



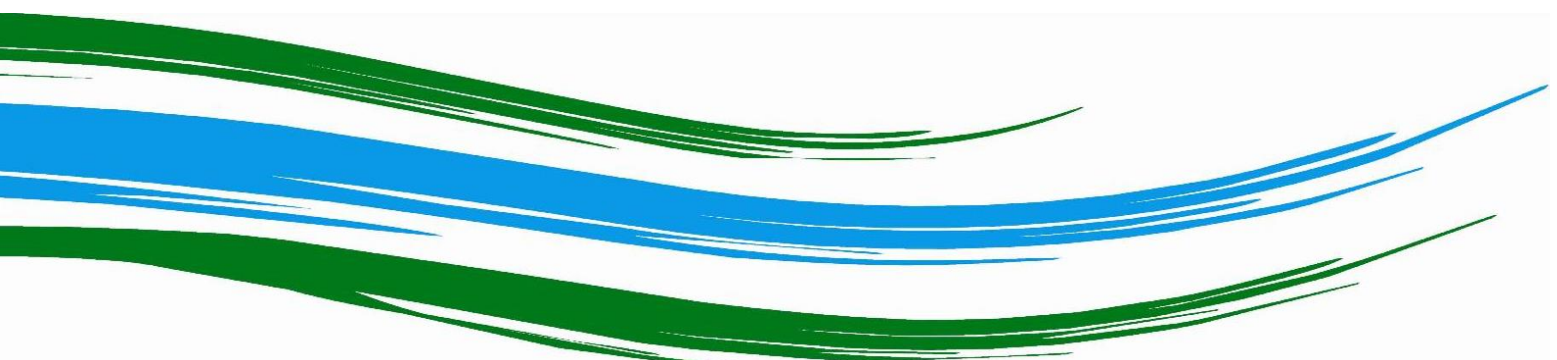
# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**26 November 2019**

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**Camden Council  
Administration Centre  
70 Central Avenue  
Oran Park**



# ORDINARY COUNCIL

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## ORDINARY COUNCIL

**ORD01**

**SUBJECT: PLANNING PROPOSAL - DENBIGH TRANSITION AREA WITHIN  
ARCADIAN HILLS, COBBITTY**

**FROM:** Director Planning and Environment  
**TRIM #:** 19/301705

**PROPERTY ADDRESS:** 33 Bangor Terrace, Cobbitty  
Lot 745 DP 1231306

**PROPONENT:** Design and Planning

**OWNER:** AV Jennings Property Ltd

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for 33 Bangor Terrace, Cobbitty and to recommend the draft Planning Proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.

The draft Planning Proposal is provided as an **attachment** to this report.

### BACKGROUND

In March 2019, a Planning Proposal was lodged by Design and Planning on behalf of the landowners of 33 Bangor Terrace and 351 Cobbitty Road, Cobbitty. In August 2019, the proposal was amended to only include 33 Bangor Terrace, Cobbitty.

The proposal seeks to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) Land Zoning (LZN), Minimum Lot Size (LSZ), Height of Building (HOB) and Special Areas (SAM) Maps applying to a portion of the site.

The proposal aligns 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 Transition Area, to be consistent with the adopted Oran Park Part B Development Control Plan for the Denbigh Transition Area (Part B DCP).

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.

Since 1 June 2018, Planning Proposals are referred to the Camden Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 15 October 2019. The Panel's recommendations are discussed later in this report and are provided as an **attachment** to this report.

The draft Planning Proposal was notified for 14 days from 21 May to 4 June 2019. One submission was received and subsequently withdrawn. Councillors were briefed on this proposal on 8 October 2019.

## Locality

The subject site is within the Arcadian Hills estate which forms part of the Denbigh Transition Area. 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 the Denbigh Homestead (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**

## 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 Viewscape Precinct 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, provided as an **attachment** to this report.



The Part B DCP came into force on 13 September 2016 and includes measures to achieve visual screening of residential development from the Denbigh curtilage and to guide residential development within the Denbigh Transition Area.

The Part B DCP employs a range of measures, including a land forming strategy, building height controls and lot size controls. This is discussed later in this report to inform the assessment of potential heritage and visual impacts of the draft Planning Proposal.

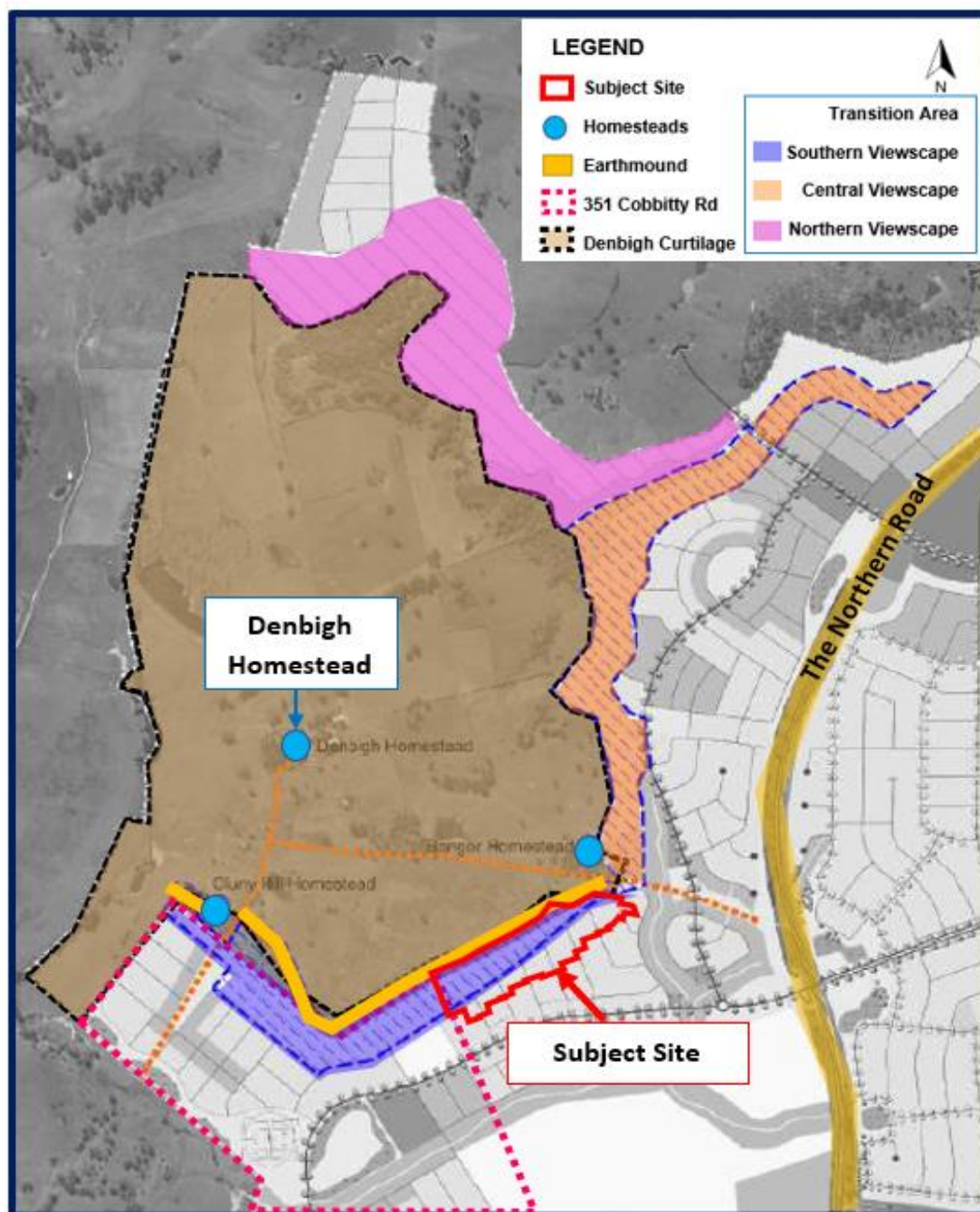


Figure 2: Locality Map

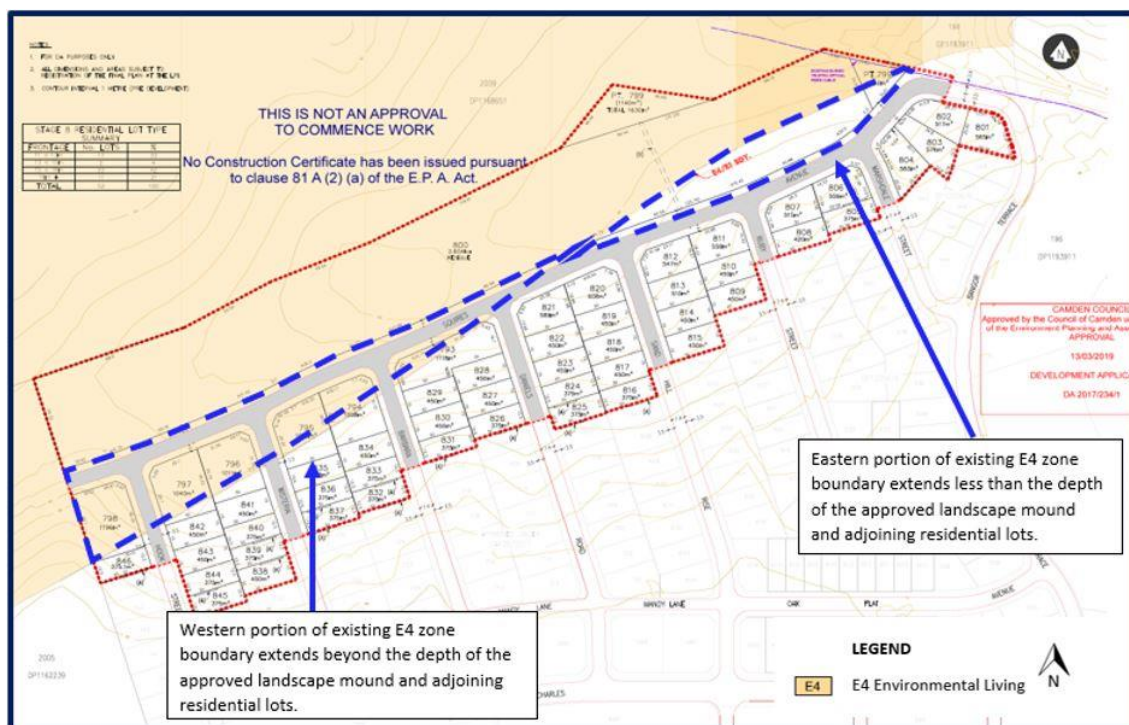
## Development History

The relevant development history of the site is summarised in **Table 1**.

Date	Development
30 October 2017	Approval of DA/2017/113/1 for earthworks, construction of an earth mound to provide visual screening including landscaping, fencing, retaining walls, construction of a private access and associated site works.
13 March 2019	Approval of DA/2017/234/1 for Stage 8 – Arcadian Hills Development for Torrens title subdivision to create 52 residential lots, Community Title subdivision to create 24 residential lots, construction of roads, pedestrian links, landscaping and associated site works.

**Table 1: Development History**

Extensive work was undertaken as part of DA/2017/113/1 and DA/2017/234/1, to determine the location and form of mounding and adjoining large residential lots to provide an effective transition area. The subdivision plan approved under DA/2017/234/1 is provided in **Figure 3**.

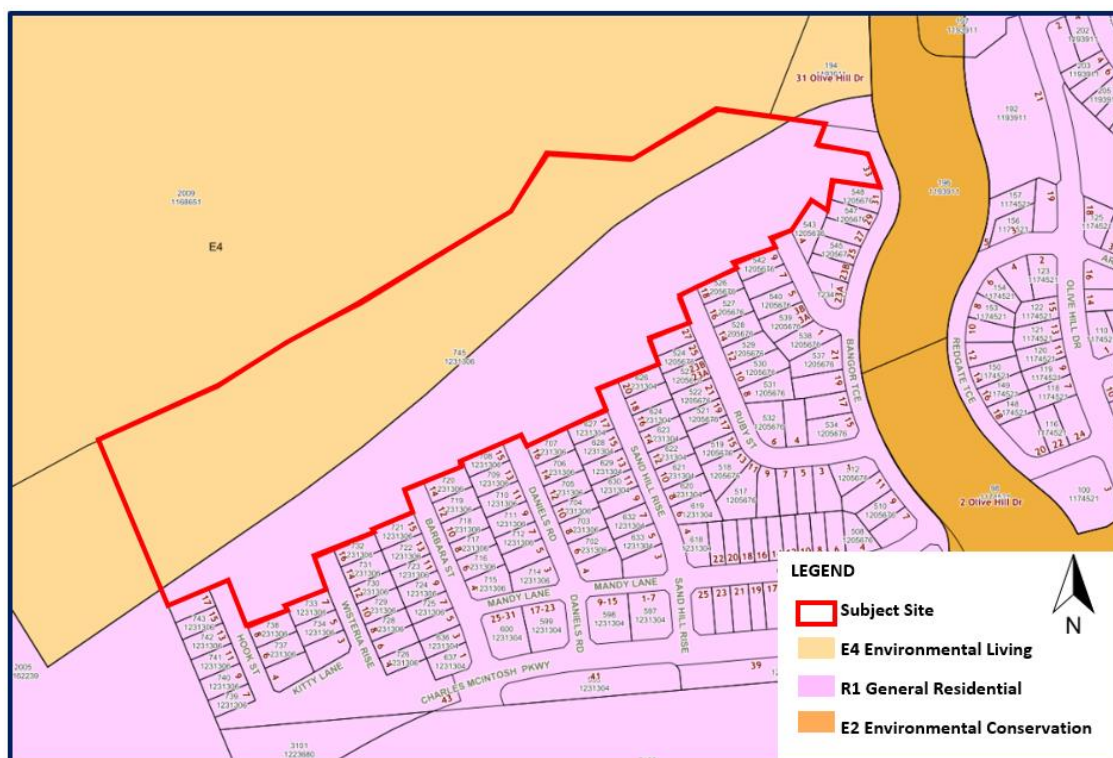


**Figure 3: Approved Subdivision Plan for Stage 8 Arcadian Hills (DA/2017/234/1) and Current E4 Zoning Overlay**

## MAIN REPORT

### Zoning and Permissibility

Under the Growth Centres SEPP, the northern portion of the site is zoned E4 Environmental Living and the southern portion of the site is zoned R1 General Residential. The zoning boundaries intend to create a suitable transition between the Denbigh Homestead site and the Arcadian Hills estate.



**Figure 4: Current Zoning**

### Summary of Proposal

The draft Planning Proposal seeks to amend the zoning boundary to be consistent with the adopted Part B DCP and approved development. This will enable the further development of six residue lots currently zoned E4 in the western portion of the site.

The draft Planning Proposal seeks to amend the Land Zoning (LZN) Map, Lot Size (LSZ), Height of Buildings (HOB) and Special Areas (SAM) Maps under the Growth Centres SEPP. The Denbigh heritage curtilage remains the same and no change is proposed to the Heritage Map.

A summary of the amendments sought by the draft Planning Proposal is provided below:

- 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 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.



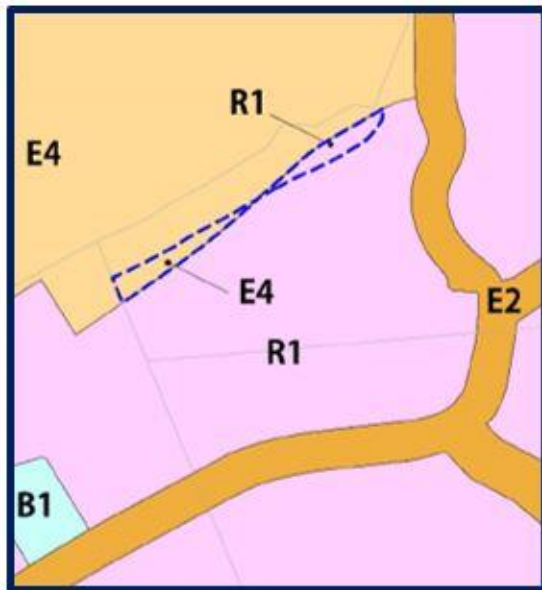


Figure 5: Current Zoning

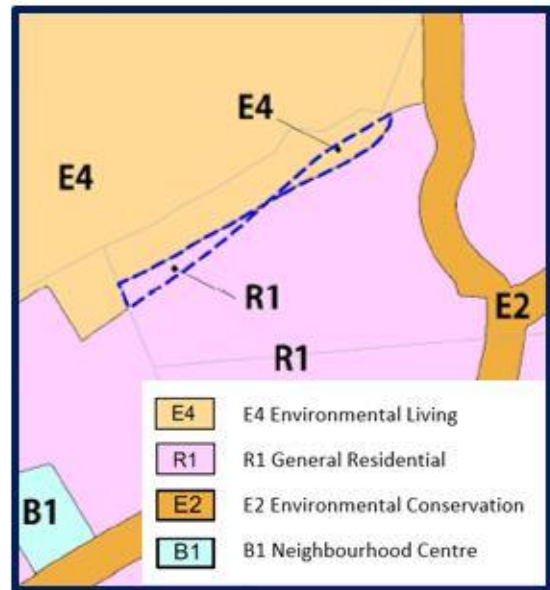


Figure 6: Proposed Zoning

## Key Issues

### Consistency with Strategic Planning Outcomes for Denbigh Transition Area

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:

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

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 regrading 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.

### Officer Comment

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-regrading on the residential side of the ridgeline has been completed.
- 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 draft Planning 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.
- Building height outcomes align with cross-sections of the Part B DCP.

### **Compatibility with Local Character**

#### Proposed Minimum Lot Size

The draft Planning Proposal seeks to apply a minimum lot size of 1,000m<sup>2</sup> to the proposed E4 zoned land and a minimum lot size of 125m<sup>2</sup> to the proposed R1 zoned land. These changes are consistent with existing minimum lot size controls for these land use zones facilitating:

- Large lots where they immediately adjoin the landscape mound within the Denbigh Transition Area; and
- Smaller lots for residential land south of the Denbigh Transition Area.

#### *Officer Comment*

The minimum lot size of 1,000m<sup>2</sup> for proposed E4 zoned lots is considered appropriate as it facilitates large lots intended for the Denbigh Transition Area as part of the Part B DCP.

The minimum lot size of 125m<sup>2</sup> for proposed R1 zoned lots is considered appropriate as it facilitates smaller residential lots for land south of the Denbigh Transition Area. A minimum lot size of 125m<sup>2</sup> has been consistently applied to existing R1 zoned land including land within the Arcadian Hills estate.

Notwithstanding the proposed minimum lot size of 125m<sup>2</sup>, the intent is to deliver lots that range between 300m<sup>2</sup> to 500m<sup>2</sup> on the proposed R1 zoned land. This is shown on the submitted staging plan for Stage 8 of the Arcadian Hills estate (provided as an **attachment** to this report). Detached dwellings are proposed to be delivered on these lots which is consistent with the low density, rural residential character of the locality.

#### Proposed Maximum Building Heights

The draft Planning Proposal seeks to apply a maximum building height of 6m to the proposed E4 zoned land and a maximum building height of 9.5m to the proposed R1 zoned land. These changes are consistent with existing height of building controls for these land use zones facilitating:

- Single storey dwelling construction in the proposed E4 zoned land within the Denbigh Transition Area; and
- Two storey dwelling construction in the proposed R1 zoned land, for residential land south of the Denbigh Transition Area.

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### *Officer Comment*

The proposed maximum building height of 6m for proposed E4 zoned land is considered appropriate as it is consistent with the intent of delivering single storey dwellings in the Denbigh Transition Area.

The proposed maximum building height of 9.5m for proposed R1 zoned land is considered appropriate given the location of the land south of the Denbigh Transition Area. Maximum building heights for all lots were determined via detailed cross-section work under approved DA/2017/234/1 and implemented via a s88B Height Restriction. With effective visual screening measures in place as part of the Part B DCP, two storey dwelling construction can suitably occur within the proposed R1 zoned land without being visible from the Denbigh homestead.

### **Assessment against Key Strategic Documents**

An assessment against the Key Strategic Documents is provided as an **attachment** to this report and summarised below.

#### Greater Sydney Region Plan

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage growth and change in the context of economic, social and environmental matters.

The proposal is consistent with the relevant directions and objectives of the Region Plan including:

- Direction 4: Housing the City – Giving people housing choices;
- Direction 5: Liveability - A City of Great Places;
- Direction 6: Sustainability – A City in its Landscape;
- Direction 8: A city in its landscape – Valuing green spaces and landscape.

#### Western City District Plan

The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

The proposal is consistent with the relevant priorities and actions of the District Plan:

- Planning Priority W5: Providing housing, choice and affordability, with access to jobs, services and public transport;
- Planning Priority W6: Creating and renewing great places and local centres and respecting the District's heritage;
- Planning Priority W16: Protecting and enhancing scenic and cultural landscapes.

#### 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 has been assessed against the relevant Local Priorities and Actions of the draft LSPS and is consistent with the following Local Priorities:

- Local Priority L1 - Providing housing choice and affordability for Camden's growing and changing population;
- Local Priority L2 - Celebrating and respecting Camden's proud heritage;
- Local Priority S2 - Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River;
- Local Priority S3 - Protecting Camden's rural land.

#### 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 proposal has been assessed against the relevant Directions and Strategies of the CSP and is consistent with the following Directions:

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

#### Camden Local Planning Panel

On 15 October 2019, the Camden Local Planning Panel (Panel) inspected the site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were consistent with that of the Council officer's assessment of the proposal.

The Panel supports the draft Planning Proposal to be forwarded to the DPIE to seek a Gateway Determination. A copy of the minutes is provided as an **attachment** to this report.

#### Initial Notification of the Draft Planning Proposal

The draft Planning Proposal was placed on initial notification for 14 days between 21 May to 4 June 2019. Adjoining and nearby properties were notified by letter and notices were placed in the local newspaper. One submission was received and subsequently withdrawn.

#### Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents, including the Greater Sydney Region Plan, the Western City District Plan, Community Strategic Plan, draft Camden Local Strategic Planning Statement and has been considered by the Panel. It is considered that the draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The proposal will have no adverse impacts on Denbigh's heritage qualities and is consistent with the objectives of the Part B DCP for the Denbigh Transition Area.
- The proposal is consistent with region, district and local plans and their relevant objectives.
- The proposal will not have detrimental impacts on adjoining landowners.

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### **Next steps**

Subject to Council endorsement, the draft Planning Proposal will be submitted to the Department of Planning and Environment for a Gateway Determination. If a favourable Gateway Determination is received, the draft Planning Proposal will be placed on public exhibition. A further report will be submitted to Council upon completion of the public exhibition if submissions are received.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for Council as a result of this report.

### **CONCLUSION**

The draft 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.

Council officers have assessed the draft Planning Proposal and consider the proposal has planning merit to proceed to Gateway Determination as outlined in this report.

### **RECOMMENDED**

#### **That Council:**

- i. endorse the draft Planning Proposal for land at 33 Bangor Terrace, Cobbitty to be forwarded to the Department of Planning and Environment for Gateway Determination;**
- ii. subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for Lot 745 DP 1231306, 33 Bangor Terrace, Cobbitty to the Department of Planning, Industry and Environment for the plan to be made; or**
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

#### **ATTACHMENTS**

1. Denbigh Transition Area Planning Proposal
2. Part B DCP Denbigh Transition Area
3. Final Staging Plan Arcadian Hills
4. Assessment against Key Strategic Documents
5. CLPP Minutes 15 October 2019