



CAMDEN COUNCIL

PLANNING PROPOSAL

Amendment No. 7 – Spring Farm South and West Village Zone Boundary Adjustment

December 2011

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Background

The Spring Farm Residential Release Area was approved by the Minister in May 2004, with the gazettal of the Camden Local Environmental Plan No. 121 and Council's adoption of the Spring Farm Development Control Plan No. 123. Since the adoption of these plans, Council has undertaken a process in accordance with State Government directions to transition these plans into the consolidated Camden Local Environmental Plan 2010 (LEP 2010) and Camden Development Control Plan 2011 (DCP 2011).

A Ministerial Direction issued by the Hon. Kristina Kennelly on the 31 May 2009 directed Council to investigate the feasibility increasing developable land by conducting flood plain works to decreasing flood prone open space and riparian land. An extract from this direction stated:

- "3. The review is to address the substantial extent to which contributions required in respect to Residential Development on the Elderslie Residential Land and Spring Farm Residential Land are influenced by riparian corridors and flood prone land. Specifically, Council is to:*
- a. consider the extent to which such land, and in particular the flood prone land along the Nepean River, functions as district open space and should therefore be more broadly apportioned across the Council's local government area;*
 - b. review the expected future development for the Elderslie Land and Spring Farm Land to assess the feasibility of decreasing open space and increasing developable land (through flood plain works) within the broader scope of the master plan and with other minor rezonings."*

In May 2011, the Cornish Group and its representatives submitted a proposal to amend the Master Plan of the Spring Farm South and West Villages. A copy of the proposed Master Plan is provided as **Attachment 1** to this Planning Proposal. The following is a summary of the proposed key changes to the adopted Spring Farm South and West Village Master Plan that create a direct influence on this Planning Proposal:

- Amendment to the street layout to create a regulated and consistent grid pattern;
- Reconfiguration of the sportsgrounds in line with the provisions of Council's Section 94 Contributions Plan; and
- Reduction in open space that is generally consistent with Council's direction to review of the open space strategy and Camden Contributions Plan 2004.

On 13 December 2011, Council resolved to proceed with the submission of the above detailed Planning Proposal to seek a Gateway Determination from the Department of Planning and Infrastructure (DPI).

Part 1 – Objectives or Intended Outcomes

As outlined in the ‘background’ to this planning proposal, on 31 May 2009, a Ministerial Direction was issued to Council to investigate the reduction of open space to provide development land through flood plain works. This planning proposal seeks to reconfigure the active recreation space to the south of the Spring Farm Residential Release which is classified as flood prone land. This will allow other land with no constraints to be available for the purpose of residential development.

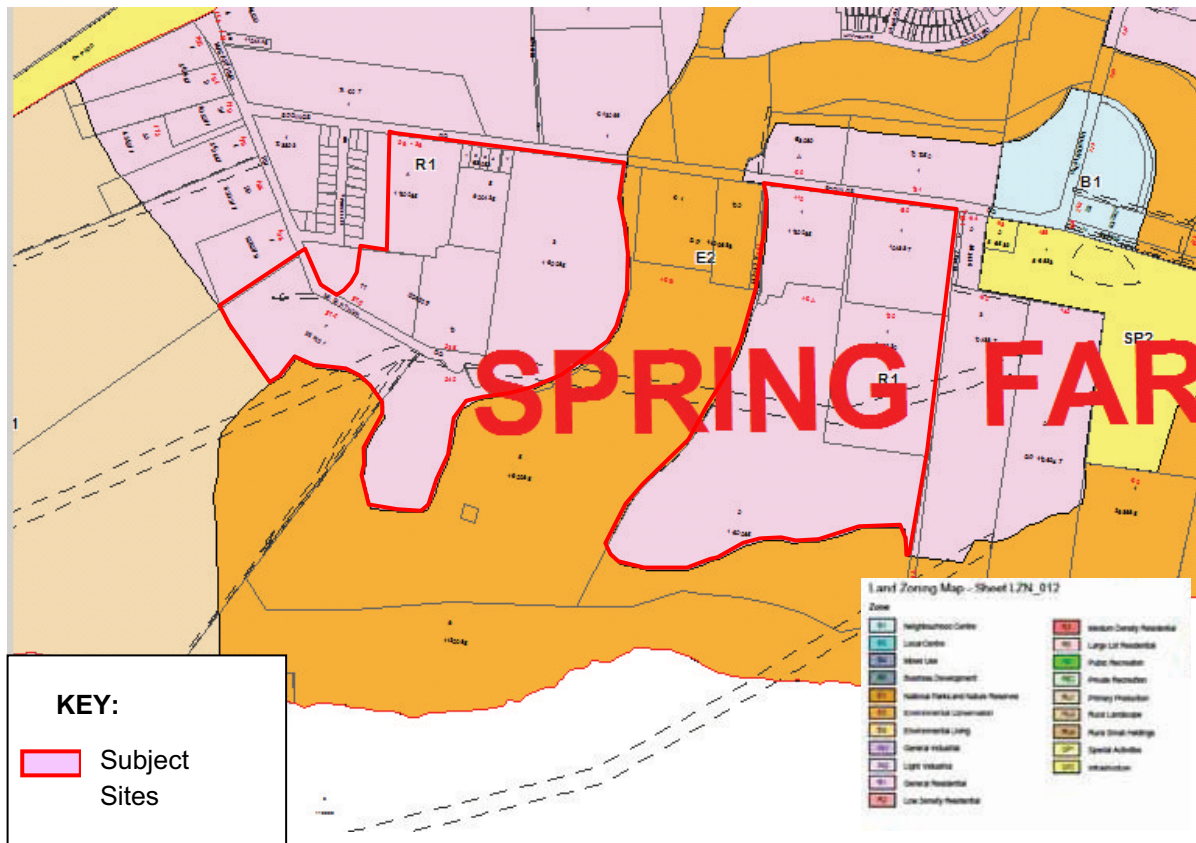
The intended outcome of this Planning Proposal is to adjust the zone boundary and rezone land to accommodate the amended road layouts of the proposed Spring Farm Master Plan.

Part 2 – Explanation of provisions

The site is currently zoned R1 ‘General Residential’ and E2 ‘Environmental Conservation’ under Camden LEP 2010. The areas that are subject to this Planning Proposal are located south of Springs Road and Macarthur Road. Extracts of the LEP Zoning map as they relate to the sites are represented in **Figure 1** below.

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Figure 1: Subject Sites



Proposed Amendments to the Spring Farm Masterplan

This planning proposal will achieve the intended outcome via making various mapping amendments which are described below. **Figure 2** illustrates the proposed changes.

South Village:

The Camden LEP 2010 will be amended in the following manner:

- 7224sqm of R1 – General Residential land will be rezoned to E2 – Environmental Conservation land; and
- 2.405ha of E2 – Environmental Conservation land will be rezoned to R1 – General Residential land.

West Village:

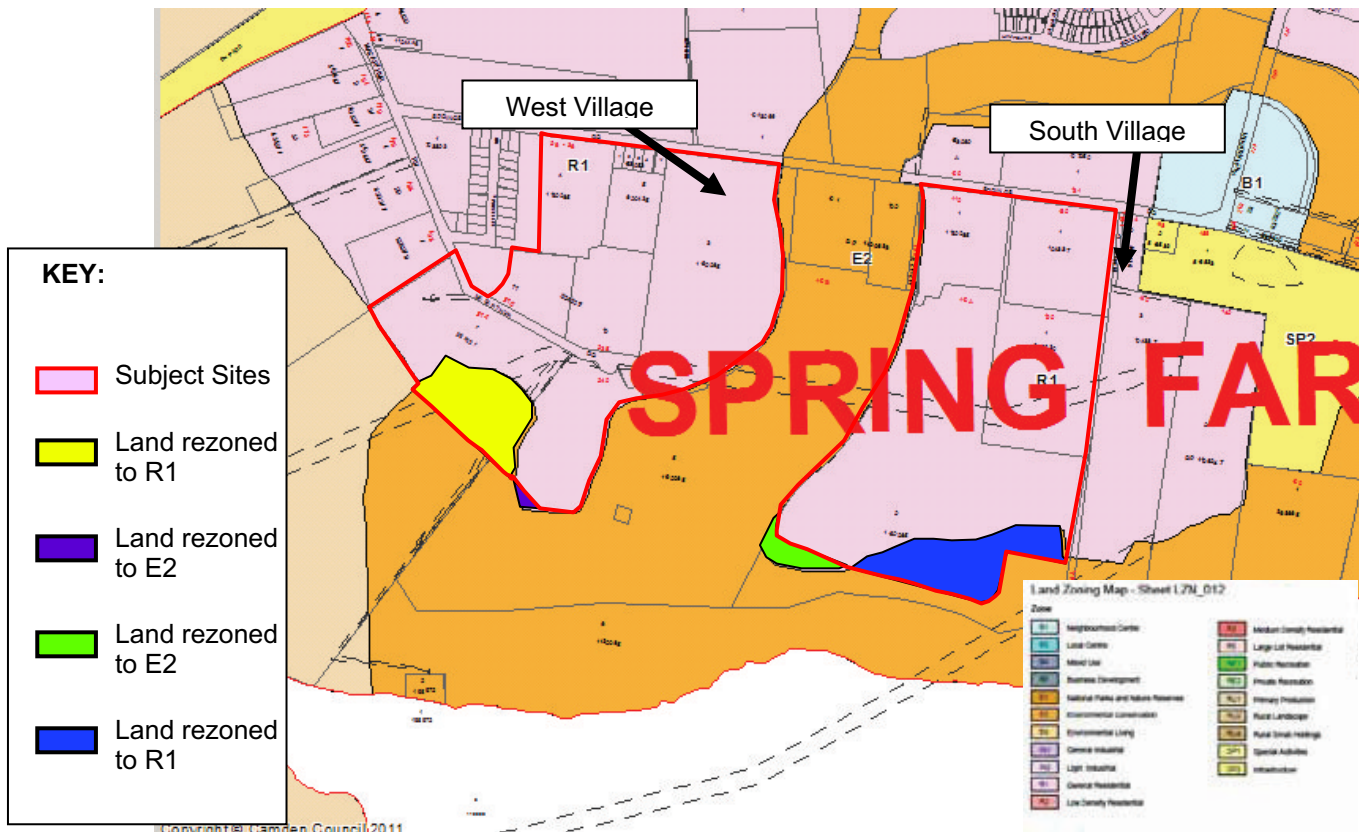
The Camden LEP 2010 will be amended in the following manner:

- 567sqm of R1 – General Residential land is proposed to be rezoned to E2 – Environmental Conservation land; and

- 2.252ha of E2 – Environmental Conservation land is proposed to be rezoned to R1 – General Residential land.

The amendments to the zone boundaries are shown diagrammatically within the figure provided in **Attachment 1**.

Figure 2: Proposed changes to Spring Farm South and East Villages within the Spring Farm Urban Release Area.



Other Mapping Amendments:

This planning proposal seeks to principally amend the land zoning maps in accordance with the above. As consequence, the height of building map, minimum lot size map and the additional permitted uses map will be amended to coincide with the amendment of the zone boundaries. In this regard, the following maps are proposed to be updated:

- Land Zoning Map – Sheet LZN_011
- Land Zoning Map – Sheet LZN_014
- Height of Building Map – Sheet HOB_011
- Height of Building Map – Sheet HOB_014
- Minimum Lot Size Map – Sheet LSZ_011

- Minimum Lot Size Map – Sheet LSZ_014
- Additional Permitted Uses Map – Sheet APU_011
- Additional Permitted Uses Map – Sheet APU_014

Proposed Outcome

In summary, the proposed amendment to the zone boundaries is a zoning ‘swap’ which will result in an additional 3.878 ha of R1 General Residential zoned land which directly relate to the proposed Master Planned road layout for the south and west villages. Other associative maps will be amended to coincide with the zone boundaries described above.

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 is not the result of any strategic study or report. However, as mentioned previously the planning Proposal is made having regard to the Minister’s Direction to look at opportunities to reduce open space by reviewing the extent of such within riparian corridors and flood prone land through floodplain works which could support additional residential development.

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

The planning proposal is considered to be the only means of facilitating the objectives or intended outcomes.

3. Is there a net community benefit?

The NSW Planning guideline, A Guide to Preparing Planning Proposals (July 2009), recommends conducting a Net Community Benefit Test to help assess the merits of a planning proposal. The Test is adapted from the Draft Centres Policy.

The guideline recognises that because of the difficulty in assigning values to certain costs and benefits associated with planning proposals, the Net Community Benefit Test will not be a purely quantitative test. Nevertheless, carried out diligently and in a manner proportionate to the likely impact of the planning proposal, the guideline considers it an extremely useful tool to inform debate and help decision making on planning proposals.

The guideline outlines that the assessment should only evaluate the external costs and benefits of the proposal (i.e. the externalities). The assessment

should generally assume that any private costs will be cancelled out by any private benefits.

A Net Community Benefit Test as adapted from the Draft Centres Policy is provided as **Attachment 2** to this Planning Proposal. In summary, it is considered that the proposal would offer a Net Community Benefit by facilitating the development of additional residential land at Spring Farm which would otherwise be sterilised. This would have the added benefit of reducing the burden to the community of acquiring open space lands not necessarily required for public purposes.

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)?

On 16th December 2010, the NSW Government released the Metropolitan Plan 2036, which is a follow up of the 'City of Cities' Metropolitan Strategy released in 2005. The Draft South West Subregional Strategy still remains a draft and is considered in this submission.

As detailed in the Net Community Benefit Test (**Attachment 2** to This Planning Proposal) and in assessing against relevant s117 Directions it is considered that the planning proposal is consistent with the Metropolitan Plan and the Draft Subregional Strategy. Objective D1 of the Metropolitan Plan 2036 is to ensure an adequate supply of land and sites for residential development. Two Action Plans have been devised to achieve this objective which are detailed below:

- Action D1.1 requires that at least 70 per cent of new dwellings (about 540,000 homes) will be located within existing urban areas. Also, under the Action, Greenfield development is to continue to contribute to Sydney's housing supply as the remainder of new dwellings (about 230,000 homes) is to be located in well-planned new precincts. Spring Farm is regarded as a new precinct and this rezoning proposal will support the Action as it relates to Greenfield development.
- Action D1.2 requires Councils to incorporate the Plan's targets and strategic directions into their LEPs. The targets set out in the Metropolitan Plan 2036 represent a minimum and the Plan encourages Councils to plan for higher capacity where appropriate. The proposed rezoning of the subject land will assist Council in achieving the target number of dwellings as set out above in the Metropolitan Plan.

Furthermore, The Draft South West Subregional Strategy also has an action plan which are also detailed below:

- Action C1.1 aims to have “30–40 per cent of new housing in land release areas”. Under the draft Strategy land release areas in the South West would provide 115,000 new homes with at least 21,000 of them provided through Greenfield development. While the exact numbers may have changed in the updated Metropolitan Plan 2036, the objective of ensuring an adequate supply of land and sites for residential development remains the same.
- Actions E4.1, E4.2 and E4.3 aim to protect Resource Lands such as extractive industry from incompatible and inappropriate uses. It states that “resource lands are not required for future urban growth”. In response, it is acknowledge that this planning proposal in part seeks to rezone land currently used in association with sand extraction for residential purposes. However, the sand extraction operator is the same operator of the processing plant located on Lot 1 DP 587631. This processing plant is intended to remain operational until such time as mining operations have ceased. Accordingly the planning proposal would not cause the sand resource to be sterilized as the future residential development would not occur until after the extraction activities have ceased.

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

The planning proposal is consistent with Camden Council’s Strategic Plan Camden 2040.

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

The planning proposal is consistent with applicable state planning policies.

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

The planning proposal is consistent with applicable Ministerial Directions. Please refer to the assessment as **Attachment 3** to this Planning Proposal.

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?

Vegetation mapping undertaken as part of initial environmental investigations for Spring Farm does not identify the region of the proposal as having an impact on high biodiversity conservation lands. In this regard, there will be

minimal to no impact on threatened species, populations or ecological communities, or their habitats.

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

It is considered that potential environmental effects arising from the proposal would be in the areas of heritage, flooding and traffic & access.

Heritage

Whilst there are no heritage items on the subject land, the subject site is located in the vicinity of a heritage item, identified as Item No. 142 within Schedule 5 of Camden's LEP 2010. The heritage item is located at 196 Macarthur Road, Spring Farm (Lot 1 DP 625278) and is listed as house and curtilage and is demonstrated diagrammatically in **Figure 3** below. The curtilage of the heritage item is defined by the lot boundary and depicted in the heritage maps of Camden's LEP 2010 (Heritage Map - Sheet HER_009). It is considered that the proposed rezoning activities to be of considerable distance from the dwelling and its curtilage presenting no adverse impact on the heritage item.

Figure 3: Heritage Item I142 shown highlighted in red, with arrow showing the nearest land subject to the rezoning development



Flooding

The issue of flood management is discussed in detail as **Attachment 4** to this report in the Flood Impact Overview Report prepared by David Bobyreff at Lean & Hayward Pty Ltd, dated 10th March 2011. In summary the Flood Impact Overview Report provides the following:

- The areas proposed to be rezoned for residential purpose are currently affected by the Nepean River's 1% AEP Flood.
- Development of these areas for residential areas would require them to be filled to a minimum level of RL 74.3m AHD (the post mine subsidence level).
- Filling of these areas would remove their ability to provide flood storage capacity during the 1% AEP Flood event.
- Notwithstanding the above, the Minister for Planning has granted approval to a modification of DA 75/256 (Applicant M Collins & Sons (Contractors) Pty Limited) to allow extraction operations to continue at 186 Macarthur Road, Spring Farm (Lot 22 DP 833317) for an additional period of time being up to 22 May, 2019. The extension allows for extraction of a remaining sand resource of approximately 1,000,000 tonnes of soil within the presently-consented area.
- This equates to approximately 600,000 cubic metres of fill material to be exported from the floodplain downstream to the proposed DCP Amendment area.
- The proposed DCP Amendment adds approximately 400,000 cubic metres of fill material to the floodplain over and above the currently approved DCP residential zone that will be subject to filling to meet the approved Post Mine Subsidence Flood Level + freeboard.
- In basic summary, the current sand mining resources material to be excavated and exported equates to approximately 600,000 cubic metres and the additional filling to support the DCP Amendment is approximately 400,000 cubic metres. That is, the floodplain has a surplus storage capacity of 200,000 cubic metres during any flood event where the Nepean River breaches its current top of bank.

In light of the above it is considered that flood related impacts would not be a constraint precluding the proposal.

Traffic

The additional traffic to be generated by the minor residential rezoning is considered insignificant in the overall approach to traffic management for Spring Farm. As demonstrated by the proposed revision to the Masterplan for the Southern and Western Villages incorporating the additional residential land, the overall road hierarchy would not alter. Traffic which would be generated by the small increase in lot production would be well within the environmental capacity of the future local road network and the regional road network.

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

Given the minor nature of the proposal, social and economic effects over and above those associated with the already planned Spring Farm Release Area would be negligible. It is considered that a significant increase in demand for community related services would not be caused. Whilst the proposal causes the need to alter the master planning of the District playing fields to the south of the Spring Farm Residential Release, the amount of and function of the sports fields remain ultimately unhindered. Thus, the relocation and alteration to the master planning of the sports fields is considered to be a good outcome in terms of the benefits of co-location, ease of construction and access with minimal social and economic effects.

Section D – State and Commonwealth interests.

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

Public Infrastructure encompasses:

- public transport;
- civil infrastructure (sewer, stormwater, power, potable water, gas);
- emergency services; and
- road access.

The current traffic demand and public transport utilise the existing road networks of Spring Farm, in particular Macarthur Road, Richardson Road and Springs Road. As the development of the land for residential purposes continue to expand, local roads are constructed to accommodate the planned public transport network to service the needs residential population.

Emergency services and road access for the current traffic demand are able to utilise the existing road network to gain access to all current lots of Spring Farm. The progressive staged development throughout Spring Farm enable

webs of local roads to service the expanding population, which also provide access for emergency services.

In this regard, current and proposed road networks will provide adequate access for the provisions of public transport, local traffic demand and emergency service access.

Civil infrastructure, in the current configuration, is adequate to service the needs of the current population. The progression of development throughout Spring Farm will increase the demand on the civil infrastructure, which has been catered for in an agreement upon the initial rezoning of the Spring Farm Residential Release. In this regard, there is and adequate provision for the supply of Civil Infrastructure that can cater for the proposed rezoning.

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

Given the minor nature of the issues listed in this planning proposal no Commonwealth public authorities have been consulted. However, as part of this process, Council will consult with a range of relevant state government agencies with a vested interest in the development of Spring Farm.

The following state agencies are proposed to be consulted with:

- Rural Fire Service
- Office of Environment and Heritage
- Office of Water
- Endeavour Energy

Part 4 – Community Consultation

Should a Gateway Determination be received that supports proceeding with the planning proposal, Council will publicly exhibit the planning proposal and draft DCP concurrently to consult the community. It is recommended that the plans be publicly exhibited for a period of 28 days.