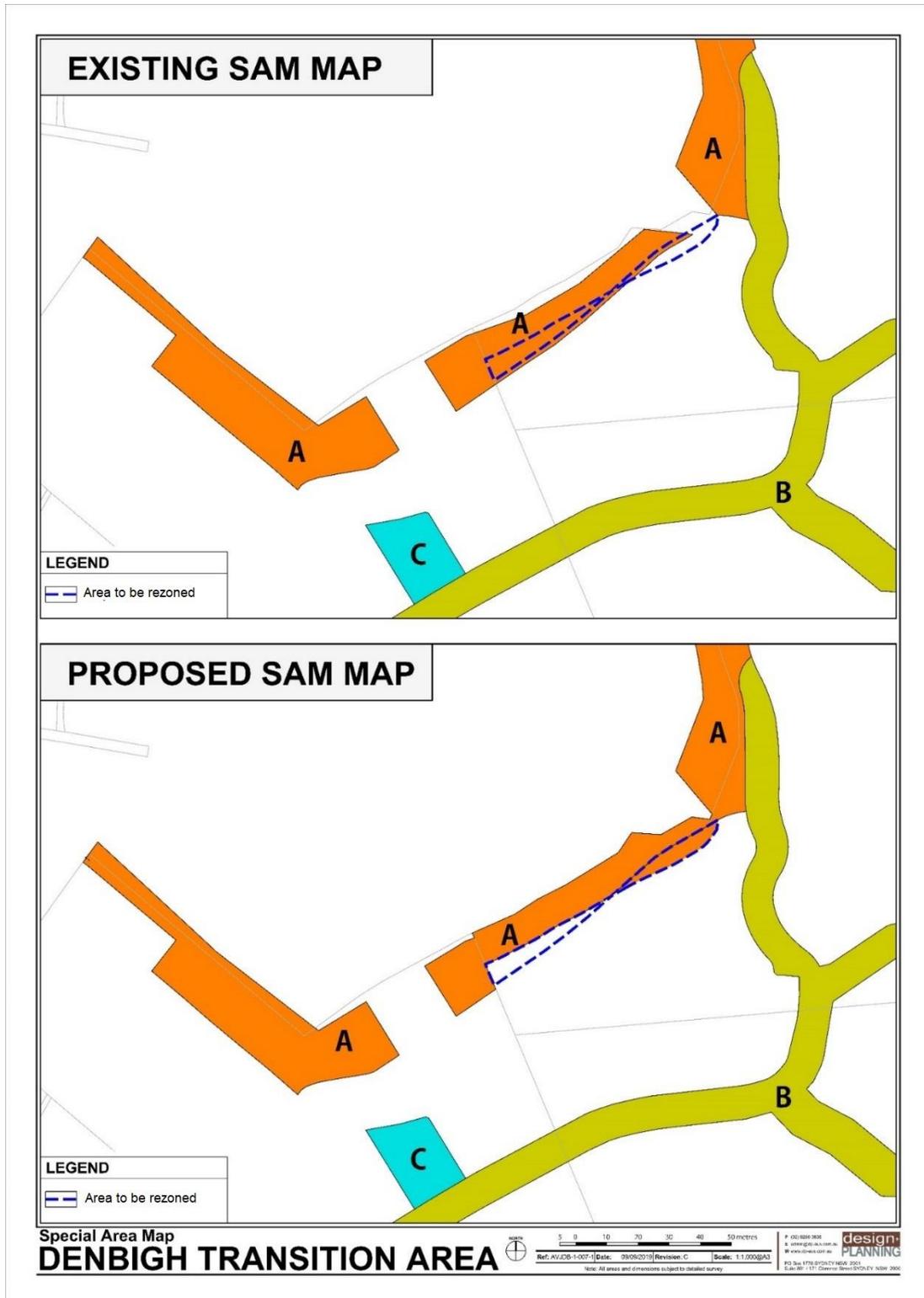
Figures 12 and 13 shows the extent of the proposed minimum lot size amendment. The Proposal seeks to apply a minimum lot size of 125m<sup>2</sup> (A) to the proposed R1 zoned land and a minimum lot size of 1000m<sup>2</sup> (U) to the proposed E4 zoned land.



Figures 12 and 13: Existing and Proposed Lot Size Maps

### Special Areas Map Changes

Figures 14 and 15 shows the proposed amendment to the boundaries of the special areas identified within the Oran Park Precinct. The Proposal seeks to realign the boundary of the Denbigh Transition Area (A) to reflect the location of the approved landscape mound and the proposed E4 zoned land.



Figures 14 and 15: Existing and Proposed Special Areas Maps

### **4.3. Justification**

#### **4.3.1 Section A – Need for the Planning Proposal**

##### ***Q1. Is the Planning Proposal a result of any strategic study or report?***

The amendments in this Planning Proposal are minor and is not the result of any broad strategic study or report.

The draft Planning Proposal has been lodged following detailed work undertaken as part of the adopted Part B DCP, which outlines the vision and associated development controls for the Denbigh Transition Area. The Part B DCP was prepared through consultation with stakeholders including Council officers, an external heritage consultant, the Denbigh landowner and State agencies, including the Office of Environment and Heritage (OEH) - Heritage Division.

The objectives of the Part B DCP include:

- a. To respect the heritage curtilage of Denbigh;
- b. To obscure the visual impact of development within the Denbigh Transition Area when viewed from the Denbigh homestead and associated rural outbuildings;
- c. To retain and respect the rural context and setting of the Denbigh homestead.

Since the adoption of the Part B DCP, development consents have been issued for subdivision works and the construction of the landscape mound (which has been completed). This Planning Proposal seeks to amend the Growth Centres SEPP Mapping to align the zoning boundaries between E4 zoned land within the Transition Area and R1 zoned land south of the Transition Area, consistent with the adopted Part B DCP. This will facilitate the development of six residue lots currently zoned E4 within Stage 8 of the Arcadian Hills estate.

##### ***Q2. Is the Planning Proposal the best way of achieving the objectives or intended outcomes, or is there a better way?***

The amendments to the Growth Centres SEPP and associated maps outlined under this Planning Proposal are the most appropriate and best means of achieving the objectives and intended outcomes. The proposed amendments to the SEPP Mapping will align the zoning boundaries between E4 zoned land within the Transition Area and R1 zoned land south of the Transition Area, consistent with the adopted Part B DCP. This will facilitate the development of six residue lots currently zoned E4 within Stage 8 of the Arcadian Hills estate, which is consistent with the desired outcomes of the Part B DCP.

#### **4.3.2 Section B – Relationship to Strategic Planning Framework**

##### ***Q3. 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)?***

###### **A Metropolis of Three Cities - The Greater Sydney Region Plan (2018)**

The Greater Sydney Region Plan (Region Plan) sets the vision, strategic directives and objectives for Greater Sydney.

The proposal is consistent with the relevant directions and objectives of the Region Plan as summarised below.

**Direction 4: Liveability – Housing the city;**

**Objective 10: Greater housing supply**

The proposal seeks to increase housing supply as it will facilitate the development of six (6) residue lots in Arcadian Hills. Future dwellings will be close to services, facilities and infrastructure within the Oran Park Precinct.

**Direction 5: Liveability – A city of great places;**

**Objective 13: Environment Heritage is identified, conserved and enhanced**

The proposal is consistent with the outcomes established by the Part B DCP and will not detract from the heritage value and character of Denbigh.

**Direction 6: Sustainability – A city in its landscape;**

**Objective 28: Scenic and cultural landscaped are protected**

The proposal maintains scenic views from Denbigh homestead by visually screening residential development within the Southern Viewscape Precinct.

**Direction 8: Sustainability – A city in its landscape:**

**Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced**

The proposal aligns with the intent of the Part B DCP to provide a suitable transition area that protects the rural character of Denbigh.

Western City District Plan (District Plan)

The Western City District Plan sets the planning priorities to deliver the vision, strategic directives and objectives for Western Sydney.

The proposal is consistent with the relevant objectives and planning priorities for *Western City District Plan* as summarised below.

**Planning Priority W5 – Providing housing supply, choice and affordability, with access to jobs and services**

The proposal is consistent with this priority. It will facilitate the development of six (6) residue lots within Stage 8 of the Arcadian Hills estate. This will contribute to the increase of housing supply and choice with access to existing and proposed infrastructure, jobs and services in the Oran Park Precinct.

**Planning Priority W6 – Creating and renewing great places and local centres and respecting the District's heritage**

The proposal will not visually detract from the significance of Denbigh. It is consistent with the intent of the Part B DCP to provide a sensitive transition between the Denbigh curtilage and adjoining residential development.

**Planning Priority W16 - Protecting and enhancing scenic and cultural landscapes**

The proposal is consistent with the visual screening outcomes established by the Part B DCP and will not detract from the integrity of the scenic and cultural landscape of Denbigh.

**Q4. Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?**

Draft Camden Local Strategic Planning Statement

The draft Local Strategic Planning Statement (draft LSPS) is a 20-year planning vision, emphasising land use, transport and sustainability objectives to demonstrate how Camden LGA will change to meet the community's needs over the next 20 years.

The proposal is consistent with the following Local Priorities and Actions of the draft LSPS:

**Local Priority L1 – Providing housing choice and affordability for Camden's growing and changing population**

The proposal is consistent with this priority as it will facilitate the development of six (6) residue lots currently zoned E4 within Stage 8 of the Arcadian Hills estate.

**Local Priority L2 – Celebrating and respecting Camden's proud heritage**

The proposal is consistent with this priority as it aligns with the objective of the Part B DCP to provide a suitable transition area that responds to the heritage context of Denbigh.

**Local Priority S2 – Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River**

The proposal is consistent with this objective as it forms part of the broader Arcadian Hills estate which has satisfactory stormwater arrangements in place to service the development.

**Local Priority S3 – Protecting Camden's rural land**

The proposal is consistent with this priority as it does not seek to encroach on existing rural land. It is consistent with the overall intent of the Part B DCP to provide a suitable transition area that respects the rural context of Denbigh.

Community Strategic Plan (CSP)

The Community Strategic Plan (CSP) seeks to actively manage Camden LGA's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The Planning Proposal is consistent with the relevant directions of the CSP as summarised below.

**Key Direction 1 – Actively Managing Camden LGA's Growth**

**Strategy 1.1.1 – Ensure the provision of appropriate urban development for sustainable growth in the Camden LGA**

The proposal is consistent with this objective with the broader Arcadian Hills estate situated on land zoned for residential development under the Growth Centres SEPP. The proposal is consistent with the Part B DCP and does not encroach on the rural lands of Denbigh.

**Key Direction 2 – Healthy and Urban Environment**

**Strategy 2.1.1 – Protect the built and natural heritage of the Camden LGA**

The proposal is consistent with this objective with the broader Arcadian Hills estate which employs a range of design and visual screening measures to positively respond to the rural heritage of Denbigh.

**Strategy 2.1.3– Maintain and enhance the Camden LGA’s waterways and its catchments and promote water saving initiatives**

The proposal is consistent with this objective as it forms part of the Arcadian Hills estate which has adequate stormwater arrangement, ensuring there are no adverse impacts on the Cobbitty Catchment and broader Nepean river.

***Q5. Is the Planning Proposal consistent with applicable state environmental planning policies?***

The NSW Government has gazetted a range of State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs or Deemed SEPPs) which guide land use and planning outcomes across the State and Sydney Metropolitan Region.

A review of the Planning Proposal and its intended outcomes and objectives against all relevant SEPPs is provided in **Appendix 2**.

The review has demonstrated that the proposal is consistent with all relevant and applicable SEPPs.

***Q6. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 or formerly s.117 directions)?***

The Planning Proposal is consistent with the Section 9.1 Directions by the Minister (formerly Section 117 Directions).

A review of the Planning Proposal and its intended outcomes and objectives against all current Ministerial Directions is provided in **Appendix 3**.

### 4.3.3 Section C – Environmental, Social and Economic Impact

***Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The site is subject to biodiversity certification under the Growth Centres SEPP which was gazetted on 14 December 2007. The subject site is cleared land with no significant vegetation identified onsite.

No critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal.

The subject land is also bio-certified land under the Growth Centres bio-certification.

***Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

Heritage and Visual Impacts

The State Environmental Planning Policy 2006 (Growth Centres SEPP 2006) and Oran Park Development Control Plan 2007 (Oran Park DCP 2007) seek to conserve the environmental heritage of the Oran Park Precinct including associated fabric, settings and views. The Part B DCP was prepared to ensure the delivery of development that respects the heritage curtilage of Denbigh.

To achieve visual screening, the Part B DCP employs a combination of controls including:

- Land forming strategy requiring an earth mound with a maximum height of 4.5m;
- Site re-grading requiring a total screening height of building pads of 6m; and
- Building height controls requiring single storey dwelling construction where lots directly adjoin the landscape mound.

To protect the rural heritage of Denbigh, the Part B DCP requires subdivision of land immediately adjoining the landscape mound to be in the form of large lots.

To date, the following work has been completed under existing development consents:

- A landscape mound has been constructed and is required to be re-vegetated;
- Site re-grading on the residential side of the ridgeline has been complete;
- Maximum building height controls imposed via a S88B restriction;
- Subdivision to create large lots has been approved, where the land immediately adjoins the landscape mound.

The Proposal is consistent with the Part B DCP and its broad aims of providing visual screening and protecting Denbigh's rural heritage in that the proposed:

- Zoning outcomes reflect the alignment of the E4 zoned land for the Transition Area and the R1 zoned land for residential development south of the Transition Area;
- Lot size outcomes align with the intent to deliver large lots; and
- Building height outcomes align with cross-sections of the Part B DCP.

The Proposal will have no adverse heritage or visual impacts on Denbigh.

***Q9. Has the planning proposal adequately addressed any social and economic effects?***

### Social Effects

The Planning Proposal site forms part of the Arcadian Hills estate and will facilitate the development of six residue lots within Stage 8 of the estate which is acceptable given the context of existing and future residential development planned in the area. The proposal is unlikely to have adverse social impacts with the subject site located nearby to existing and future infrastructure and services within the Oran Park Precinct.

### Economic Effects

The Planning Proposal will provide increased housing supply and choice. It forms part of the broader Arcadian Hills estate and will contribute to the local economy of the Oran Park Precinct.

## **4.3.4 Section D – State and Commonwealth Interests**

### ***Q10. Is there adequate public infrastructure for the Planning Proposal?***

Essential services are available to the site as part of the delivery of the Arcadian Hills estate within Oran Park and the proposal does not have any significant increase on demand for these services.

### ***Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The Gateway Determination will outline the State and Commonwealth public authorities to be consulted.

## **4.4 Mapping**

The following maps in the Growth Centres SEPP 2006 are to be amended:

- Land Zoning Map - Sheet LZN\_004
- Minimum Lot Size Map - Sheet LSZ\_004
- Height of Buildings Map -Sheet HOB\_004
- Special Areas Maps – Sheet SAM\_004

#### 4.5 Community Consultation

It is expected that community consultation is to be undertaken in accordance with the Gateway Determination. Notifications will be placed in the local newspaper and the exhibition material available at:

- Oran Park Administration Centre, 70 Central Avenue, Oran Park (Hard Copy);
- Oran Park Library, Central Avenue, Oran Park (Hard Copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy); and
- Council website for the length of the exhibition period (Electronic Copy).

#### 4.6 Project Timeline

Action	Timeframe
Anticipated commencement date (date of Gateway Determination)	January 2020
Anticipated timeframe for the completion of required technical information	February 2020
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	February – March 2020
Commencement and completion dates for public exhibition period	February – March 2020
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	April – May 2020
Timeframe for the consideration of a proposal post-exhibition	May 2020
Submission to the department to finalise the LEP	June 2020
Anticipated date RPA will make the plan (if delegated)	June - July 2020
Anticipated date RPA will forward to the department for notification	July 2020

## 5.0 – CONCLUSIONS AND RECOMMENDATIONS

The Planning Proposal seeks to amend the Growth Centres SEPP to align the zoning boundaries between E4 Environmental Living zoned land within the Denbigh Transition Area and the R1 General Residential zoned land south of the Transition Area, to be consistent with the adopted Part B DCP. This will facilitate the development of six residue lots within Stage 8 of the Arcadian Hills estate.

It is envisaged this Planning Proposal will enable development through the following amendments:

- Rezone 0.66ha of E4 zoned land in the western portion of the site to R1 General Residential;
- Rezone 0.53ha of R1 zoned land zoned in the eastern portion of the site to E4 Environmental Living;
- Apply a maximum building height of 6m to the proposed E4 zoned land and 9.5m to the proposed R1 zoned land;
- Apply a minimum lot size of 1000m<sup>2</sup> to the proposed E4 zoned land and 125m<sup>2</sup> to the proposed R1 zoned land; and
- Realign the boundary of the Denbigh Transition Area to reflect the location of approved landscape mound and the proposed E4 zoned land.

The Planning Proposal is considered to demonstrate merit in the following respects:

- The proposed development of six residue lots will have no adverse heritage and visual impacts as the Proposal is consistent with the objectives and strategies of the adopted Part B DCP; and
- The proposal is not inconsistent with region, district and local plans and their relevant objectives.

The Planning Proposal has been prepared in accordance with Section 3.33 of the EPAA 1979. Amendments to the Land Zoning Map (Sheet LZN\_004), Height of Buildings Map (Sheet HOB\_004), Lot Size Map (Sheet LSZ\_004) and Special Areas Map (Sheet SAM\_004) is the most appropriate method to achieve the objectives of this Planning Proposal.

The Planning Proposal will have a positive outcome for the community and complement the existing and future land use of the surrounding area.

## **6.0 – APPENDICES**

Appendix 1: Council Report and Minutes 26 November 2019

Appendix 2: Consistency against State Environmental Planning Policies

Appendix 3: Section 9.1 Directions

Appendix 4: Stage 8 Subdivision Plan with Zoning Overlay

**APPENDIX 1: Council Report and Minutes (26 November 2019)**

## APPENDIX 2: Consistency against State Environmental Planning Policies

SEPP	Consistency	Comment
State Environmental Planning Policy No 1—Development Standards	N/A	SEPP No.1 is not applicable within the Oran Park and Turner Road precincts under the Growth Centres SEPP.
State Environmental Planning Policy No 14—Coastal Wetlands	N/A	Not Applicable. The area is not within an identified coastal wetland area.
State Environmental Planning Policy No 15—Rural Land sharing Communities	N/A	This SEPP does not apply to land within Camden LGA.
State Environmental Planning Policy No 19—Bushland in Urban Areas	N/A	Not Applicable as there are no identified areas of urban bushland under this Proposal as the site has been cleared.
State Environmental Planning Policy No 21—Caravan Parks	N/A	Not Applicable. However, nothing in this Planning Proposal prevents the realisation of this SEPP.
State Environmental Planning Policy No 26—Littoral Rainforests	N/A	Not Applicable as there are no Littoral Rainforests within the subject site.
State Environmental Planning Policy No 29—Western Sydney Recreation Area	N/A	Not Applicable as the site is not within the Western Sydney Recreation Area
State Environmental Planning Policy No 30—Intensive Agriculture	N/A	Not Applicable as this Planning Proposal does not seek to convert the land from rural to urban use. The site is currently zoned for E4 Environmental Living and R1 General Residential.
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	N/A	Not Applicable. However, the Planning Proposal will not prevent the future application of the SEPP.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	N/A	Not Applicable. However, the Planning Proposal will not prevent either the existing or future application of the SEPP.
State Environmental Planning Policy No	N/A	Not Applicable. However, the Planning Proposal will not prevent the future application of the SEPP

SEPP	Consistency	Comment
36—Manufactured Home Estates		when the land is appropriately serviced for urban development.
State Environmental Planning Policy No 39—Spit Island Bird Habitat	N/A	Not Applicable. The site is not within the vicinity of Spit Island.
State Environmental Planning Policy No 44—Koala Habitat Protection	N/A	Not Applicable as the site does not incorporate any identified areas of Koala habitat.
State Environmental Planning Policy No 47—Moore Park Showground	N/A	Not Applicable as the site is not within the Moore Park Showground area.
State Environmental Planning Policy No 50—Canal Estate Development	N/A	Not Applicable. The site is not within an area where canal development could occur.
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	Not Applicable. The proposal however does not prevent the successful application of this SEPP.
State Environmental Planning Policy No 55—Remediation of Land	N/A	Consistent. Land capability studies where undertaken as part of the rezoning of the Precinct in 2007.
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	N/A	Not Applicable as the subject site is not within the specified land area.
State Environmental Planning Policy No 62—Sustainable Aquaculture	N/A	Not Applicable as the site is proposed to be rezoned for urban land use purposes.
State Environmental Planning Policy No 64—Advertising and Signage	Yes	Consistent. The proposal will continue to enable signage to be assessed consistent with SEPP 64.
State Environmental Planning Policy No 65—Design Quality of	N/A	Consistent. The proposal incorporates an amended boundary for <i>R1 General Residential</i> which permits

SEPP	Consistency	Comment
Residential Flat Development		<p>Residential Flat Buildings and therefore SEPP 65 applies.</p> <p>Notwithstanding this, Residential Flat Buildings are not permitted within E4 Zone which adjoins mounding within the Transition Area.</p> <p>Additionally, controls included within the Part B3 DCP as well as the main body DCP and ILP ensure that an RFB permissible within the R1 zone will not be permitted in an area that will compromise views to and from the Denbigh Heritage Curtilage.</p>
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	Yes	Consistent. The Planning Proposal will facilitate a greater number of affordable housing options than is currently possible.
State Environmental Planning Policy No 71—Coastal Protection	N/A	Not applicable as the site is not within a coastal zone.
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	Consistent. The proposal will provide the opportunity for affordable rental housing in accordance with this policy.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	Consistent. Future housing is able to be consistent with the BASIX SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	Consistent. Exempt and complying development as envisaged by this SEPP will continue to be applicable.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes	Consistent. The proposal will provide opportunities for housing within close proximity to services.
State Environmental Planning Policy (Infrastructure) 2007	Yes	Consistent. Infrastructure can be provided consistent with the intent of this SEPP.
State Environmental Planning Policy	N/A	Not Applicable as the site is not within the Kosciusko National Park area.

SEPP	Consistency	Comment
(Kosciuszko National Park—Alpine Resorts) 2007		
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	Not Applicable as the site is not at the Kurnell Peninsula.
State Environmental Planning Policy (Major Development) 2005	N/A	Not Applicable as there is currently no major development envisaged under this SEPP within the Study Area. Nothing however will prevent the Minister applying this SEPP within the study area.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not Applicable, however, the Planning Proposal does not prevent the application of this SEPP.
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	Not Applicable as the subject site is not within the specified land area.
State Environmental Planning Policy (Port Botany and Port Kembla) 2013	N/A	Not Applicable as the site has no relevance to the areas identified in the SEPP.
State Environmental Planning Policy (Rural Lands) 2008	N/A	Not Applicable as the SEPP does not apply to the study area.
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	N/A	Not Applicable. This SEPP no longer applies.
State Environmental Planning Policy (State and Regional Development) 2011	N/A	Not Applicable. However, the Planning Proposal does not prevent the application of this SEPP for state significant or critical infrastructure projects.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Yes	Consistent. The proposal does not contain any provision that would prevent the application of this SEPP.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Yes	Consistent. The site is located with the Oran Park Precinct of the South West Priority Growth Area. The amendments proposed in this report will enable a consistent

SEPP	Consistency	Comment
		approach to development within the Denbigh Transition Area.
State Environmental Planning Policy (Three Ports) 2013	N/A	Not Applicable as the land has no relationship to the three ports covered by the SEPP.
State Environmental Planning Policy (Urban Renewal) 2010	N/A	Not Applicable as the site is not identified as an Urban Renewal Precinct.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	Not Applicable. The site is not within the Western Sydney Employment Area.
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	Not Applicable as the subject site is not within the specified land area.

#### Deemed SEPP Review

Deemed SEPPs	Consistency	Comment
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	N/A	Not Applicable. Nothing in this Planning Proposal prevents the application of this SEPP to relevant development applications.
Sydney Regional Environmental Plan No 16—Walsh Bay	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 18—Public Transport Corridors	N/A	Not Applicable as the site is not within an identified public transport corridor.
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	Yes	Consistent. The Planning Proposal has considered the heads of considerations under this deemed SEPP. Future development is able to occur in a manner in keeping with the requirements of this deemed SEPP.

Sydney Regional Environmental Plan No 24—Homebush Bay Area	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 25—Orchard Hills	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 26—City West	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 30—St Marys	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan No 33—Cooks Cove	N/A	Not Applicable as the subject site is not within the specified land area.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Not Applicable as the subject site is not within the specified land area.

### APPENDIX 3: S9.1 Directions

Direction	Consistency	Comment
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones	N/A	Not Applicable. The Planning Proposal is not within a Business or Industrial Zone.
1.2 Rural Zones	N/A	Not Applicable. The Planning Proposal is not within a Rural Zone.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	The Planning Proposal can be consistent with this direction. The Proposal will not prohibit or restrict the mining of resources. The proposal seeks to amend SEPP Mapping boundaries across land which is currently zoned as part of the Oran Park Precinct within the South West Priority Growth Area.
1.4 Oyster Aquaculture	N/A	Not Applicable as the proposal will not impact on an oyster aquaculture area.
1.5 Rural Lands	N/A	Not Applicable as the land is not subject to a rural zone.
<b>2. Environment and Heritage</b>		

Direction	Consistency	Comment
2.1 Environment Protection Zones	Yes	<p>The objective of the direction is to <i>protect and conserve environmentally sensitive areas</i>.</p> <p>The proposal is consistent with this direction as it is not located within an area which has been identified as having ecological value or is biodiversity constrained.</p> <p>While the proposal seeks to rezone a small area of land (0.66ha) zoned <i>E4 Environmental Living</i> to <i>R1 General Residential</i>, the proposal also seeks to rezone a near proportionate area of land (0.53ha) zoned <i>R1 General Residential</i> to <i>E4 Environmental Living</i> (refer to Figure 7: Land Zoning Comparison - Existing and Proposed). The resultant reduction in E4 zoned land by 1,300m<sup>2</sup> is minor in context of the Oran Park Precinct and as described in this report will not result in any impact on the environmentally sensitive Denbigh Heritage Homestead or curtilage.</p>
2.2 Coastal Protection	N/A	Not Applicable as the land is not within a coastal protection zone.
2.3 Heritage Conservation	Yes	<p>The proposal is consistent with this direction as it retains existing provisions relating to heritage protection within the current SEPP.</p> <p>The proposed amendments to the SEPP Mapping will accurately reflect the exact zoning boundaries within the Denbigh Transition Area of the Arcadian Hills project which have been determined following preparing of the Part B3 DCP under the Oran Park DCP. Determining the exact boundary between R1 General Residential development and E4 Environmental Living land within the Denbigh Transition Area is a requirements under the Oran Park Precinct DCP and this work has now been completed within Arcadian Hills and the resultant zoning boundary amendments are the subject of this Planning Proposal.</p> <p>The proposal maintains conservation of the Denbigh Heritage Curtilage and refines the function of the</p>

Direction	Consistency	Comment
		<p>Denbigh Transition Area in protecting the heritage value of the Denbigh Heritage Curtilage.</p> <p>The amendments proposed in this report will enable a consistent approach to development within the Denbigh Transition Area.</p>
2.4 Recreation Vehicle Areas	N/A	Not Applicable, the proposal does not seek to introduce any recreational vehicle areas.
<b>3. Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	Yes	<p>The proposal is consistent with this Ministerial Direction.</p> <p>This Planning Proposal seeks to amend the boundary between land zoned <i>E4 Environmental Living</i> and <i>R1 General Residential</i> which has been determined following the preparation of the Part B3 DCP for the Denbigh Transition Area. The proposed zoning boundary will reflect the location of large environmental living allotments, within the Arcadian Hills project, to be delivered at the interface with mounding which is also required within the Denbigh Transition Area under the adopted Part B3 DCP.</p> <p>The planning proposal will facilitate the efficient use of land within zoned for residential purposes of the Arcadian Hills project by establishing a refined boundary between <i>E4 Environmental Living</i> zone associated with the Denbigh Transition Area and <i>R1 General Residential</i> land. The proposed zoning boundaries ensure that a consistent residential subdivision outcome can be achieved adjacent to the E4 land within the Transition Area.</p> <p>The Planning Proposal responds to the outcomes of the Part B3 DCP prepared for the Denbigh Transition Area and will not compromise the protection of the Denbigh Heritage Curtilage or screening requirements and design requirements included in the Part B3 DCP.</p> <p>The Planning Proposal is consistent with the S9.1 Direction.</p>

<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not Applicable as no caravan or manufactured home estates are proposed.
3.3 Home Occupations	N/A	The proposal is consistent with this direction as it does not seek to alter the existing provisions within the current planning controls relating to home occupations.
3.4 Integrating Land Use and Transport	Yes	The Planning Proposal is consistent with this Ministerial Direction. The Planning Proposal does not impact on the integrated transportation network planned for the Oran Park Precinct.
3.5 Development Near Licensed Aerodromes	N/A	Not Applicable as the proposal is not within the vicinity of an existing licensed aerodrome.
3.6 Shooting Ranges	N/A	Not Applicable as there is no shooting range on the subject site.
<b>4. Hazard and Risk</b>		
4.1 Acid Sulfate Soils	Yes	The Planning Proposal is consistent with this Direction as comprehensive acid sulphate soil testing occurred during the precinct planning of Oran Park.
4.2 Mine Subsidence and Unstable Land	N/A	Not Applicable as the land is not within a mine subsidence area.
4.3 Flood Prone Land	N/A	Not applicable as the subject site is not identified as flood prone land.
4.4 Planning for Bushfire Protection	Yes	The Planning Proposal is consistent with the principles of this direction. Detailed comprehensive bushfire assessments will be undertaken as part of any future Development Application. Existing development consents on the site have received concurrence from the Rural Fire Service.
<b>5. Regional Planning</b>		
5.1 Implementation of Regional Strategies	N/A	Not Applicable as the land is not within an area subject to a Regional Strategy.
5.2 Sydney Drinking Water Catchments	Yes	The Planning Proposal is consistent with this direction as future development will be required to

Direction	Consistency	Comment
		achieve relevant water quality targets.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not Applicable as the land is not within the specified area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not Applicable as the land is not within the specified area.
5.8 Second Sydney Airport: Badgerys Creek	Yes	The Planning Proposal is consistent with this direction. The Oran Park ILP identifies that the proposed development outcomes will not hinder the potential for development of a Second Sydney Airport.
<b>6. Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this direction as it does not introduce any additional or new referral requirements.
6.2 Reserving Land for Public Purposes	Yes	The Planning Proposal is consistent with this direction as it will not require land for public purposes without the relevant authority's consent.
6.3 Site Specific Provisions	Yes	The Planning Proposal is consistent with this direction as it maintains consistency with site specific provisions established in the Part B3 DCP of the Oran Park Development Control Plan.
<b>6. Metropolitan Planning</b>		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	The Greater Sydney Commission released the Sydney Region Plan and Western City District Plan in 2018 and this Planning Proposal has been assessed based on these documents accordingly.

**APPENDIX 4: Stage 8 Subdivision Plan with Zoning Overlay**