

ORDINARY COUNCIL

ORD05

SUBJECT: PROPOSED AMENDMENT NO. 31 TO CAMDEN LEP 2010 - 347 NARELLAN ROAD, CURRANS HILL (LOT 2 DP 1019708)

FROM: Director Planning & Environmental Services

TRIM #: 16/103182

PURPOSE OF REPORT

The purpose of this report is for Council to consider a draft Planning Proposal to amend the minimum lot size for land at 347 Narellan Road, Currans Hill and to seek a Council resolution to forward the Planning Proposal to the Department of Planning and Environment (DoPE) for Gateway Determination.

The draft Planning Proposal is provided as **Attachment 1 to this report**.

BACKGROUND

The original Planning Proposal was lodged by Precise Planning on behalf of the land owner. The subject land (as shown in **Figure 1**) is Lot 2 DP 1019708 and is known as 347 Narellan Road, Currans Hill. The land is irregular in shape with a total area of 14.1ha. The land is currently a single lot containing at its northern end, a church (C3) and a private school, (Mt Annan Christian College).

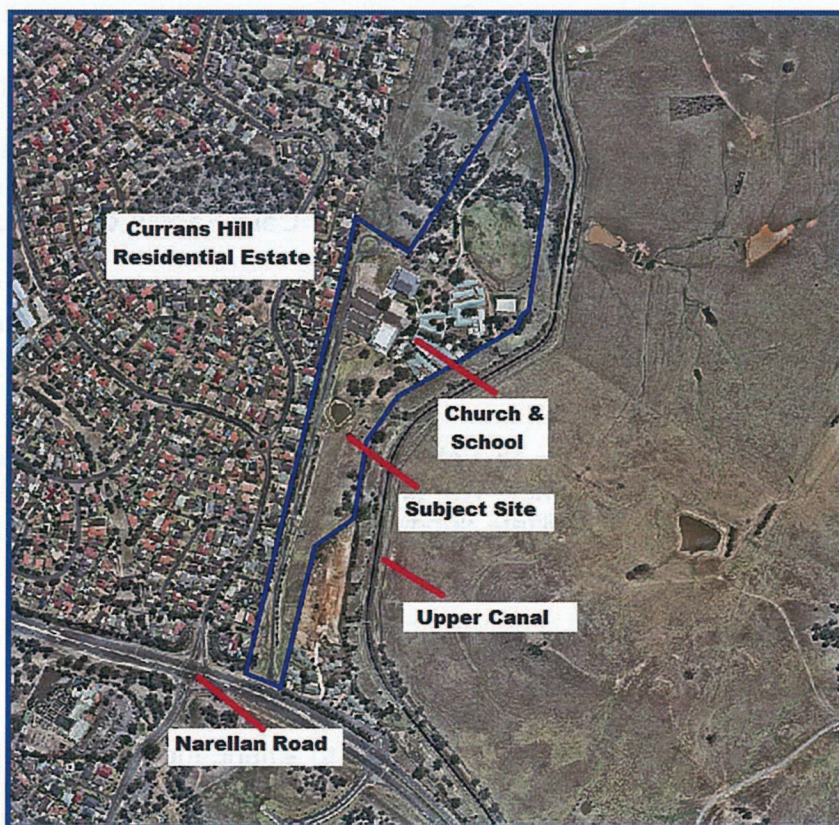


Figure 1: Locality Map (Source: Council Mapping System)

The western and eastern boundaries are bordered by the suburb of Currans Hill and the Sydney Catchment Authority upper canal respectively. Vehicle access to the site is provided by a private road with a signalised intersection to Narellan Road.

Council received the original Planning Proposal on 3 October 2013. The original Planning Proposal proposed to rezone the land from RU2 Rural Landscape to R2 Low Density Residential to facilitate seniors housing and amend the minimum lot size to permit subdivision.

The original Planning Proposal was reviewed and not supported by Council officers. Council officers considered that whilst the proposed seniors housing use had merit, a rezoning to R2 Residential would permit a much broader range of uses.

The proponent subsequently investigated an alternative path under the State Environmental Planning Policy - Seniors Housing and People with a Disability (SEPP Seniors Housing) (Site Compatibility Certificate) (SCC). This path could facilitate seniors housing and remove the need for rezoning of the land. The Planning Proposal was subsequently placed on-hold, whilst the proponent applied for a SCC with the DoPE.

A summary of the proposed seniors housing development and Council's submission to DoPE was reported to Council on 23 September 2014. The report considered the application for a SCC to be consistent with the requirements of the SEPP Seniors Housing. Council endorsed the submission to the DoPE providing in-principle support for seniors housing, subject to Council's concerns being addressed regarding traffic, bulk and scale, visual impacts and impact of the nearby transmission easement.

The DPE issued a SCC on 28 September 2015.

The SCC as issued is provided as **Attachment 2 to this report** will allow for a 'two storey building for Residential Aged Care Facility with associated serviced self-care semi-detached houses including community park, ambulance bay & associated car parking' to be located to the south of the existing church and school. The SCC does not stipulate the number of beds in the Residential Aged Care Facility or the number of serviced semi-detached houses.

The SCC is not a development approval, but rather permits the use approved under the SCC. A development application (DA) is required to be lodged for assessment as per the standard DA approval process.

Following the issue of the SCC, on 18 February 2016 the proponent submitted an amended Planning Proposal to Council. The amended draft Planning Proposal seeks to vary the minimum lot size to facilitate subdivision of the seniors housing proposal from the school and church site.

MAIN REPORT

The amended Draft Planning Proposal

The amended draft Planning Proposal (2016) seeks to amend the current minimum lot size of 40ha applying to the land with 2 proposed minimum lot sizes of 2 ha and 10 ha.

Figures 2 and 3 show the current and proposed minimum lot sizes.

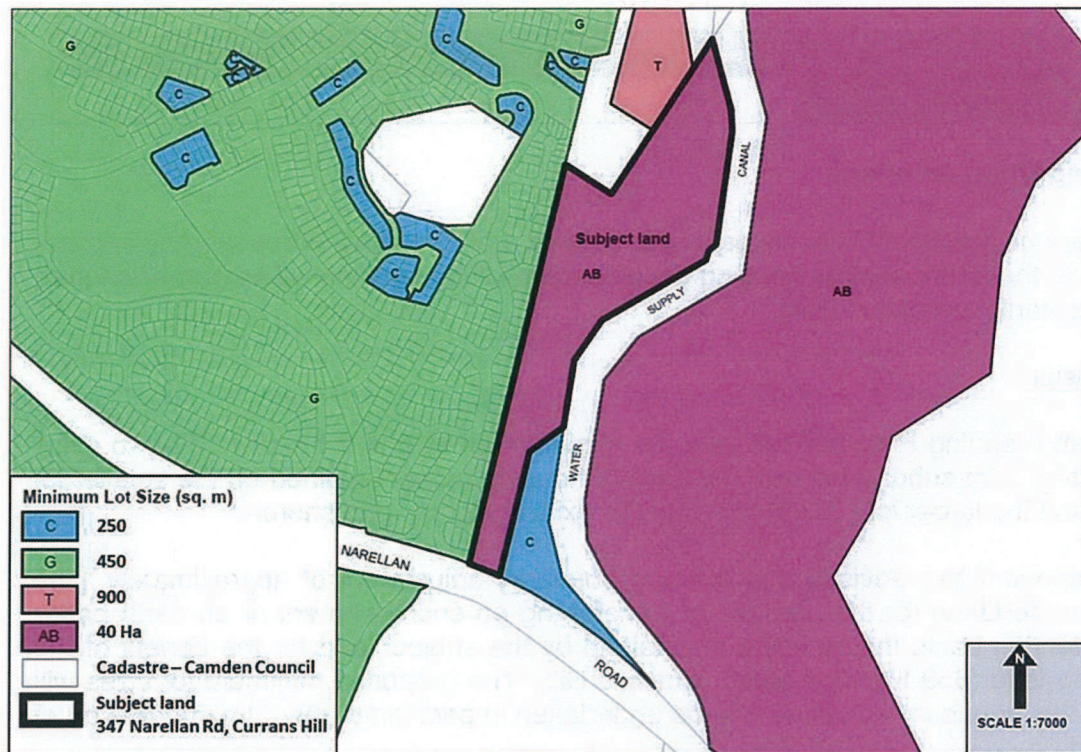


Figure 2 – Current minimum lot size - Camden LEP 2010

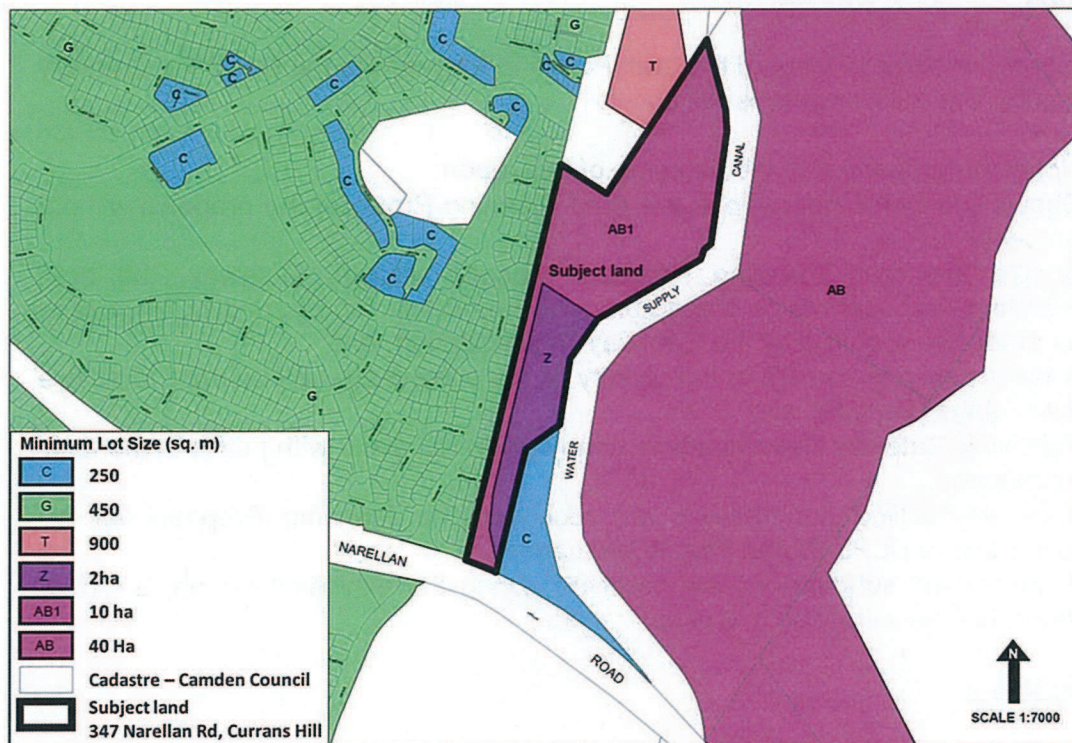


Figure 3 – Proposed minimum lot size - Camden LEP 2010

Table 1 below provides a summary of the proposed changes regarding the 2 minimum lot sizes of 2 ha and 10 ha for the subject land.

Table 1: Comparison of existing and proposed provisions under Camden LEP 2010

Minimum Lot Size	Existing	Proposed
	• 40ha	• 2 ha and 10 ha

Planning Considerations

There are no additional impacts as a result of this draft Planning Proposal. Any impacts related to the future seniors housing development will be considered as part of a future Development Application (DA).

Subdivision

The draft Planning Proposal will vary the minimum lot size to 2 ha and 10 ha to allow for a future 2 lot subdivision with the seniors housing to be contained on the smaller lot (2 ha) and the larger lot (10 ha) to retain the existing school and church.

The proponent has advised that a future boundary adjustment of approximately 1 ha will be undertaken for the purpose of transferring an encroachment of an earth batter and detention basin that is being maintained by the subject land for the benefit of the adjoining land (359 Narellan Road, Currans Hill). The proposed minimum lot sizes will enable this boundary adjustment to be undertaken in addition to the 2 lot subdivision of the land.

Next Steps

Should Council resolve to forward the draft Planning Proposal to the DoPE for Gateway Determination, the following steps will occur:

- Notify the proponent of the outcome of this report;
- Should the DoPE not support the draft Planning Proposal the proposal will not proceed;
- Should the draft Planning Proposal proceed through Gateway, the draft Planning Proposal will be placed on public exhibition for a period of 14 days or as otherwise required by the Gateway Determination; and
- A letter notifying owners in the vicinity of the subject site will be sent to advise them of the proposal; and
- Following Gateway Determination, consultation will occur with public authorities, as required;
- If no unresolved submissions are received, the Planning Proposal will be forwarded to DoPE for the Plan to be made; or
- If unresolved submissions are received during the exhibition period, a further report to Council will be prepared.

LEP Delegation

Council has 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. The General Manager is Council's nominated delegate.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The amended draft Planning Proposal lodged in February 2016 seeks to amend the minimum lot size on the subject land under Camden LEP 2010. The proposed minimum lot sizes of 2 ha and 10 ha will facilitate a future subdivision to enable seniors housing to be contained on a separate lot from the existing church and school.

Should Council resolve to endorse the draft Planning Proposal, it will be forwarded to the DoPE for Gateway Determination. Subject to Gateway Determination, the Planning Proposal will proceed to public exhibition for a period of 14 days.

RECOMMENDED

That Council:

- i. endorse the Planning Proposal for 347 Narellan Road, Currans Hill 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 23 of the Environmental Planning and Assessment Act 1979;**
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed directly to publicly exhibit the Planning Proposal and consult with the relevant agencies in accordance with the requirements of the Gateway Determination;**
- iii. subject to no unresolved submissions being received, forward the Planning Proposal Amendment No. 31 Camden LEP 2010 for 347 Narellan Road, Currans Hill to the Department of Planning and Environment for the Plan to be made;**
- iv. if unresolved submissions are received, require a further report to Council outlining the result of the public exhibition; or**
- v. should the planning proposal not receive Gateway approval, notify the proponent that the planning proposal will not proceed.**

Resolution: Moved Councillor Sidgreaves, Seconded Councillor Fedeli that Council:

- i. endorse the Planning Proposal for 347 Narellan Road, Currans Hill 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 23 of the Environmental Planning and Assessment Act 1979;**
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed directly to publicly exhibit the Planning Proposal and consult with the relevant agencies in accordance with the requirements of the Gateway Determination;**

- iii. **subject to no unresolved submissions being received, forward the Planning Proposal Amendment No. 31 Camden LEP 2010 for 347 Narellan Road, Currans Hill to the Department of Planning and Environment for the Plan to be made;**
- iv. **if unresolved submissions are received, require a further report to Council outlining the result of the public exhibition; or**
- v. **should the planning proposal not receive Gateway approval, notify the proponent that the planning proposal will not proceed.**

ATTACHMENTS

1. Draft Planning Proposal for 347 Narellan Rd with attachments(4)
2. Certificate of Site Compatibility - 347 Narellan Road CURRANS HILL