



ORDINARY COUNCIL

ORD002

SUBJECT: PLANNING PROPOSAL - PART LOT 41 DP 270613, 181 THE NORTHERN ROAD, HARRINGTON PARK

FROM: Director Planning and Environment

TRIM #: 18/376608

PROPERTY ADDRESS: Pt Lot 41 DP 270613
181 The Northern Road, Harrington Park

PROPONENT: Urbanco Group

OWNER: Dandaloo Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal to rezone land at 181 The Northern Road, Harrington Park to facilitate the development of one additional residential lot and to resolve to forward the draft Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

BACKGROUND

In September 2018, a draft Planning Proposal was lodged by Urbanco Group on behalf of the landowner (Dandaloo Pty Ltd). The draft Planning Proposal is provided as an **attachment** to this report. The draft Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010) Land Zoning (LZN), Lot Size (LSZ) and Height of Building (HOB) Maps applying to a portion of the site to create one additional residential lot.

The subject site falls within the heritage curtilage of the Orielson Homestead (Orielson). Orielson is listed on the state heritage register, with the listing comprising the homestead, associated outbuildings and the landscape setting.

In October 2018, the proponent submitted a Development Application (DA/2018/1218) that seeks to enable the landowner's overall vision of an integrated equestrian park and residential development for the precinct. Prior to the DA being determined, the draft Planning Proposal requires Council endorsement and gazettal.

The DA also requires an amendment to the Harrington Grove Voluntary Planning Agreement (VPA). The VPA amendment request is currently being assessed by Council officers and will be the subject of a separate report to Council.

From 1 June 2018, Planning Proposals are referred to the Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 20 November 2018. The Panel's recommendations are discussed later in this report and are provided as a **supporting document** to this report.

Initial notification of the draft Planning Proposal was not undertaken as the Proposal is considered minor in relation to likely impacts on adjoining landowners.

Councillors were briefed on this Proposal on 13 November 2018.

MAIN REPORT

Locality

The site is part of the Harrington Grove development which was rezoned for residential development in 2007. **Figure 1** provides a site context map and **Figure 2** provides a locality map, identifying the subject site and highlighting the part of the site that is relevant to the draft Planning Proposal.

To the north-west, the site is bound by Governor Drive, which is adjacent to the Orielton homestead lot. A future road extending from Governor Drive is proposed to service the subject site.

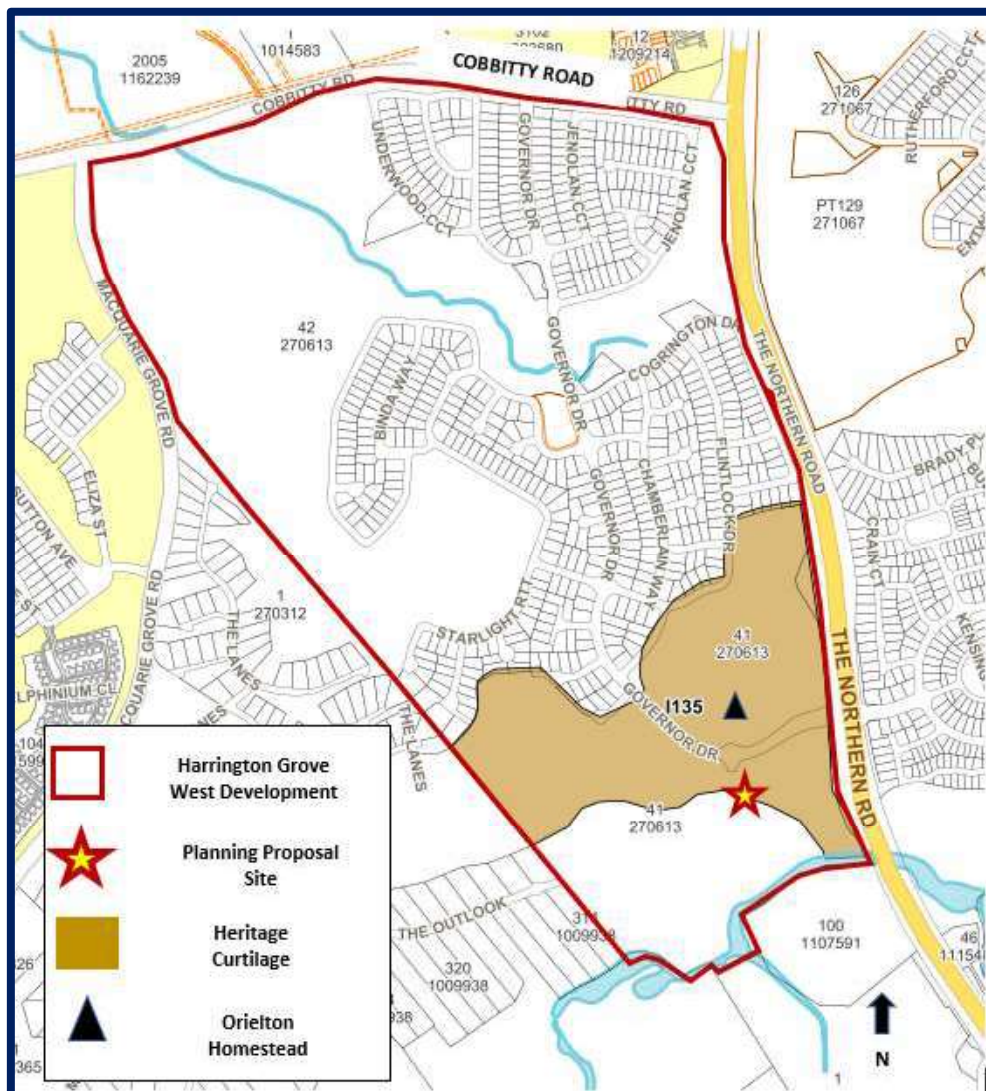


Figure 1: Site Context Map

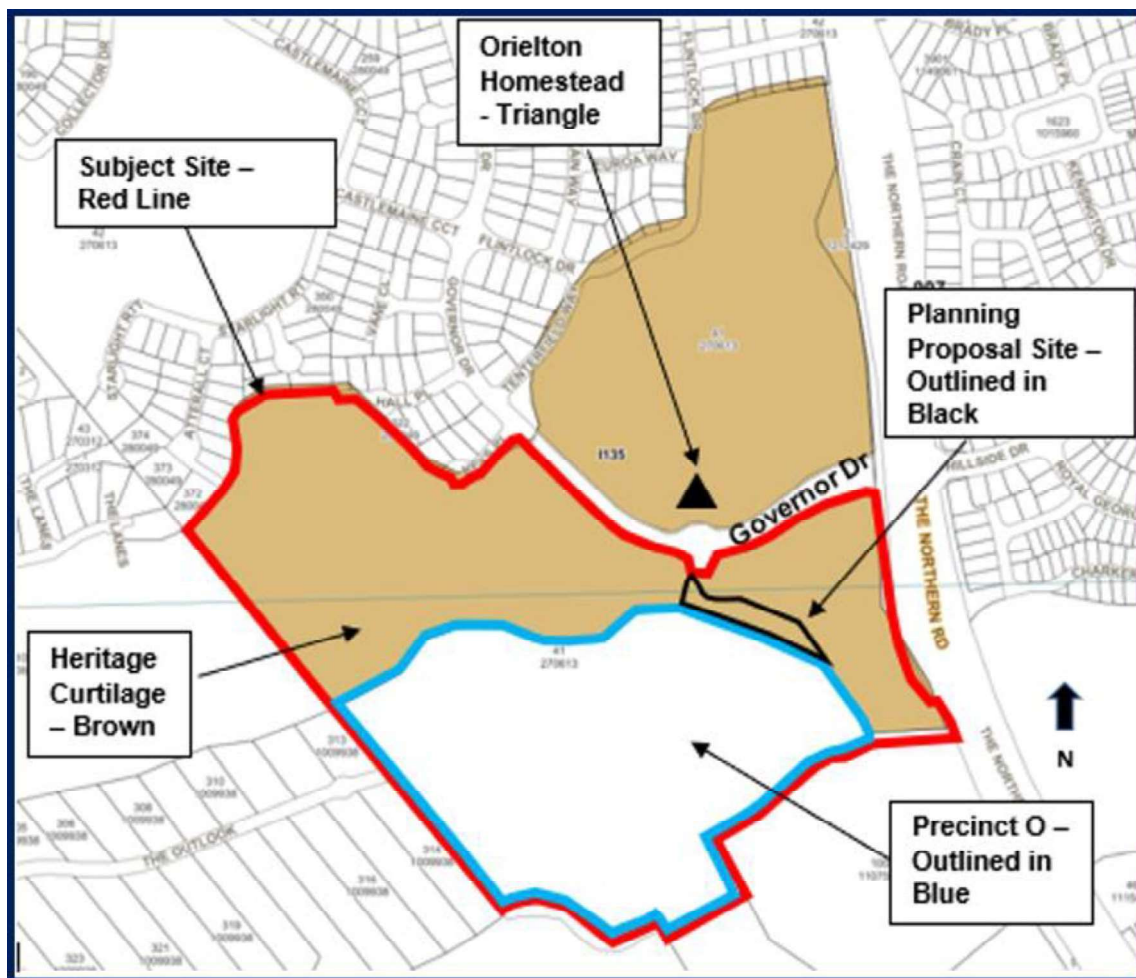


Figure 2: Locality Map

Zoning and Permissibility

Under the Camden LEP 2010, the subject lot is predominantly zoned R5 Large Lot Residential and part E2 Environmental Conservation. The draft Planning Proposal seeks to amend the LZN, LSZ and HOB Maps currently applying to the land as detailed in **Table 1**. The heritage curtilage of Orierton is proposed to remain the same, consistent with comments from the Office of Environment and Heritage (Heritage Division) (OEH) which are discussed later in this report.

	Existing	Proposed
Zone	E2 Environmental Conservation 11.56ha (approximately) R5 Large Lot Residential 18.05ha (approximately)	E2 Environmental Conservation 11.37ha (approximately) R5 Large Lot Residential 18.24ha (approximately)
Height of Buildings	Not applicable (E2 zoned portion)	J – 9.5m (R5 zoned portion)

Minimum Lot Size	7ha (E2 and R5 zoned portion)	6,000m ² (R5 zoned portion)
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Table 1: Comparison of existing and proposed provisions under Camden LEP 2010

The draft Planning Proposal seeks to rezone approximately 1,900m² of land zoned E2 Environmental Conservation to R5 Large Lot Residential as shown in **Figures 3 and 4**. A building height of 9.5m is proposed for the R5 zoned area, as shown in **Figure 6**.

The draft Planning Proposal also seeks to amend the minimum lot size for approximately 2,800m² of land zoned E2 Environmental Conservation and R5 Large Lot Residential, from 7ha to 6,000m² to facilitate the additional residential lot, as identified in **Figures 7 and 8**.

Whilst the proposed minimum lot size is 6,000m², the proposed size of the additional residential lot is approximately 9,550m². For clarity, the proposed zoning amendment is also shown in **Figures 7 and 8**.

Under the R5 Large Lot Residential zoning (Camden LEP 2010), the highest residential use will enable an attached dual occupancy.

As noted previously, the draft Planning Proposal forms part of the landowner's vision to create an integrated equestrian park and residential development.

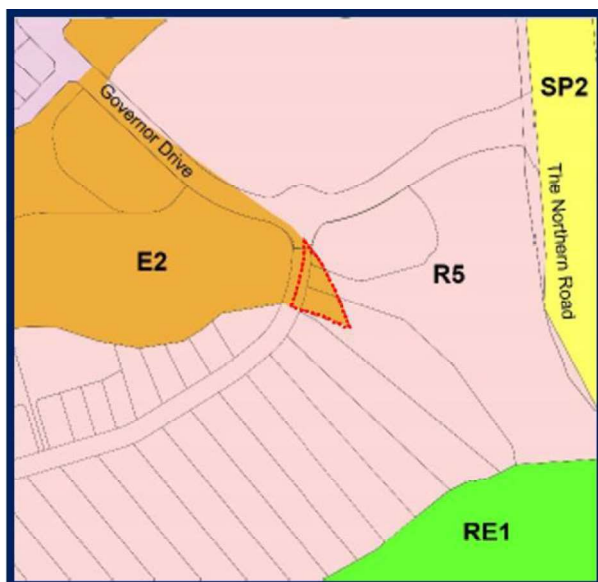


Figure 3: Current Zoning

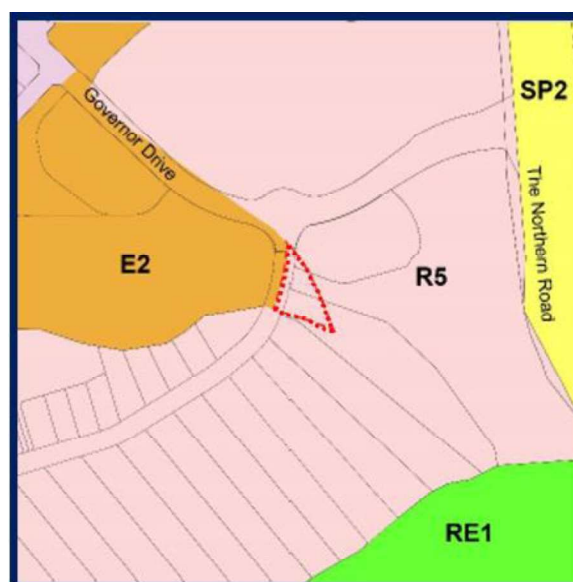


Figure 4: Proposed Zoning

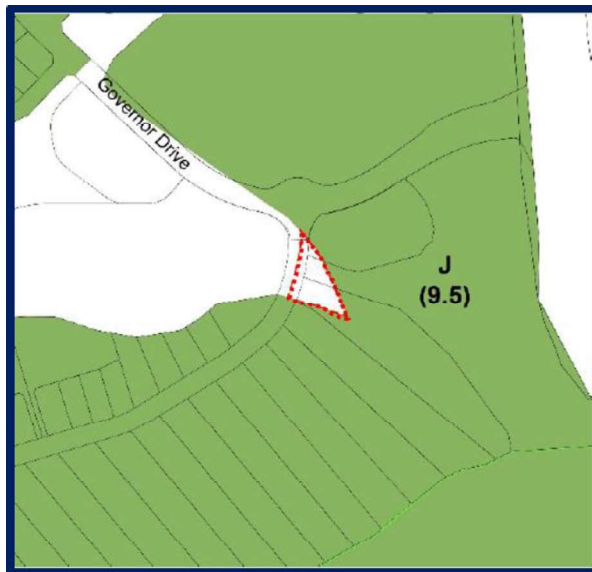


Figure 5: Current Building Height

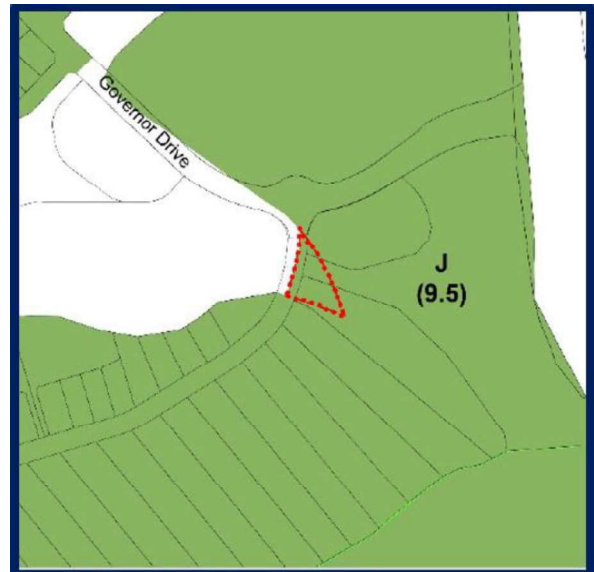


Figure 6: Proposed Building Height

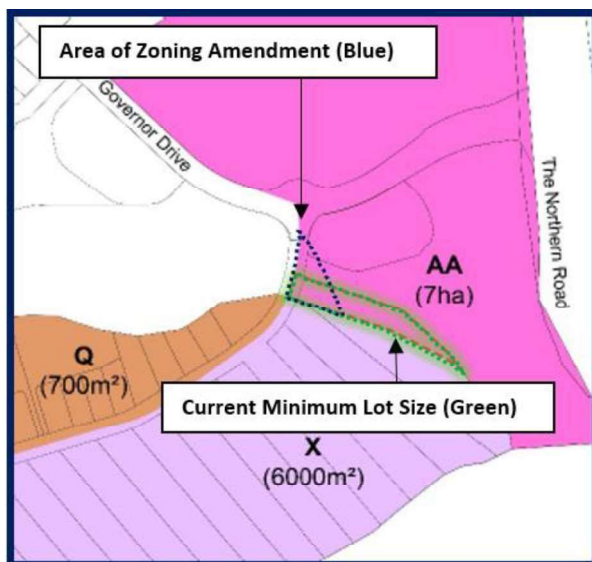


Figure 7: Current Minimum Lot Size



Figure 8: Proposed Minimum Lot Size

Specialist Studies

Heritage and Visual Impact Assessment

The draft Planning Proposal has been submitted with the following specialist studies:

- Orielton Conservation Management Plan (August 2006);
- Orielton Landscape Conservation Management Plan (September 2017); and
- Orielton Statement of Heritage Impact (September 2018).

The specialist studies are provided as an **attachment** to this report.

Orielton Conservation Management Plan (2006) and Orielton Landscape Conservation Management Plan (2017)

The Orielton Conservation Management Plan (Orielton CMP) establishes the cultural significance of Orielton and provides guidelines on the past restoration and future conservation of Orielton, to allow the significance of the heritage item to be retained in its future use and development.

The Orielton Landscape Conservation Management Plan (Landscape CMP) provides additional guidelines in the context of the proposed integrated equestrian park and residential development, to ensure that it will not impact on Orielton's heritage qualities.

Office of Environment and Heritage (OEH) Comment

On 30 January 2018, the Heritage Council (part of OEH) endorsed the Landscape CMP, subject to conditions and minor amendments.

Orielton Statement of Heritage Impact (2018)

The Orielton Statement of Heritage Impact (Statement) details the compliance of the proposed integrated equestrian park and residential development with the relevant conservation management guidelines.

The Statement assesses the proposed additional lot and concludes it will have minimal heritage and visual impacts. The Statement recommends any future dwelling on the proposed additional lot be positioned close to the new access road. This would result in minimal visual impact to the principal vista from Orielton to Narellan Creek and the secondary vista from Orielton to Studley Park.

The Statement includes other recommendations to minimise the impact of the overall development vision, including recommendations that relate to landscaping and fencing. These recommendations are relevant to the current DA, which will require the concurrence of OEH.

Heritage Council of NSW Comments

On 7 June 2017, the Heritage Council considered the proposed integrated equestrian park and residential development for the site. The proposed additional lot subject to this draft Planning Proposal forms part of the future residential development. The minutes for the Heritage Council meeting held on 7 June 2017 and supporting letter are provided as appendices to the draft Planning Proposal.

The comments of the Heritage Council primarily relate to the orientation of the proposed equestrian centre stable block, landscaping and road pavement treatment. These matters can be addressed as part of the current DA.

Officer Comment

Council officers have reviewed the specialist studies and consider the draft Planning Proposal will have minimal heritage and visual impacts in consideration of the following:

- recommended mitigation measures outlined in the specialist studies can be addressed in the current DA;



- the elevated position of the Orielton homestead compared to the lower elevation of the proposed development area will help to maintain important view associations;
- a future dwelling on the proposed additional lot will be required to be located outside the 1 in 100-year flood extent, which will prevent a dwelling being located within the principal view corridor;
- any future dwelling on the lot will require the submission of a DA to Council which will also require OEH concurrence;
- Orielton's heritage status prevents a future dwelling from being approved as complying development under the State Environment Planning Policy Exempt and Complying Development Codes 2008 (Codes SEPP 2008).

Assessment against Key Strategic Documents

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 for Greater Sydney in the context of economic, social and environmental matters. The draft Planning Proposal is consistent with the relevant directions and objectives of the Region Plan as summarised in **Table 2**.

Greater Sydney Region Plan		
Direction	Objective	Officer Comment
<u>Direction 4</u> Liveability- A city of great places	Objective 12: Great places that bring people together	The proposal contributes to future housing supply in a location to be serviced by suitable social infrastructure.
<u>Direction 4</u> Liveability- A city of great places	Objective 13: Environmental heritage is identified, conserved and enhanced	The proposal will have minimal impacts on the heritage value and character of Orielton.
<u>Direction 6</u> <u>Sustainability- A city in its landscape</u>	Objective 28: Scenic and cultural landscapes are protected	The proposal will have minimal visual impacts on Orielton Homestead. It maintains views of the scenic and cultural landscapes from the public realm, specifically distant views to Narellan Creek and Studley Park from Orielton Homestead.

Table 2: Assessment against Greater Sydney Region Plan

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 draft Planning Proposal is consistent with the relevant Planning Priorities and Actions of the District Plan as summarised in **Table 3**.

Western City District Plan	
Planning Priority	Officer Comment
<u>Planning Priority W4</u> Fostering healthy, creative, culturally rich and socially connected communities	The proposal forms part of a broader development that will provide future residents with access to an equestrian facility. This will foster a culturally rich community in Harrington Grove.
<u>Planning Priority W5</u> Providing housing supply, choice and affordability, with access to jobs and services	The proposal will contribute to increased housing supply and choice with access to existing and proposed infrastructure, jobs and services.
<u>Planning Priority W6</u> Creating and renewing great places and local centres and respecting the District's heritage	The proposal will have minimal visual impacts on Orielton Homestead as demonstrated in the Orielton Statement of Heritage Impact.
<u>Planning Priority W15</u> Increasing urban tree canopy cover and delivering Green Grid connections	The proposal forms part of a broader development that will provide significant new plantings of trees, shrubs and grasses in accordance with the Orielton Landscape CMP.
<u>Planning Priority W16</u> Protecting and enhancing scenic and cultural landscapes	The proposal will not detract from the integrity of the scenic and cultural landscape of Orielton Homestead and its surrounds. A future dwelling on the lot will be located outside the principal view corridor, suitably orientated close to the new access road and above the flood planning level.

Table 3: Assessment against Western City District Plan

Community Strategic Plan

The Community Strategic Plan (CSP) seeks to actively manage Camden's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes. The draft Planning Proposal is consistent with the relevant directions of the CSP as summarised in **Table 4**.

Community Strategic Plan	
Strategy	Officer Comment
<u>Strategy 1.1.1</u> Ensure the provision of appropriate urban development for sustainable growth in the Camden LGA	The proposal forms part of a broader development that will provide for urban development and sustainable growth, ensuring compatibility with the heritage qualities of Orielton.
<u>Strategy 1.1.2</u> Manage and plan for a balance between population growth, urban development and environmental protection	The proposal forms part of a broader development that maintains important view corridors from Orielton Homestead. This reflects a balanced consideration between population growth, urban development and environmental protection.

Table 4: Assessment against Community Strategic Plan

Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents, including the Region Plan, District Plan and CSP and is consistent with these plans and



their key objectives. The draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The draft Planning Proposal will have minimal heritage and visual impacts, subject to appropriate mitigation measures being implemented at the DA stage; and
- The draft Planning Proposal is not inconsistent with region, district and local plans and their relevant objectives.

Initial Notification of the Draft Planning Proposal

Initial notification of the draft Planning Proposal was not undertaken as it was considered minor in relation to the likely impacts on adjoining landowners.

A formal public exhibition period will occur at a later stage, subject to Council endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination.

Panel Recommendations

The 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 recommended that consideration be given to a mechanism that would limit the impact of a future dwelling on the additional lot on the secondary vista between Orielton Homestead and Studley Park. A copy of the minutes is provided as a **supporting document** to this report.

Officer Comment

The future dwelling on the additional lot is within the secondary vista between Orielton Homestead and Studley Park. The heritage specialist studies recommend plantings be provided on the equestrian park lot with a suitable mature height. This will screen the future dwelling from Orielton while maintaining the distant view association between Orielton and Studley Park. Orielton's higher elevation relative to the proposed lot's lower elevation will also help to maintain this view. Recommended mitigation measures relating to landscaping and fencing will be addressed as part of the DA. Additional assessment will also be undertaken by OEH which will need to provide concurrence to the DA.

LEP Delegation

Council intends to use its delegation pursuant to the *Environmental Planning and Assessment Act 1979*. This will enable Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

Financial Implications

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

CONCLUSION

The draft Planning Proposal seeks to rezone a portion of 181 The Northern Road, Harrington Park from E2 Environmental Conservation to R5 Large Lot Residential to facilitate one additional residential lot.

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

Should Council resolve to endorse the Planning Proposal, it will be forwarded to DPE for Gateway Determination.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal for land at 181 The Northern Road, Harrington Park to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- ii. subject to receiving a favourable response from the Department of Planning 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 Part Lot 41 DP 270613, 181 The Northern Road, Harrington Park to the Department of Planning 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. Planning Proposal Orielton
2. Orielton CMP 2006
3. Orielton Landscape CMP 2018
4. Heritage Impact Statement Orielton
5. CLPP_Minutes Orielton - *Supporting Document*