



**CAMDEN COUNCIL  
PLANNING PROPOSAL**

**EAST LEPPINGTON PRECINCT**

**Version 1**

January 2017

# Table of Contents

- Executive Summary ..... 2**
- 1.0 Introduction ..... 3**
- 2.0 Site Description and Context..... 4**
  - 2.1 Overview..... 4
  - 2.2 Site Locality ..... 4
  - 2.3 Site Context ..... 5
    - 2.3.1 Outline..... 5
  - 2.4 The Site ..... 7
- 3.1 Zoning..... 9
- 3.2 Other Controls .....11
- 4.0 The Planning Proposal.....13**
  - 4.1 Objectives and Intended Outcomes .....13
  - 4.2 Explanation of Provisions.....13
    - 4.2.1 Summary.....13
    - 4.2.2 Detail.....14
  - 4.3 Justification .....17
    - 4.3.1 Section A – Need for the Planning Proposal.....17
    - 4.3.2 Section B – Relationship to Strategic Planning Framework .....18
    - 4.3.3 Section C – Environmental, Social and Economic Impact.....20
    - 4.3.4 State and Commonwealth Interests .....20
  - 4.5 Mapping .....21
  - 4.6 Community Consultation .....21
  - 4.7 Project Timeline .....21
- 5.0 Conclusions and Recommendations .....23**
- 6.0 Appendices .....24**
  - Appendix 1: Consistency against State Environmental Planning Policies.....25
  - Appendix 2 : S117 Directions .....29
  - Appendix 3: Council Report – 8 November 2016 .....33

## **Executive Summary**

The subject land forms part of Stockland's 'Willowdale' Estate, located in the East Leppington Precinct in the South West Priority Growth Area (SWPGA). The East Leppington Precinct traverses the boundary of the Camden, Campbelltown and Liverpool local government areas and is located approximately 40km from the Sydney CBD, 12km from Narellan town centre and 14km from both Campbelltown and Liverpool City centres. The subject land is located entirely within the Camden LGA.

The portion of the Precinct that is located within the Camden LGA was rezoned for urban development in March 2013. The Precinct Planning process identified the location and type of future residential development, land for public recreation as well as the location of future roads, electricity substations, and drainage infrastructure.

The Planning Proposal seeks to amend various maps within Appendix 9 of the Growth Centres SEPP in order to regularise the land use zoning relating to land zoned for local drainage infrastructure, public recreation and medium density residential which has been approved under previous DAs and to facilitate the rezoning of one lot that does not benefit from the zone flexibility clause under the Growth Centres SEPP.

## 1.0 Introduction

This Planning Proposal seeks to make various amendments to Appendix 9 of the Growth Centres SEPP relating to the East Leppington Precinct, and provides justification for the amendments to the SEPP.

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and guidelines published by the Department of Planning & Environment, namely 'A Guide to Preparing Planning Proposals' to ensure all matter requiring consideration are appropriately addressed.

This Planning Proposal explains the intent and justification for a series of proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) as it applies to the East Leppington Precinct of the South West Priority Growth Area.

It is envisaged that the amendment to the Growth Centres SEPP for the subject land within the Precinct will result in a more legible series of planning controls for future and current landowners by ensuring that the controls applying to the land accurately reflect the intended future use and approved subdivision pattern of the East Leppington Precinct.

At the meeting of 8 November 2016, Council considered a report on the Planning Proposal, which is included as Appendix 3. Council subsequently resolved to forward the Planning Proposal to the Department of Planning and Environment (DPE) for a Gateway Determination.

## 2.0 Site Description and Context

### 2.1 Overview

This Section describes the location of the site, existing development on the land, the current planning framework.

### 2.2 Site Locality

The area that is the subject of this Planning Proposal is shown in **Figure 1**.



**Figure 1: Subject Site (Source: NearMap)**

The land subject to this Planning Proposal is situated within the East Leppington Precinct of the South West Priority Growth Area (SWPGA). The East Leppington Precinct traverses the boundary of the Camden, Campbelltown and Liverpool local government areas and is located approximately 40km from the Sydney CBD, 12km from Narellan town centre and 14km from both Campbelltown and Liverpool City centres. The subject land is located entirely within the Camden LGA.

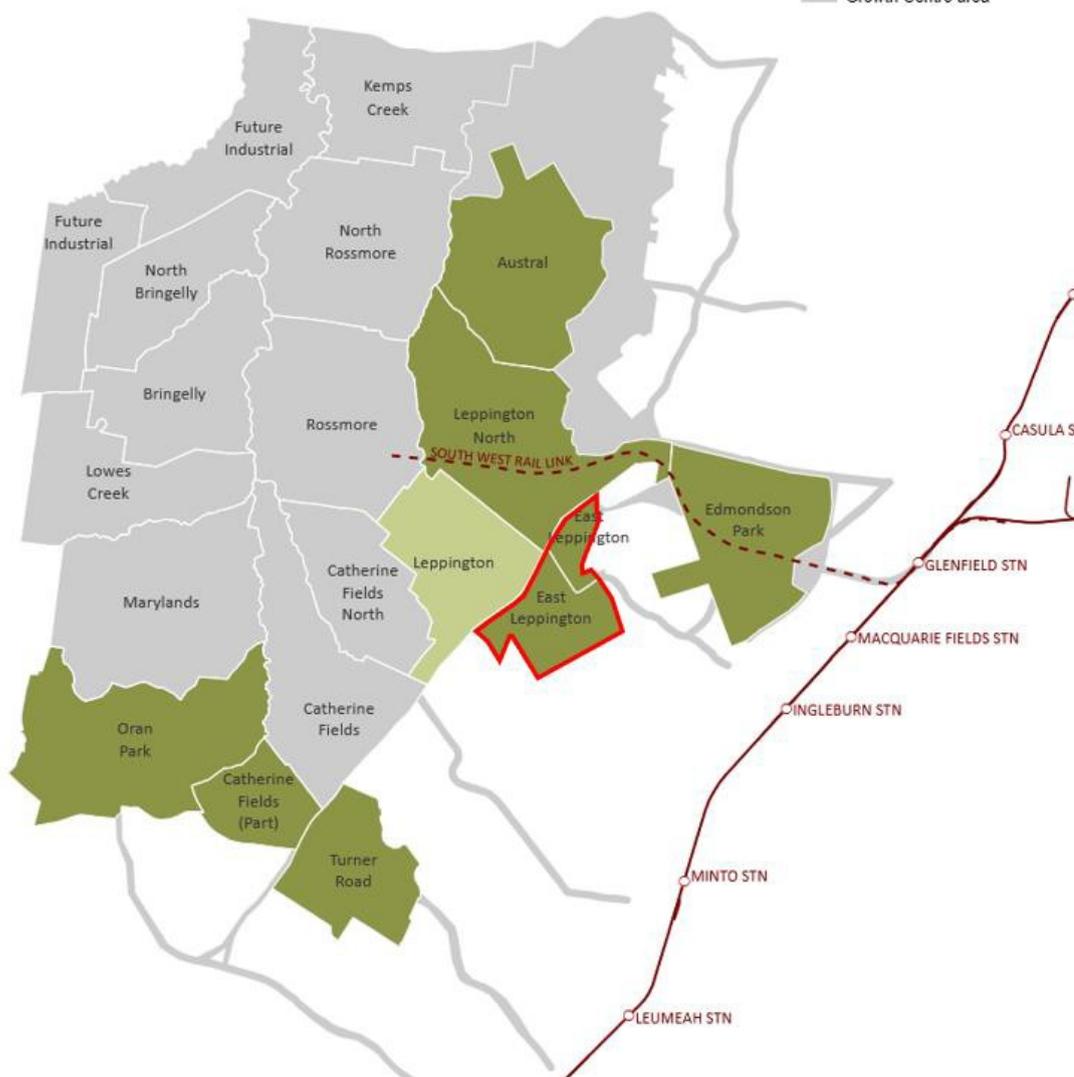
**Figure 2** shows the location of the Precinct within the SWPGA.



For information purposes only

**Status**

- Rezoned
- Released
- Growth Centre area



**Figure 2: Location of Subject Site (Source: Department of Planning and Environment)**

NSW Department of Planning and Environment has been enabling urban growth within the South West Priority Growth Area since 2007 with over 110,000 new homes forecast to be completed by 2035. The subject land forms part of the Willowdale Estate being developed by Stockland and was rezoned for urban development in March 2013.

## 2.3 Site Context

### 2.3.1 Outline

The lands subject to this Planning Proposal are situated within Precincts 1 and 2 of the Willowdale Estate, which are bound by a riparian corridor to the south. Beyond the riparian corridor to the east are Precincts 3 and 9 of the Willowdale Estate. As illustrated by **Figure 3**, much of the

immediate surrounding areas of the subject sites (including the subject sites themselves) are in the later stages of development with properties having been built within Precincts 1, 2 and 3 of the Willowdale Estate and the construction of roads within Precincts 8 and 9.



**Figure 3: Aerial view of Precincts 1 and 2 (Source: NearMap)**

As shown in **Figure 3**, the surrounding sites are currently undergoing construction works in accordance with approvals issued by Council. Bulk earthworks are also shown to be in progress to the west of Precinct 2 whilst directly to the south there has been some vegetation clearance.

Key features of the locality surrounding the East Leppington Precinct include:

- Camden Valley Way, which has recently been upgraded by the RMS, adjoins the north-western boundary.
- On the opposite side of Camden Valley Way is the Leppington Precinct, which was released by the Minister for Planning and Infrastructure in November 2011. Stage 1 of this precinct was rezoned in November 2015. Presently, this area is still comprised of large rural properties and market gardens, however this Precinct will be modified as urban development progresses.
- To the southeast is an area known as the 'Scenic Hills'. This area has been identified at this stage to be retained as environmental lands.
- To the south is the existing suburb of Varroville, which includes a number of large rural allotments and grazing land.

- Denham Court Road (DCR) borders the north-eastern edge of the overall landholding controlled by the Proponent, with large rural allotments situated opposite. The area to the northeast of the Proponent's landholding along DCR also falls within the East Leppington Precinct (Liverpool LGA) and will eventually be developed for urban purposes in accordance with the Growth Centres SEPP.

## 2.4 The Site

The land that is the subject of the Planning Proposal is located within the Camden Council LGA and comprises 36 allotments of land. The real property description of these lots is included in **Table 1** and **Figure 4** shows the location of the lots within the East Leppington Precinct.

**Table 1: Land Title Details**

Subject Site	Land Title Details
1	Lots 2233- 2236 DP 1193713 and Lots 2197- 2199 DP 1193713
2	Lot 2118 DP1193710 and Lots 201- 210 DP 121807
3	Lots 1001- 1002 and Lots 1016- 1019 DP 1202611
4	Lots 2261 and 2263 in DP 1193714

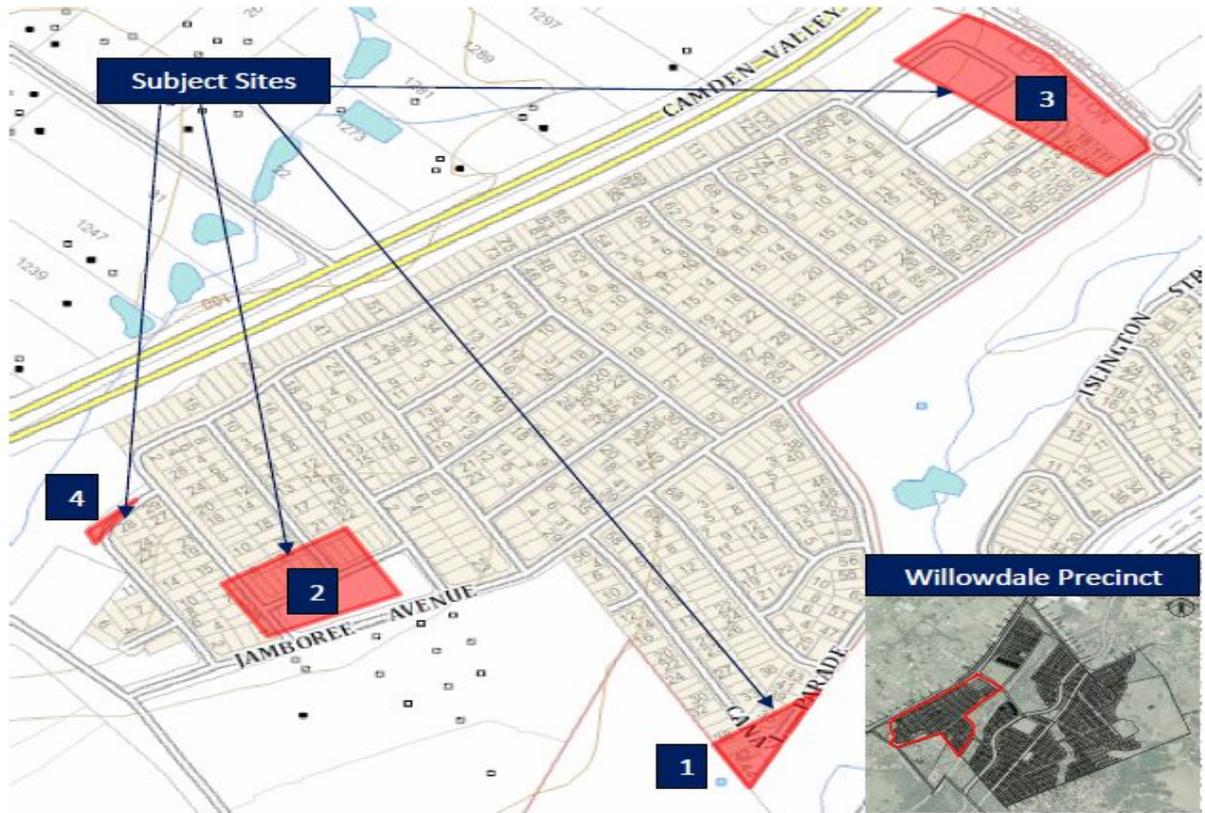


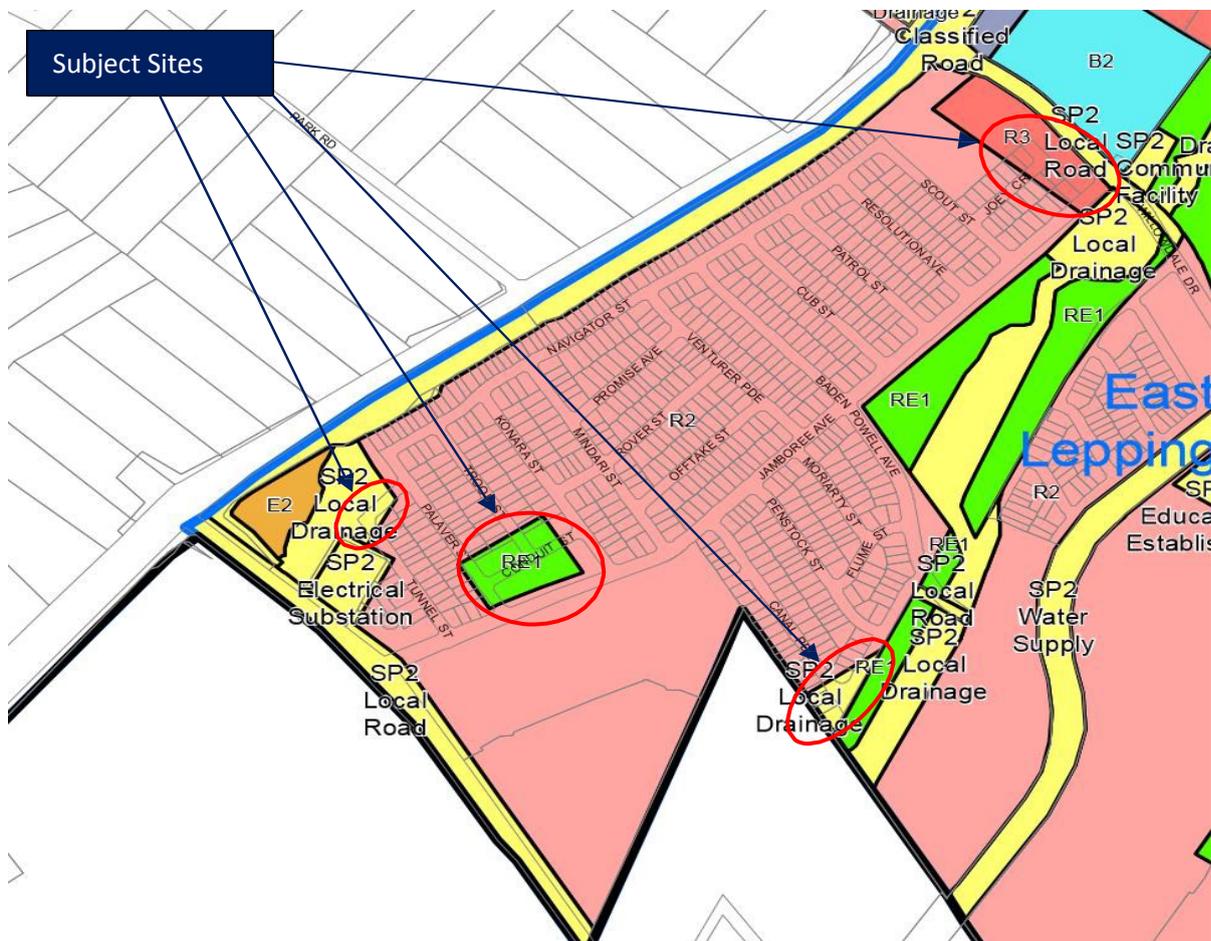
Figure 4: Location of the subject sites within Willowdale Precincts (Source: Six Maps)

## 3.0 Statutory Framework

### 3.1 Zoning

The subject sites are currently zoned under the provisions of Appendix 9 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) as listed below and illustrated within **Figure 5**.

- R2 Low Density Residential
- R3 Medium Density Residential
- SP2 Infrastructure (Local Drainage)
- RE1 Public Recreation



**Figure 5: Zoning Extract from Growth Centres SEPP**

**Table 2** outlines the permissible uses within these zones in accordance with the Growth Centres SEPP.

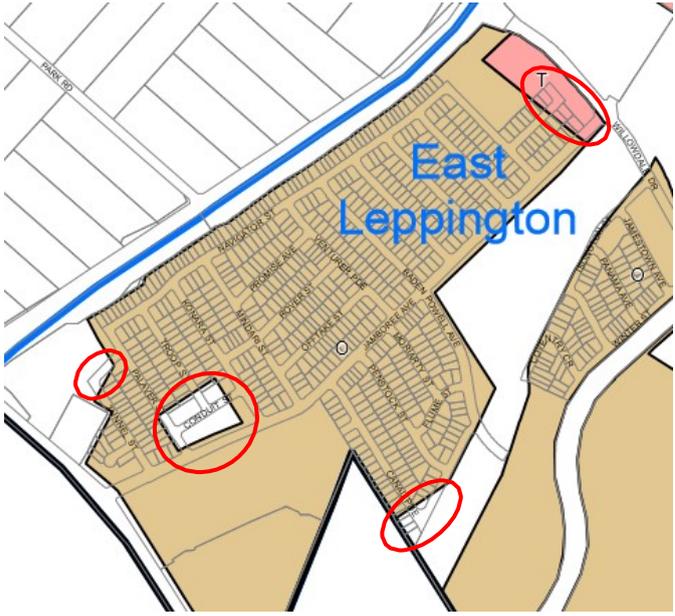
Zone	Permissible with consent
R2 Low Density Residential	Bed and breakfast accommodation; Boarding houses; Business identification signs; Child care centres; Community facilities; Drainage; Dual occupancies; Dwelling houses; Earthworks; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Studio dwellings; Veterinary hospitals; Waterbodies (artificial)
R3 Medium Density Residential	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Manor homes; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Studio dwellings
SP2 Infrastructure (Local Drainage)	Drainage
RE1 Public Recreation	Building identification signs; Business identification signs; Child care centres; Community facilities; Drainage; Environmental facilities; Flood mitigation works; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Restaurants; Roads; Take away food and drink premises; Water recreation structures; Waterbodies (artificial)

It should be noted that *Clause 5.3 Development near zone boundaries* of the Growth Centres SEPP allows flexibility where a site is located within proximity (being 50m for the East Leppington Precinct) to a land zone boundary, and where the land uses that are permissible in that adjoining zone would result in a more logical and appropriate development for the site.

### 3.2 Other Controls

Other relevant planning controls applying to the subject site include the maximum height of buildings, dwelling density and land acquisition. These controls relate to the land use zone to guide future development.

The relevant Growth Centres SEPP maps relating to the subject site are shown in **Table 3**.

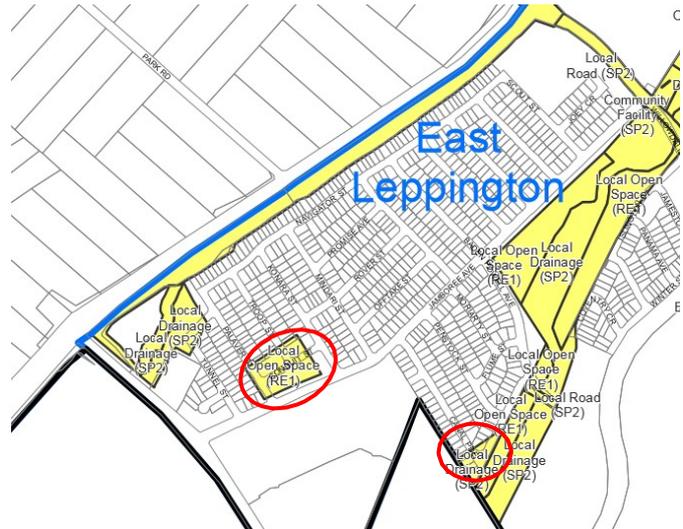
Planning Control	Map
<p><b>Dwelling Density</b></p> <p><u>Legend</u></p> <p>Light Brown = 15 dw/ha Light Pink = 25 dw/ha</p> <p>Relevant clause within the Growth Centres SEPP: Clause 4.1B – Residential density</p>	
<p><b>Height of Buildings</b></p> <p><u>Legend</u></p> <p>Green = 9m Yellow = 12m</p> <p>Relevant clause within the Growth Centres SEPP: Clause 4.3 – Height of buildings</p>	

## Land Reservation Acquisition Map

### Legend

Yellow = Land to be acquired

Relevant clause within the Growth Centres SEPP: Clause 5.1 – Relevant Acquisition Authority.



## 4.0 The Planning Proposal

### 4.1 Objectives and Intended Outcomes

The primary purpose of this Planning Proposal is to correct zoning and mapping anomalies within the subject sites. The anomalies have mostly occurred as a result of development that has been previously approved using Clause 5.3 of Appendix 9 of the Growth Centres SEPP (the 'development near zone boundaries' clause).

Further to this, the use of Lot 2236 (currently zoned for local drainage) for residential purposes requires a rezoning as the R2 zone boundary is beyond that permitted to be stretched under the 'development near zone boundaries' clause in the Growth Centres SEPP.

This Planning Proposal will amend the Land Zoning Map under the Growth Centres SEPP which will necessitate updates to other Growth Centres SEPP maps. Detailed explanation in regard to each individual amendment is detailed below.

The intended outcomes of the Planning Proposal are to meet the aims of the Precinct Plan through the provision of quality environments and good design outcomes. The rezoning of Lot 2236 will ensure effective use of the land for residential lots which are no longer required for drainage infrastructure. The housekeeping amendments will ensure consistency between property boundaries and applicable zoning and planning controls under the Growth Centres SEPP.

### 4.2 Explanation of Provisions

The explanation of provisions provides a detailed statement of how the objective or intended outcomes are to be achieved through amending the Growth Centres SEPP.

#### 4.2.1 Summary

The objectives and intended outcomes of this Planning Proposal are to be achieved by amending the following maps:

- Land Zone Map (Sheet LZN\_008) to align land use zoned with approved property boundaries;
- Height of Buildings Map (Sheet HOB\_008) to align the 9m height limit with the adjusted location of the R2 Low Density Residential zone and the 12 metre height limit with the adjusted location of the R3 Medium Density Residential Zone;
- Residential Density Map (Sheet RDN\_008) to align the 15 dwelling density area with the adjusted location of the R2 Low Density Residential

zone and the 25 dwelling density area with the adjusted location of the R3 Medium Density Residential zone;

- Land Reservation Acquisition Map (Sheet LRA\_008) to align the land identified to be acquired with the relevant RE1 Public Recreation zoning and remove the acquisition layer over the surplus drainage land.

#### 4.2.2 Detail

A detailed description of the proposed amendments is outlined below.

##### Rezoning surplus drainage land

The Planning Proposal includes the rezoning of two small parcels of land currently zoned and reserved for future drainage purposes as shown with a red outline in **Figures 6 and 7** below.



**Figure 6: Existing drainage land – current SP2 Infrastructure zoning**



**Figure 7: Proposed R2 Low Density Residential zoning (surplus drainage land)**

During the detailed design of the Precinct, it was identified that, due to natural topography of the site, a more appropriate and functional location for the southern basin was adjacent to the riparian corridor to the east of the site. The design work also identified surplus drainage land to the north west of the Precinct.

The relocation of this drainage infrastructure has since been approved through subdivision DAs issued by Camden (DA 788/2013 and 101/2014) and Campbelltown Council (DA 249/2014) and, as a result, the land currently designated and zoned for drainage is no longer required for this purpose. It is therefore proposed to rezone this surplus drainage land to R2 Low Density Residential.

The Height of Buildings and Dwelling Density Maps will also be amended by including the controls that currently apply to the surrounding R2 Low Density land which are as follows:

- Maximum building height of 9m; and

- Minimum dwelling density of 15 dwellings/hectare.

The Planning Proposal will also amend the Land Reservation Acquisition Map by removing these two parcels of land as they no longer need to be acquired for drainage purposes.

Redistributing the location of medium density land

The Precinct includes a portion of land zoned R3 Medium Density Residential, located adjacent to Willowdale Drive as shown with a red outline in **Figures 8 and 9** below.



**Figure 8: Existing R3 Medium Density Residential zoned land**



**Figure 9: Proposed amendment to R3 Medium Density Residential zoned land**

Several lots located within this zone have been approved through earlier subdivision applications to allow for low density residential development. The Planning Proposal seeks to rezone the approved low density residential lots so that they are wholly contained within the R2 Low Density Residential zone. It is then proposed that the medium density zoning be reconfigured so that it is wholly located within the two residue lots yet to be developed. The proposed redistribution of the R3 Medium Density zone is shown with a red outline in **Figure 7**. It is noted that the proposal is consistent with the approved subdivision pattern.

The redistribution of the medium density zone to these two lots is considered to provide a logical planning outcome as it reflects the approved subdivision pattern to date. The proposed location for the medium density land is contiguous and is contained by local and major roads.

The proposal does not result in any additional land being zoned for medium density development. Redistributing the R3 Medium Density zone as proposed will result in a total combined area of 13,735m<sup>2</sup> for land zoned for medium density, representing a reduction of approximately 22% in land zoned for these housing forms.

Rezoning recreation land to residential

The Indicative Layout Plan (ILP) and SEPP developed at the time of rezoning identifies a future local park on land zoned RE1 Public Recreation and shown with a red outline in **Figure 9**.



**Figure 10: Existing RE1 Public Recreation zoned land for local park (approx. 11,400m<sup>2</sup>)**



**Figure 11: Proposed amendment to RE1 Public Recreation zoned land for local park (approx. 6,700m<sup>2</sup>)**

Following detailed subdivision design, the location of the local park was adjusted in order to fit with the proposed road and subdivision layout. The amended location of the local park is consistent with the East Leppington Voluntary Planning Agreement (VPA) and was approved via DA 101/2014 using the flexible zone boundary provision included under Clause 5.3 of Appendix 9 of the Growth Centres SEPP.

Whilst dwelling houses are a permissible land use on lots with a RE1 Public Recreation zoning under the flexible zone boundary provisions of the SEPP, the planning proposal seeks the rezoning of these lots to R2 Low Density Residential, which is consistent with the surrounding residential zoning and reflects the intended use of the land, avoiding confusion for future landowners.

The proposed amendments reduce the extent of land zoned RE1 Public Recreation in the Camden portion of the East Leppington Precinct by approximately 4,700m<sup>2</sup>. However, the total area of land zoned for open space within the Precinct as a whole has been increased. The reduction in this location was negotiated during the preparation of the VPA in exchange for the provision of an additional 8,000m<sup>2</sup> of junior playing fields to be provided in the Campbelltown portion of East Leppington. Council officers reviewed the proposed relocation during the VPA negotiations and determined this to be an improved outcome overall. The VPA containing the park (as per the proposed amendment) was endorsed by Council on 11 March 2014.

The proposed amendment to the R2 Low Density Residential and RE1 Public Recreation zones are shown in **Figure 10**.

The Height of Buildings and Dwelling Density Maps will also be amended by including the controls that currently apply to the surrounding R2 Low Density Residential land which are as follows:

- maximum building height of 9m; and
- minimum dwelling density of 15 dwellings/hectare.

The RE1 Public Recreation land is also identified for future acquisition by Council and, as such, the Land Reservation Application Map will also be amended to reflect the location of the park and remove the land acquisition requirement from the private lots.

#### Minor Amendments (Housekeeping)

Minor mapping anomalies have been identified along the northern and western property boundaries of the Precinct, which have occurred as a result of discrepancies with the underlying mapping cadastre in earlier mapping amendments.

The Planning Proposal will resolve these technical issues by requesting that the appropriate maps are correctly aligned to property boundaries and the current accurate mapping cadastre. The proposed housekeeping amendments are considered minor in nature and will ensure that the SEPP maps accurately reflect the intended future use of the land.

### **4.3 Justification**

This section addresses the need for the rezoning, identifies the background studies undertaken, details why the Planning Proposal is the best approach, and identifies what the community benefits will be.

#### **4.3.1 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. It has been prepared in response to detailed investigations undertaken in relation to the ongoing development of the East Leppington Precinct. In particular, the use of the zone flexibility provision has resulted in some residential lots having non-residential land zonings.

In order to simplify the planning process and avoid confusion for landowners, this Planning Proposal will correct the various land zoning anomalies created throughout the development of the Precinct so that the zoning of the land accurately reflects the intended future use of the land.

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

The changes included in this Planning Proposal are the best means of achieving the objectives and intended outcomes. The proposed amendments relate to allocating mandatory planning provisions to land and development standards that will facilitate the urban development of the East Leppington Precinct.

As the Growth Centres SEPP specifically controls land use development, an amendment to the SEPP is the most appropriate means to establish the proposed development in this Planning Proposal.

Other available processes are not considered an appropriate means of achieving the objectives and intended outcomes of the Planning Proposal.

#### **4.3.2 Section B – Relationship to Strategic Planning Framework**

*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)?*

##### Plan for Growing Sydney

A Plan for Growing Sydney was released by the NSW Government in December 2014. This new document supersedes the draft Metropolitan Plan for Sydney 2036 – A Plan for Sydney's future plan which was released in December 2010.

The Sydney metropolitan area will face increasing pressure over the next twenty years with the projected increase in population of 1.6 million people, requiring 664,000 more dwellings and 689,000 more jobs by 2031. These pressures require careful and integrated land use and infrastructure planning and mechanisms for delivery. A Plan for Growing Sydney is the NSW Government's response to these pressures. The plan provides a strategy for accommodating Sydney's future population growth over the next 20 years and a framework for delivering investment and jobs growth, particularly for the Western Sydney region.

The Planning Proposal is consistent with the objectives and directions for 'A Plan for Growing Sydney' as demonstrated below:

- Direction 2.1 – The Planning Proposal supports the acceleration of housing supply in Sydney
- Direction 2.3 – The Planning Proposal provides a diversity of housing stock which will improve housing choice to suit different needs and lifestyles within the South West Growth Areas.
- Direction 2.4 – The Planning Proposal supports the continued delivery of timely and well planned greenfield housing development.

##### Draft South West District Plan

The Draft South West District Plan (the draft District Plan) was released for public exhibition on 22 November 2016. The draft District Plan is a link to the Sydney Regional Plan – *A Plan for Growing Sydney*, and maps out the 20 year vision for the South West District of Greater Sydney. The draft District Plan includes actions and outcomes related to productivity, liveability and sustainability.

The Planning Proposal is consistent with the vision for the South West District. The following actions and outcomes are related to the Planning Proposal:

- L3 - Action: Councils to increase housing capacity across the district.  
Outcome: Creation of housing capacity and increase in diversity of housing choice

*Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Council adopted "Camden 2040 – A Strategic Plan for Camden" in 2010. Camden 2040 was prepared as a strategic response to the large-scale urban and population growth that has been planned for the area under the State Government's Metropolitan Strategy. It emphasises that with growth will bring new opportunities and facilities that have not previously been available, but needs to be managed actively and effectively in order to deliver quality places and lifestyles for the people of the Camden area, as well as protecting and enhancing the important history and character of the area that is so highly valued.

The document identifies that the population of Camden will grow from a population of 63,000 to 256,000 by 2040. As it is anticipated that the population will increase five-fold a key direction under the strategy is to accommodate population growth within the South West Growth Centre through the provision of efficient, affordable and innovative housing styles.

The Planning Proposal is consistent with this local strategy by providing clarity to the planning controls and facilitating development on surplus land so as to enable the provision of housing within a key growth area.

*Is the planning proposal consistent with applicable state environmental planning policies?*

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at **Appendix 1** to this report.

The consideration of these State Environmental Planning Policies and deemed SEPPs has identified that the Planning Proposal would not conflict with any of these policies.

*Is the planning proposal consistent with applicable Ministerial Directions (S117 Directions)?*

The s117 directions applicable to the Planning Proposal have been addressed at **Appendix 2** of this report.

The Planning Proposal is consistent with the s117 Ministerial Directions.

#### **4.3.3 Section C – Environmental, Social and Economic Impact**

*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?*

The Planning Proposal will not have any adverse impacts on the conservation values within the East Leppington Precinct.

The subject site is biodiversity certified and has been cleared under approved bulk earthworks DAs (Precinct 1- 740/2013 and 262/2013 and Precinct 2- 2990/2013 and 1120/2013).

*How has the planning proposal adequately addressed any social and economic effects?*

There is not considered to be any adverse social or economic effects as a result of the rezoning sought. The changes are to regularise the land use zoning over the residential lots approved under Clause 5.3 of the Growth Centres SEPP. This will have a positive social and economic outcome as it will remove the potential confusion for future owners of the individual lots that may be caused by the current SP2 zoning.

#### **4.3.4 State and Commonwealth Interests**

*Is there adequate public infrastructure for the planning proposal?*

The East Leppington Precinct is located within the South West Priority Growth Area of Sydney, which has been comprehensively planned for infrastructure planning requirements.

Previously approved DAs further ensure that the site is adequately catered for in terms of public infrastructure with a suitable drainage scheme approved by Council.

Accordingly, there is adequate public infrastructure to accommodate the proposed minor amendments.

*What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, or as directed by the Gateway determination.

#### **4.5 Mapping**

The following maps will need to be amended:

- Land Zoning Map (Sheet 008)
- Height of Building Map (Sheet 008)
- Residential Density Map (Sheet 008)
- Land Reservation Acquisition Map (Sheet 008)

#### **4.6 Community Consultation**

The Planning Proposal will be publicly exhibited for a period of 28 days, or in accordance with the Gateway Determination. A notification will be placed in the local newspaper and the exhibition material available at:

- Council Administration Centre , Oran Park Drive, Oran Park (Hard copy);
- Narellan Library, Queen Street, Narellan (Hard Copy);
- Camden Library, John Street, Camden (Hard Copy);
- Camden Council website (Electronic Copy).

In addition, a letter will be sent to all landowners who are directly impacted by the proposed changes.

#### **4.7 Project Timeline**

Anticipated commencement date (date of Gateway Determination)	April 2017
Timeframe for government agency consultation (pre and post exhibition as required by Gateway)	May 2017

Commencement and completion dates for public exhibition period	June-July 2017
Timeframe for consideration of submissions	July- August 2017
Timeframe for consideration of a proposal post-exhibition	August- September 2017 (if changes are proposed to the original Planning Proposal)
Date of submission to the department to finalise the LEP	October 2017

## **5.0 Conclusions and Recommendations**

The purpose of this Planning Proposal is to amend the Growth Centres SEPP as it applies to the East Leppington Precinct in Camden LGA.

The rezoning and amendments to the SEPP maps are considered to be minor. The proposal will regularise the land use zoning relating to surplus land zoned for local drainage infrastructure, public recreation and medium density residential which has been approved under previous DAs, and facilitate the rezoning of one lot that does not benefit from the zone flexibility clause under the Growth Centres SEPP. The rezoning will provide greater clarity and ensure all land achieves better functionality.

An amendment to the Growth Centres SEPP is the most appropriate method to achieve the objectives of this Planning Proposal. Notwithstanding this Planning Proposal relates to an amendment to a State Environmental Planning Policy, it has been prepared in accordance with Section 55 of the EP&A Act 1979.

This Planning Proposal will have a positive outcome for the environment and community and ensure the intended development outcomes of the East Leppington Precinct are realised. Accordingly, progression of this Planning Proposal by the Department of Planning and Environment is sought.

## **6.0 Appendices**

**Appendix 1:** Consistency against State Environmental Planning Policies

**Appendix 2:** S117 Directions

**Appendix 3:** Council Report (8 November 2016)

## Appendix 1: Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
1. Development Standards	Yes	This SEPP does not apply to the SEPP (Sydney Growth Centres) 2006.
14. Coastal Wetlands	N/A	
15. Rural Land-sharing Communities	N/A	
19. Bushland in Urban Areas	Yes	The provisions of this SEPP do not apply to the site.
21. Caravan Parks	N/A	
26. Littoral Rainforests	N/A	
29. Western Sydney Recreation Area	N/A	
30. Intensive Agriculture	N/A	The provisions of this SEPP relate to cattle feedlot proposals.
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	
33. Hazardous and Offensive Development	N/A	
36. Manufactured Home Estates	N/A	
39. Spit Island Bird Habitat	N/A	
41. Casino Entertainment Complex	N/A	
44. Koala Habitat Protection	N/A	

47. Moore Park Showground	N/A	
50. Canal Estate Development	N/A	
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
55. Remediation of Land	Yes	Consistent. Land capability studies have been undertaken as part of the rezoning of the East Leppington Precinct. Subsequent Development Applications will also be required to satisfy SEPP 55 where applicable.
59. Central Western Sydney Economic and Employment Area	N/A	
62. Sustainable Aquaculture	N/A	
64. Advertising and Signage	N/A	
65. Design Quality of Residential Flat Development	N/A	
70. Affordable Housing (Revised Schemes)	N/A	
71. Coastal Protection	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP is relevant to specific development that will be permissible under the Planning Proposal. Future development would need to comply with these provisions.

SEPP (Housing for Seniors or People with a Disability) 2004	Yes	This SEPP is relevant to specific development that will be permissible under the Planning Proposal. Future development would need to comply with these provisions.
SEPP (Major Development)	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Sydney Region Growth Centres) 2006	Yes	The Planning Proposal involves amendments to the Growth Centres SEPP as outlined in this report.
SEPP (Infrastructure) 2007	Yes	The Planning Proposal does not include any provisions which impede the operation of this SEPP.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
SEPP (Temporary Structures and Places of Public Entertainment) 2007	N/A	
SEPP (Exempt and Complying Development Codes) 2008	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
SEPP (Rural Lands) 2008	N/A	
SEPP (Western Sydney Parklands) 2009	N/A	

SEPP (Affordable Rental Housing) 2009	Yes	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
Sydney Regional Environmental Plan (Sydney Harbour Catchment)	N/A	
SREP20 Hawkesbury-Nepean River	Yes	This Planning Proposal has considered the heads of consideration under this deemed SEPP. Future development is able to occur in a manner in keeping with the requirements of the SEPP.

## Appendix 2 : S117 Directions

S117 Direction Title	Consistency	Comment
1.0 Employment and Resources		
1.1 Business and Industrial Zones	N/A	
1.2 Rural Zones	N/A	
1.3 Mining, Petroleum Production and Extractive Industries	N/A	
1.4 Oyster Aquaculture	N/A	
1.5 Rural Lands	N/A	
2.0 Environment and Heritage		
2.1 Environment Protection Zones	N/A	The subject site is clear of any vegetation and is not within an Environment Protection Zone.
2.2 Coastal Protection	N/A	
2.3 Heritage Conservation	N/A	The subject site does not contain any heritage conservation. An AHIP has been issued over the subject site in connection with the bulk earthworks DAs (2990/2013 and 1120/2013) approved by Council on 21 March 2014 and 17 April 2014.
2.4 Recreation Vehicle Areas	N/A	
3.0 Housing, Infrastructure and Urban Development		

3.1 Residential Zones	Yes	The proposal seeks minor amendments to regularise the zoning of approved residential development and an additional residential lot in surplus SP2 Infrastructure zoned land. This Planning Proposal is considered to be consistent with this policy.
3.2 Caravan Parks and Manufactured Home Estates	N/A	
3.3 Home Occupations	N/A	Not relevant to the assessment of this Planning Proposal.
3.4 Integrating Land Use and Transport this Ministerial Direction	N/A	
3.5 Development Near Licensed Aerodromes	N/A	
3.6 Shooting Ranges	N/A	
<b>4.0 Hazard and Risk</b>		
4.1 Acid Sulphate Soils	N/A	Detailed assessment of the salinity risk has been undertaken as part of the initial rezoning of the East Leppington Precinct and further investigations will be prepared as part of subsequent Development Applications, where required. The Planning Proposal is therefore consistent with this Ministerial Direction.
4.2 Mine Subsidence and Unstable Land	N/A	
4.3 Flood Prone Land	Yes	Sections of the subject lands are identified as being affected by 'Flood Prone and Major Creeks Land'. However, bulk earthworks approved under previous DAs have been

undertaken to ensure the proposed lots will be outside all post development flood prone lands.

4.4 Planning for Bushfire Protection N/A

The site is not bushfire prone.

## 5.0 Regional Planning

5.1 Implementation of Regional Strategies N/A

5.2 Sydney Drinking Water Catchments N/A

5.3 Farmland of State and Regional Significance on the NSW Far North Coast N/A

5.4 Commercial and Retail Development along the Pacific Highway, North Coast N/A

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) Revoked – N/A

5.6 Sydney to Canberra Corridor Revoked – N/A

5.7 Central Coast Revoked – N/A

5.8 Second Sydney Airport: Badgerys Creek N/A

5.9 North West Rail Link Corridor Strategy N/A

## 6.0 Local Plan Making

6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction. It will rectify inconsistencies in the SEPP Mapping and ensure the Growth Centres SEPP provisions encourage the efficient and appropriate assessment of development.
6.2 Reserving Land for Public Purposes	Yes	<p>This Planning Proposal relocates land zoned for public recreation, and removes a portion of land zoned for local drainage. The land reservation acquisition maps are proposed to be amended to remove the subject sites. Council is the relevant public authority for this land.</p> <p>The Planning Proposal is consistent with this direction as it removes reservations of land for a public purpose where the land is no longer required for acquisition.</p>
6.3 Site Specific Provisions	Yes	There are no site specific provisions.
7.0 Metropolitan Plan Making		
7.1 Implementation of Plan for Growing Sydney	Yes	The Planning Proposal is consistent with this Ministerial Direction. It meets objectives of the metropolitan growth plan for Sydney 'A Plan for Growing Sydney' (December 2017).

**Appendix 3: Council Report – 8 November 2016**

## ORDINARY COUNCIL

ORD02

**SUBJECT: PROPOSED AMENDMENT TO STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006 - EAST LEPPINGTON**

**FROM:** Director Planning & Environmental Services

**TRIM #:** 16/284209

### PURPOSE OF REPORT

The purpose of this report is for Council to consider a Planning Proposal to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP) which applies to the Willowdale Estate (East Leppington precinct) and to seek Council's endorsement to forward the draft Planning Proposal to the Department of Planning and Environment (DPE), seeking a 'Gateway Determination'.

The Planning Proposal as prepared by the applicant is included as **Attachment 1** to this report.

### BACKGROUND

The East Leppington Precinct is located within the South West Priority Land Release Area and traverses the boundary of the Camden, Campbelltown and Liverpool local government areas. The location of the East Leppington Precinct is shown with a red outline in Figure 1 below.



**Figure 1** East Leppington Precinct

The subject land is located entirely within the Camden LGA, and forms part of the Willowdale Estate being developed by Stockland as shown with a red outline in Figure 2 below.



**Figure 2** Aerial view of the Willowdale Estate

The portion of the precinct that is located in the Camden LGA was rezoned for urban development in March 2013. The Precinct Planning process identified the location and type of future residential development, land for public recreation as well as the location of future roads, electricity substations, and drainage infrastructure.

Following the rezoning of the precinct, development consent has been granted for various development applications relating to bulk earthworks, subdivision, an exhibition village and sales information centre, and works to the riparian corridor. Some of these development applications have utilised Clause 5.3 of the SEPP (the flexible zone boundary provisions) to facilitate a more logical subdivision layout. This has resulted in some residential lots having non-residential land zonings.

In order to simplify the planning process and avoid confusion for landowners, a Planning Proposal has been submitted to Council which seeks the amendment of these land zoning anomalies so that the zoning of the land accurately reflects the intended future use of the land for residential purposes.

Council officers have also identified further minor SEPP mapping anomalies, which have occurred as a result of inaccuracies in the underlying map cadastre during previous SEPP amendments. It is proposed that an additional housekeeping component be included in the Planning Proposal to resolve this issue.

## MAIN REPORT

### The Planning Proposal

The Planning Proposal seeks to amend the SEPP by:

- Rezoning surplus drainage land to allow for low density residential development;
- Redistributing the location of medium density residential forms so that they are wholly contained within residue lots;
- Amending the zoning on various parcels of land to align land use zones with approved property boundaries;
- Amending the Height of Buildings Map, Residential Density Map, and Land Acquisition Map to ensure the development controls accurately reflect the intended future use of the land and respond to the abovementioned amendments; and
- Amending a number of maps to address minor inconsistencies between property boundaries and cadastral data.

It is noted that the proposed amendments do not result in any additional dwelling density within the Precinct.

The proposed amendments are discussed below.

#### 1. Rezoning surplus drainage land

The Planning Proposal includes the rezoning of two small parcels of land currently zoned and reserved for future drainage purposes **as shown with a red outline in Figures 3 and 4 below.**



**Figure 3** : Existing drainage land – current SP2 Infrastructure zoning



**Figure 4** : Proposed R2 Low Density Residential zoning (surplus drainage land)

During the detailed design of the Precinct, it was identified that, due to the natural topography of the site, a more appropriate and functional location for the southern basin was adjacent to the riparian corridor to the east of the site. The design work also identified surplus drainage land to the north west of the Precinct.

The relocation of this drainage infrastructure has since been approved through subdivision DAs issued by Camden (DA 788/2013 and 101/2014) and Campbelltown Council (DA 249/2014) and, as a result, the land currently designated and zoned for drainage is no longer required for this purpose. It is therefore proposed to rezone this surplus drainage land to R2 Low Density Residential.

The Height of Buildings and Dwelling Density Maps will also be amended by including the controls that currently apply to the surrounding R2 Low Density Residential land which are as follows:

- maximum building height of 9m; and
- minimum dwelling density of 15 dwellings/hectare.

The Planning Proposal will also amend the Land Reservation Acquisition Map by removing these two parcels of land as they no longer need to be acquired for drainage purposes.

## 2. Redistributing the location of medium density land

The Precinct includes a portion of land zoned R3 Medium Density Residential, located adjacent to Willowdale Drive as shown with a red outline in **Figures 5 and 6** below.



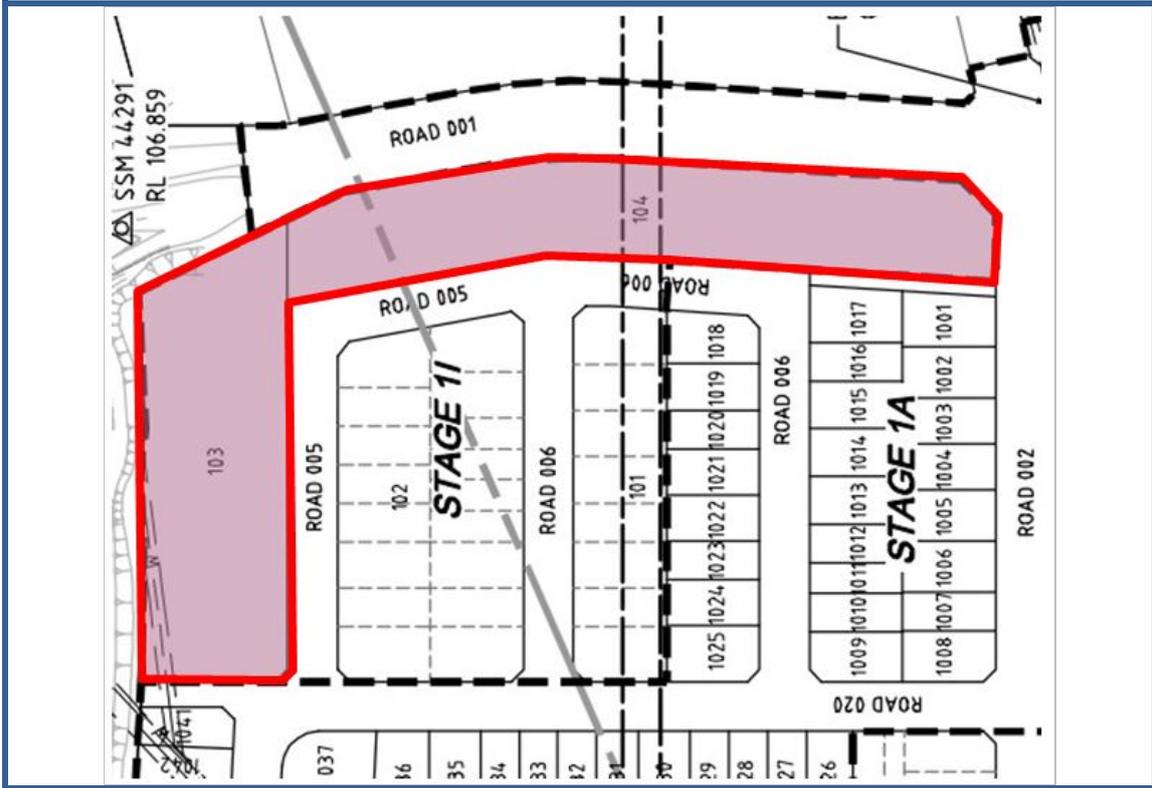
**Figure 5** Existing R3 Medium Density Residential zoned land

**Figure 6** Proposed amendment to R3 Medium Density Residential zoned land

Several lots located within this zone have been approved through earlier subdivision applications to allow for low density residential development. The Planning Proposal seeks to rezone the approved low density residential lots so that they are wholly contained within the R2 Low Density Residential zone. It is then proposed that the medium density zoning be reconfigured so that it is wholly located within the two residue lots yet to be developed. The proposed redistribution of the R3 Medium Density zone is **shown with a red outline in Figure 6**. It is noted that the proposal is consistent with the approved subdivision pattern **as shown in Figure 7**.

The redistribution of the medium density zone to these two lots is considered to provide a logical planning outcome as it reflects the approved subdivision pattern to date. The proposed location for the medium density land is contiguous and is contained by local and major roads.

The proposal does not result in any additional land being zoned for medium density development. Redistributing the R3 Medium Density zone as proposed will result in a total combined area of 13,735m<sup>2</sup> for land zoned for medium density, representing a reduction of approximately 22% in land zoned for these housing forms.



**Figure 7** Proposed amendment to R3 Medium Density Residential zoned land (shown with red outline) and approved low density subdivision pattern

### 3. Rezoning recreation land to residential

The Indicative Layout Plan (ILP) and SEPP developed at the time of rezoning identifies a future local park on land zoned RE1 Public Recreation **and shown with a red outline in Figure 8.**



**Figure 8:** Existing RE1 Public Recreation zoned land for local park (approx. 11,400m<sup>2</sup>)



**Figure 9** Proposed amendment to RE1 Public Recreation zoned land for local park (approx. 6,700m<sup>2</sup>)

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Following detailed subdivision design, the location of the local park was adjusted in order to fit with the proposed road and subdivision layout. The amended location of the local park is consistent with the East Leppington Voluntary Planning Agreement (VPA) and was approved via DA 101/2014 using the flexible zone boundary provision included under Clause 5.3 of Appendix 9 of the Growth Centres SEPP.

Clause 5.3 provides flexibility where a site is located within proximity (being 50m for the East Leppington Precinct) to a land zone boundary, and where the land uses that are permissible in that adjoining zone would result in a more logical and appropriate development for the site.

Whilst dwelling houses are a permissible land use on lots with a RE1 Public Recreation zoning under the flexible zone boundary provisions of the SEPP, the planning proposal seeks the rezoning of these lots to R2 Low Density Residential, which is consistent with the surrounding residential zoning and reflects the intended use of the land, avoiding confusion for future landowners.

The proposed amendments reduce the extent of land zoned RE1 Public Recreation in the Camden portion of the East Leppington Precinct by approximately 4,700m<sup>2</sup>. However, the total area of land zoned for open space within the Precinct as a whole has been increased. The reduction in this location was negotiated during the preparation of the VPA in exchange for the provision of an additional 8,000m<sup>2</sup> of junior playing fields to be provided in the Campbelltown portion of East Leppington. Council officers reviewed the proposed relocation during the VPA negotiations and determined this to be an improved outcome overall. The VPA containing the park (as per the proposed amendment) was endorsed by Council on 11 March 2014.

The proposed amendment to the R2 Low Density Residential and RE1 Public Recreation zones are shown in **Figure 9**.

The Height of Buildings and Dwelling Density Maps will also be amended by including the controls that currently apply to the surrounding R2 Low Density Residential land which are as follows:

- maximum building height of 9m; and
- minimum dwelling density of 15 dwellings/hectare.

The RE1 Public Recreation land is also identified for future acquisition by Council and, as such, the Land Reservation Application Map will also be amended to reflect the location of the park and remove the land acquisition requirement from the private lots.

#### **4. Minor Amendments (Housekeeping)**

Council officers have identified minor mapping anomalies along the northern and western property boundaries of the Precinct, which have occurred as a result of discrepancies with the underlying mapping cadastre in earlier mapping amendments.

The Planning Proposal will resolve these technical issues by requesting that the appropriate maps are correctly aligned to property boundaries and the current accurate mapping cadastre. The proposed housekeeping amendments are considered minor in nature and will ensure that the SEPP maps accurately reflect the intended future use of the land.

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## **Camden Growth Centres Development Control Plan**

Schedule 6 of the Camden Growth Centres Development Control Plan. (DCP) applies to the land.

The proposed amendments do not require any immediate changes to the current DCP. Whilst the proposal will alter the location of some land uses as shown on the Indicative Layout Plan (ILP) for the Precinct, it is considered that given the minor nature of the amendments and the advanced stage of development in the Precinct, amending the ILP is not necessary at this stage. It is proposed that these minor ILP changes will be included in a future review of the DCP.

Adjacent landowners will be notified of the proposed changes and will have the opportunity to comment through the public exhibition period.

### **Next Steps**

Should Council endorse the recommendation, the following steps will occur:

1. Council officers will forward the Planning Proposal to the Minister for Planning and Environment, seeking a 'Gateway Determination' and authorisation that the SEPP amendment process may proceed;
2. Upon receipt of the Gateway Determination, Council will consult with relevant public authorities and the Planning Proposal will be publicly exhibited;
3. Submissions to the Planning Proposal exhibition will be reviewed;
4. If no unresolved submissions are outstanding, the Planning Proposal will be forwarded to the DPE to be made; or
5. If unresolved submissions are outstanding, a further report will be prepared for the consideration of Council.

### **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of the Planning Proposal.

### **CONCLUSION**

The Planning Proposal seeks an amendment to the Growth Centres SEPP which applies to the East Leppington Precinct.

The proposal will ensure that the controls relating to the East Leppington Precinct accurately reflect the intended use of the land and align with the approved subdivision pattern as well as providing greater certainty for landowners. The proposed amendments are considered to be minor and result in no overall increase in residential density in the Precinct.

### **RECOMMENDED**

**That Council:**

- i. **endorse the Planning Proposal to amend Appendix 9 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006;**
- ii. **forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination;**

- iii. following receipt of a Gateway approval, exhibit the Planning Proposal for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 and Regulations*;
- iv. at the conclusion of the public exhibition period:
  - a. if there are no unresolved submissions, forward the Planning Proposal to the Department of Planning and Environment to be made; or
  - b. if unresolved submissions are received, require that a report be brought back to Council that outlines the results of the exhibition period.

#### ATTACHMENTS

- 1. East Leppington Planning Proposal Willowdale Precinct