

## ORDINARY COUNCIL

ORD07

**SUBJECT: PLANNING PROPOSAL - AMENDMENT NO 27 121 RABY ROAD,  
LEPPINGTON**

**FROM:** Director Governance

**TRIM #:** 13/16913

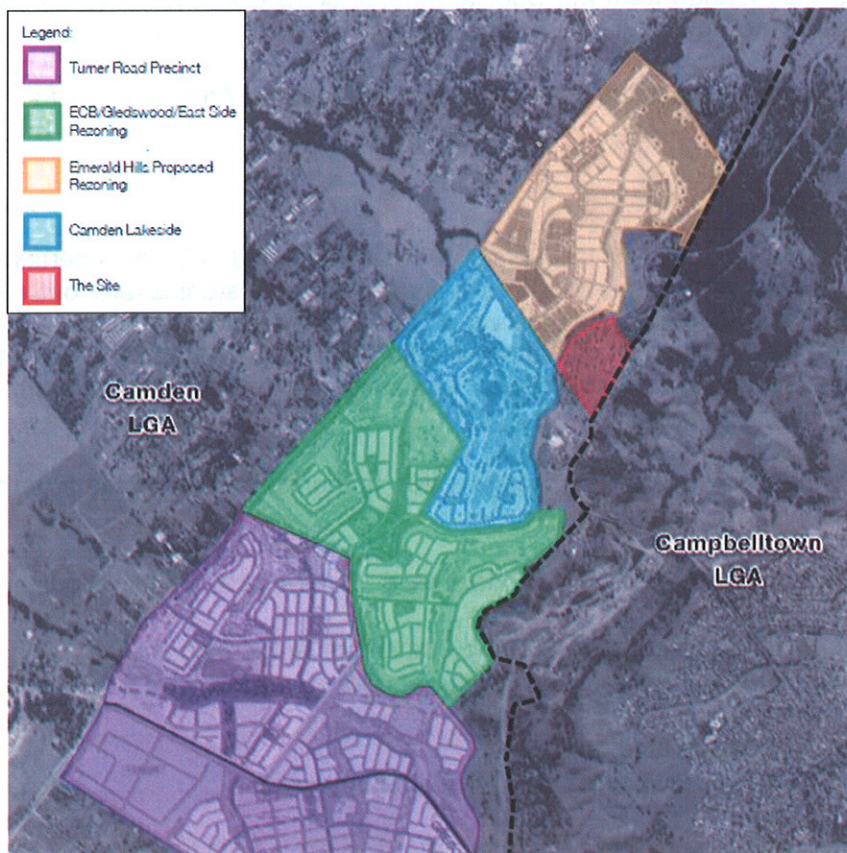
### PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal to rezone 121 Raby Road, Leppington from a RU2 Rural Landscape zone to RU5 Large Lot residential to facilitate the development of approximately 32 residential lots.

### BACKGROUND

A draft Planning Proposal for 121 Raby Road, Leppington was submitted to Council on the 27 March 2013. This site does not form part of the South West Growth Centre.

The site is located on the eastern boundary of the Camden Local Government Area (LGA) in an area of rural land located to the north of Raby Road, east of the Sydney Catchment Authority (SCA) water supply canal, and abutting the Local Government Area (LGA) boundary with Campbelltown Council to the east. A location map for this site is shown below:



The general locality contains a number of sites which, while not in the South West Growth Centre, have similarly been identified for future residential development and are at various stages of a rezoning process to allow urban development. To the west of the site is Camden Lakeside, parts of which were rezoned 22 March 2013 from rural landscape zone to residential and private recreation zones. To the immediate north of the site is Emerald Hills and is the subject of a Planning Proposal and has the potential to deliver approximately 1200 dwellings.

## **MAIN REPORT**

The draft Planning Proposal site is irregular in shape and exhibits an overall length of approximately 500m and width of approximately 350m. Built features on the site include two large residential dwellings.

The subject site adjoins the Campbelltown LGA. Campbelltown Council has been advised of the Planning Proposal and should the proposal proceed, further ongoing discussions will be undertaken throughout the process as required.

The site is currently zoned RU2 Rural Landscape and has a minimum lot size of 40ha under the Camden Local Environmental Plan 2010 (Camden LEP 2010). The draft Planning Proposal seeks to rezone the land to R5 Large Lot residential with a minimum lot size of 4000sqm.

The site is in close proximity to infrastructure, facilities and services that will be provided with the development of Emerald Hills and Camden Lakeside. Raby Road has been identified in the draft South West Subregional Strategy to be upgraded and function as a collector road as part of the South West Growth Centre development. These upgrades will be funded from the Special Infrastructure Contribution (SIC) levy applied to areas within the South West Growth Centre.

A draft Planning Proposal to support this rezoning is included as Attachment 1 to this report.

## **Landscape Visual Analysis**

A range of studies will be required to support the proposal and will be undertaken should it receive a favourable Gateway Determination. These studies are outlined further in the report. Notwithstanding the above, a Landscape and Visual Analysis was provided by the proponents which identified and mapped existing landscape, visual and scenic opportunities and constraints on the site. *This study is provided as Attachment 3 within the draft Planning Proposal.*

As a result of the landscape survey and analysis it is recognised that the site has the following constraints:

- Scattered remnants of critically endangered Cumberland Plain Woodland vegetation;
- Proximity to European Heritage - Sydney Catchment Authority Canal;
- A number of services such as 44m wide Jemena gas easement and Sydney Canal Easement;
- Areas of Bushfire prone land; and
- Land capability issues including salinity and contamination.

The above will be dealt with as part of the range of studies outlined in this report.

A major component of the Landscape visual analysis is the visual survey of the site, assessing the visibility of the site from existing and proposed adjoining residential areas and the Scenic Hills ridgeline. The analysis concludes that no portion of the site will be visible from land to the east. The site is visible at some viewpoints west of the Scenic Hills Ridgeline. As a result, screening methods such as buffer planting is proposed around the southern and western boundary of the subject land.

An internal assessment has been undertaken of the Landscape and visual analysis and its findings. The following comments are provided as part of this assessment:

- No development should occur on the ridges, with development 6m below any ridge. Colours and materials of buildings will be neutral, existing trees retained and screen planting to be provided in natural clumps using endemic species. The heavy permitter screen planting should not obscure views over the canal;
- Restrictions on building envelope locations, heights, setbacks and colours and materials needs to form part of the developments controls to ensure presentable large lot residential development occurs; and
- The buffer planting could present a bushfire management issue. Consideration needs to be given to *Planning for Bushfire Protection*.

#### Support for this Proposal

It is considered that this Planning Proposal has merit for the following reasons:

- It offers the provision of greater housing choice and diversity;
- The subject site has close access to major employment lands;
- The site is within walking distance to a proposed future local centre within Emerald Hills;
- The site has frontage to Raby Road which provides access to the Strategic centre of Campbelltown, and is close to Camden Valley way which will provide access to the future Major Centre at Leppington and Leppington Railway Station;
- The site will capitalise on new services and infrastructure being provided as part of the broader transformation of the locality;
- Large lot residential will maintain the environmental and scenic qualities of the site and surrounding ridgelines; and
- The large lot residential zone will provide a transition between higher density residential zones and environmental protection zones.

#### Studies to underpin the Planning Proposal

The draft Planning Proposal flags a number of sub studies that will need to be undertaken if the rezoning proceeds. These include:

- A detailed traffic impact assessment;
- A detailed ecological assessment;
- A land capability assessment which addresses contamination and salinity;
- A bushfire constraints assessment;
- An acoustic assessment;
- A water cycle management plan that includes Water Sensitive Urban Design which will consider the Sydney Catchment canal/crossings and flooding; and
- DCP site controls and built form requirements.

The abovementioned sub studies will be funded by the proponent. Council staff will assess and approve all the sub studies briefs, agree on the appointment of the appropriate consultants to prepare the sub studies and direct the peer reviews as necessary. Any cost incurred by the peer review will be funded by the proponent.

#### Public Agency Consultation

Should a favourable Gateway Determination be received, the draft Planning Proposal will be referred to a number of public agencies either prior to, or during the public exhibition period, depending upon the circumstances of the Gateway Determination. While these public agencies are listed below, it is recognised that if Gateway Determination to proceed is received there may be a requirement to consult more broadly. The draft Planning Proposal suggests the following public agencies be consulted:

- Office of Environment and Heritage (Environment Branch);
- Office of Environment and Heritage (Heritage Branch);
- Sydney Catchment Authority;
- Roads and Maritime Service (RMS);
- Campbelltown City Council;
- Liverpool City Council;
- Wollondilly Council;
- Transgrid;
- Jemana;
- Rural Fire Service;
- Sydney Water; and
- Endeavour Energy.

The Scenic Hills Association will also be notified during the public exhibition period.

#### Exhibition Period

The draft Planning Proposal recommends that the proposal will be exhibited for 28 days.

#### LEP Delegation

Council intends to use its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979 for this Planning Proposal. This will enable Council to streamline the processing of the Planning Proposal. The request for delegation will be made as part of the Gateway submission. This would allow Council to deal directly with Parliamentary Counsel for making of the plan. The General Manager is Council's nominated officer.

#### Where to from here

If Council resolves to send the draft Planning Proposal to DPI for Gateway Determination the following steps will occur:

1. If a Gateway Determination to proceed is received the studies will be undertaken and reviewed by Council officers;
2. The draft Planning Proposal will be amended to align with the outcomes of the submissions and studies;
3. A draft DCP will be prepared; and

4. The draft Planning Proposal and draft DCP will be reported to Council prior to public exhibition.

The draft Planning Proposal includes a recommended timeframe that the rezoning process is predicted to follow. This timeframe includes an indicative course of action for the studies to be completed, assessed internally and for the public exhibition period. Taking these into consideration it is anticipated that the rezoning process will take 18 months from the time of Gateway Determination.

#### **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council as a result of this Planning Proposal.

#### **CONCLUSION**

The draft Planning Proposal seeks to rezone 121 Raby Road, Leppington to residential land to accommodate approximately 32 residential lots. In the context of adjoining residential development and proposed infrastructure and services, the rezoning of the site would facilitate development that is complementary to surrounding lands. Large lot housing will offer the provision of greater housing choice and diversity.

Should Council resolve to proceed with the draft Planning Proposal it will be forwarded to Gateway for determination. Following the completion of the sub studies and draft DCP the matter will be reported back to Council prior to exhibition.

#### **RECOMMENDED**

**That Council:**

- i. **endorse the draft Planning Proposal for the rezoning of 121 Raby Road, Leppington to forward to the Department of Planning and Infrastructure for Gateway Determination and advise that Council will be using its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979;**
- ii. **upon favourable Gateway Determination require the proponent to undertake to fund all required sub studies listed in the report (including the development of a DCP) and agree to fund Council's costs in undertaking any necessary peer reviews of those sub studies;**
- iii. **require a report be brought back to Council following the completion of the relevant studies and draft DCP prior to the public exhibition; and**
- iv. **require an exhibition period of 28 days.**

#### **ATTACHMENTS**

1. Amendment 27 Planning Proposal with attachments A4

