



IRF25/1340

## Plan finalisation report – PP-2021-3012

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Pondicherry Precinct planning proposal

June 2025



Published by NSW Department of Planning, Housing and Infrastructure

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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# 1 Introduction

## 1.1 Overview

### 1.1.1 Name of draft LEP

Camden Local Environmental Plan Amendment (Pondicherry Precinct) 2025.

The planning proposal (**Attachment A**) seeks the rezoning of the Pondicherry Precinct from RU1 Primary Production under the Camden Local Environmental Plan 2010 to R2 Low Density Residential, R3 Medium Density Residential, B1 Neighbourhood Centre, RE1 Public Recreation, SP2 Infrastructure and C3 Environmental Conservation under the *State Environmental Planning Policy (Precincts – Western Parkland City SEPP) 2021* that will facilitate the delivery of approximately 2,530 to 2,850 dwellings, riparian corridors and associated facilities.

### 1.1.2 Site description

**Table 1 Site description**

|                  |                                                                                                                                                                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Description | The planning proposal ( <b>Attachment A</b> ) applies to land at Lot B DP420694, Lot 8001 DP1257213, Lot 911 DP1257260, Lot 901, 902 DP1258129, Lot 9091, 9093, 9096, 9097 DP1267156, Lot 9098, 9099 DP1274778 and Lot 53 DP1259061, Oran Park. |
| Type             | Area                                                                                                                                                                                                                                            |
| Council / LGA    | Camden                                                                                                                                                                                                                                          |
| LGA              | Camden                                                                                                                                                                                                                                          |

The planning proposal is precinct wide (approximately 242ha). The subject land comprises the Pondicherry Precinct, Tranche 41 and a small section of the northern edge of the Oran Park Precinct (illustrated in Figure 1).

The Pondicherry Precinct is located within the central-west portion of the SWGA, bound by The Northern Road to the west, South Creek West (Sub-Precinct 4) to the north, Catherine Fields Precinct to the east and the developing Oran Park Precinct to the south (Figure 2).

It is made up of the following addresses: 600J, 630 - 650, 650A, 680, 682, 730, 772 and 820 The Northern Road, Oran Park, 15 Grassbird Avenue, Oran Park and B Dick Johnson Drive Oran Park (Figure 3). The subject site is legally described as Lot B DP420694, Lot 8001 DP1257213, Lot 911 DP1257260, Lot 901, 902 DP1258129, Lot 9091, 9093, 9096, 9097 DP1267156, Lot 9098, 9099 DP1274778 and Lot 53 DP1259061.

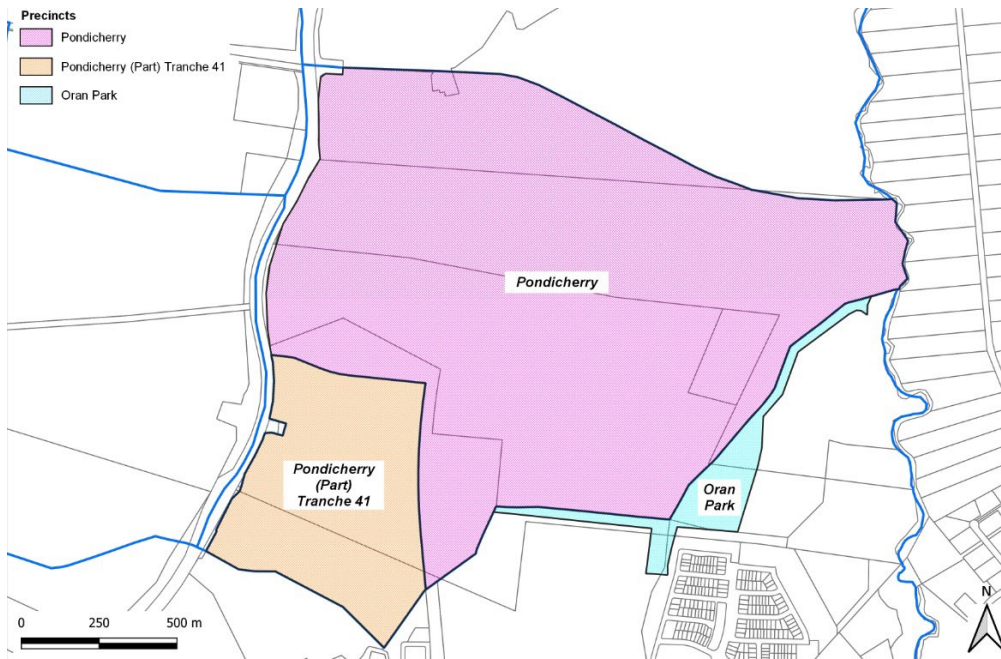


Figure 1 Components of the subject site (source: Camden Council)

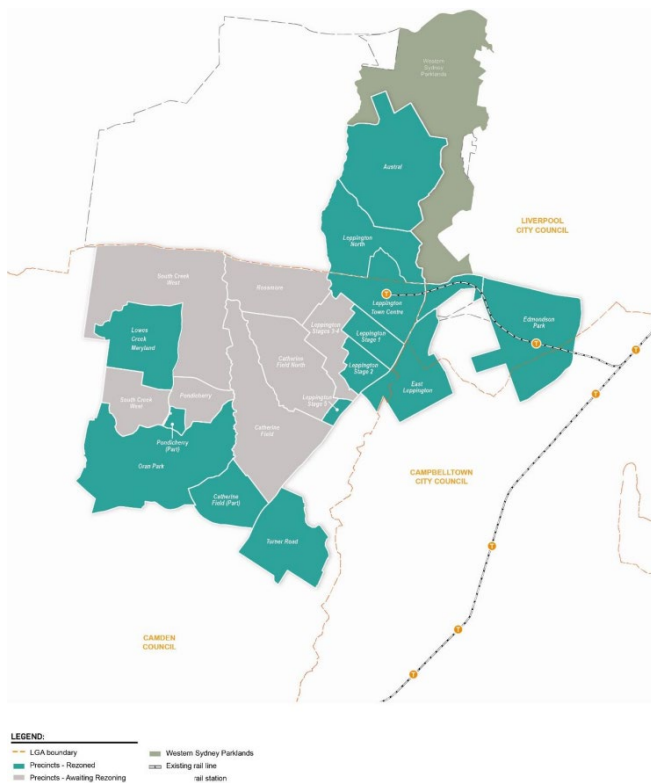


Figure 2 Site context within the SWGA (source: A Guide to the South West Growth Area and updated Structure Plan (nsw.gov.au))



**Figure 3 Subject site aerial view (source: PP-2021-3012)**

### 1.1.3 Purpose of plan

The table below outlines the current and proposed controls for the LEP.

**Table 2 Current and proposed controls**

| Control | Current                | Proposed                                                                                                                                                                                                                                                                                     |
|---------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zone    | RU1 Primary Production | R2 Low Density Residential<br>R3 Medium Density Residential<br>R1 General Residential (Oran Park only)<br>B1 Neighbourhood Centre<br>SP2 Infrastructure<br>SP2 Drainage (indicated as 'Infrastructure' on page 15 of the proposal)<br>C2 Environmental Conservation<br>RE1 Public Recreation |

| Control                        | Current | Proposed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maximum height of the building | 9.5m    | 9.5m<br>12m<br>16m (Residential Flat Buildings only for land designated with “O” in the legend)<br>24m                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Floor space ratio              | N/A     | No floor space ratio is proposed, with appropriate provisions and controls provided through height and density standards, with additional Development Control Plan (DCP) controls to ensure the appropriate massing of development is achieved.                                                                                                                                                                                                                                                                                          |
| Minimum lot size               | 40ha    | <p>No minimum lot size is proposed with appropriate provisions provided in the Precincts – Western Parkland City SEPP being linked to the respective density bands and dwelling types.</p> <p>The Oran Park Precinct, however, will continue to prescribe a 125m<sup>2</sup> minimum lot size for all residential zoned land, with the development standards found in Appendix 1 Oran Park and Turner Road Precinct Plan and Part 4, Clause 4.1 (through to 4.1AH) Minimum Subdivision Lot Size unaltered by this planning proposal.</p> |
| Residential density            | N/A     | 10-20dwg/ha (Low Density Residential)<br>25-35dwg/ha (Medium Density Residential)<br>35-60dwg/ha (Medium Density Residential)<br>10-20dwg/ha – Tranche 41 component                                                                                                                                                                                                                                                                                                                                                                      |

| Control             | Current | Proposed                                                                                                                                                            |
|---------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Number of dwellings | N/A     | 10-20dwg/ha (Low Density Residential)<br>25-35dwg/ha (Medium Density Residential)<br>35-60dwg/ha (Medium Density Residential)<br>10-20dwg/ha – Tranche 41 component |

#### 1.1.4 State electorate and local member

The site falls within the Badgerys Creek state electorate. Tanya Davies MP is the State Member.

The site falls within the Hume federal electorate. Angus Taylor MP is the Federal Member.

To the team's knowledge, neither MP has made any written representations regarding the proposal.

There are no donations or gifts to disclose, and a political donation disclosure is not required.

There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 2 Gateway determination and alterations

The Gateway determination issued on 24/07/2023 (**Attachment B**) determined that the proposal should proceed subject to conditions. Council has met all the Gateway determination conditions (refer to **Attachment E2**, Appendix 9 of that attachment).

The Gateway determination was altered on 25/03/2024 to extend the timeframe for completing the plan. Subsequently, the determination was altered on 2 April 2025, following a second extension of time request.

In accordance with the Gateway determination (as altered), the proposal was to be finalised on 28/04/2025. Council submitted the proposal for finalisation, which was lodged on 18/12/2024.

## 3 Public exhibition and post-exhibition changes

In accordance with the Gateway determination, the proposal was publicly exhibited by Council from 12/04/2024 to 6/05/2024, as required by section 29 of the *Local Government Act 1993*.

A total of 29 submissions were received. Of these, fourteen (14) submissions were made by community members (1 was withdrawn) and fifteen (15) were provided from State government and public agencies.

Council has indicated, of the submissions received from community members, three supported the proposal, four objected, six provided information or suggested amendments for consideration and one was withdrawn. The submissions from State government and public agencies expressed a range of comments or made a number of recommendations. Refer to section 3.2 for a more detailed discussion.

### 3.1 Submissions during exhibition

There were 29 submissions received from individuals and organisations including fourteen (14) submissions from individuals (1 was withdrawn) and fifteen (15) from state government and public agencies.

Of the individual submissions, four objected to the proposal; three supported the proposal, and six were unclear on their position; with one individual submission being withdrawn.

Table 3 Summary of Key Issues

| Issue raised  | Submissions received | Council response and Department assessment of adequacy of response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Odour impacts | Individual;<br>EPA   | <p>The Planning Proposal package submitted to Council included an odour impact assessment and proposed DCP controls relating to odour.</p> <p>During the public exhibition, Council received a submission raising odour impacts associated with an existing resource recovery facility operating in the area. The submission included an odour impact assessment which found there is the potential for odour impacts on the proposed residential land within the precinct. In response, the proponent prepared an updated odour impact assessment, adopting the odour sampling from the submitter's report, demonstrating different odour impacts.</p> <p>In its submission, the NSW EPA also raised the need for Council to consider odour arising from existing land uses, and for odour assessments to be consistent with the EPA's policy framework for managing odour.</p> <p><b>Council Response:</b></p> <p>In response, Council officers engaged an odour consultant to provide an independent peer review of the odour impacts assessments.</p> <p>After considering the findings of the odour impact assessments, the independent peer review, and following discussions with NSW EPA officers, it was recommended that the DCP controls relating to odour be amended and strengthened.</p> <p>Council has endorsed amendment of the DCP to include controls that require any development application for residential subdivision in the Pondicherry precinct to be accompanied by a level 3 Odour Impact Assessment to verify the actual nuisance levels of odour generated by existing facilities. A level 3 odour assessment uses site-specific input data (as opposed to generic parameters (level 1) or worst-case input data (level 2)) and is the most comprehensive and realistic level of assessment.</p> <p>In summary, the DCP controls mean that residential subdivision cannot be approved unless the DA can demonstrate compliance with the EPA odour criteria of 2 odour units, or the odour emitting business has modified or ceased its operations.</p> <p><b>Department Response:</b></p> <p>The Department considers that council has adequately addressed this matter.</p> |

| Issue raised                                          | Submissions received                                                                          | Council response and Department assessment of adequacy of response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pondicherry Lake, Riparian Corridors and Biodiversity | NSW DCCEEW (Water and Licensing); DCCEEW (Biodiversity, Conservation and Science (BCS) Group) | <p>During public exhibition, Council received submissions from DCCEEW (Water and Licensing) (previously known as the Natural Resources Access Regulator (NRAR)) and DCCEEW (Biodiversity, Conservation and Science (BCS) Group).</p> <p>DCCEEW (Water and Licensing) raised issues regarding the proposed mapping consistency with guidelines, riparian connectivity around the lake, and zoning of the watercourse and lake for environmental conservation.</p> <p>DCCEEW (Biodiversity, Conservation and Science (BCS) Group) made recommendations in relation to biodiversity including that reporting be updated, additional information provided and to explore adjustments to the ILP to retain additional high conservation value vegetation within the proposed parks in the certified area.</p> <p><b>Council Response:</b></p> <p>In response, the proposal was amended - with the proposed SP2 Infrastructure Zone for the lake system being replaced with a C2 Environmental Conservation Zone, to reflect the Controlled Activities Guidelines for Riparian Corridors on Waterfront Land.</p> <p>To address riparian connectivity, Council has adopted additional controls in the DCP. The controls require further detail demonstrating riparian style embellishment around the lake to be submitted at the development application stage through a Pondicherry Lake Design Strategy and Vegetation Management Plan, alongside detailed landscaped plans. The objective of the controls is to achieve a development outcome which balances the stormwater, open space and biodiversity/riparian functions of the lake system.</p> <p><b>Department Response:</b></p> <p>The Department considers that council has adequately addressed this matter.</p> |

| Issue raised            | Submissions received | Council response and Department assessment of adequacy of response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Flooding and Evacuation | NSW SES              | <p>The NSW State Emergency Service (SES) provided a submission and made recommendations regarding location of proposed land uses, consideration of signage for managing risks related to flooding during a PMF event and seeking advice from DCCEEWW.</p> <p><b>Council Response:</b></p> <p>Council officers confirmed that DCCEEWW were consulted on the proposal during public exhibition and DCCEEWW BCS provided a submission noting that the flood assessment is fit for purpose for the planning proposal stage.</p> <p>Similarly, A detailed review of water quantity and water quality impacts have been undertaken against Council's Upper South Creek Regional Flood Modelling framework. It was found the flood impact assessment and modelling submitted with the planning proposal is sufficient for the planning proposal stage. Further information and assessment regarding the exact location of buildings and managing the risks to visitors will be required with future development applications.</p> <p><b>Department Response:</b></p> <p>The Department considers that council has adequately addressed this matter.</p> |

| Issue raised | Submissions received | Council response and Department assessment of adequacy of response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Schools      | Individual;<br>SINSW | <p>Community submissions raised concerns regarding the capacity of existing schools in the area to accommodate growth and the provision of schools within the Pondicherry Precinct.</p> <p>A submission was received from the NSW Department of Education – Schools Infrastructure (SINSW) which:</p> <ul style="list-style-type: none"> <li>• confirmed the precinct generates demand for one primary school;</li> <li>• confirmed SINSW will continue to investigate future opportunities within the area to accommodate growth to cater for secondary school demands, noting in the short term, the demand for secondary schools can be accommodated in existing secondary school sites;</li> <li>• requested amendments to the social infrastructure assessment report;</li> <li>• outlined that the proposed school site is consistent with its School Site Development and Selection Guidelines 2023; and</li> <li>• provided written confirmation to accept the role of acquisition authority for the proposed public primary school site.</li> </ul> <p><b>Council Response:</b></p> <p>In response to community and State agency submissions, additional information was provided by the proponent, including an updated demand assessment. The assessment concluded that the current proposal, which includes both a public primary school and K- 12 private school, is aligned with projected educational needs. Based on this, the provision of one (1) public primary school satisfies the SINSW's guidelines.</p> <p>Council will continue to advocate to the State Government for the early delivery of schools and a review of the minimum site area requirements for schools in growth areas.</p> <p><b>Department Response:</b></p> <p>The Department considers that council has adequately addressed this matter.</p> |

| Issue raised | Submissions received | Council response and Department assessment of adequacy of response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Heritage     | Heritage NSW (HNSW)  | <p>A submission was made by HNSW during the public exhibition. Regarding European Heritage, HNSW raised the proximity of Pondicherry to the State heritage listed 'Maryland' precinct and the potential impacts on settings and views. HNSW recommended measures be considered to minimise impacts. HNSW also requested the technical reports be updated.</p> <p>In regard to Aboriginal Heritage, HNSW requested the Aboriginal Heritage Information Management System (AHIMS) search and reporting be updated.</p> <p><b>Council Response:</b></p> <p>'Maryland' is located within the Lowes Creek Maryland Precinct, which has been rezoned for urban development. The Heritage Assessment undertaken for the Lowes Creek Maryland Precinct identified key view lines including those to the Birling 1812 and 1937 homesteads and key features of the Maryland heritage cluster. These key view lines were protected through the design of the Lowes Creek Maryland Indicative Layout Plan.</p> <p>Consequently, council officers noted in the report to Council that the development of Pondicherry will have minimal additional impact on the setting and views of Maryland.</p> <p>In response to the HNSW submission the proponent provided additional information. Further, additional controls have been included in section 2.8 Aboriginal Cultural Heritage of the DCP.</p> <p><b>Department Response:</b></p> <p>The Department considers that council has adequately addressed this matter.</p> |

### 3.1.1 Other issues raised

Other matters raised by submissions included:

- infrastructure servicing;
- provision of community health services;
- inadequate social services;
- asset protection zones (bushfire management); and
- provision of open space and native vegetation planting.

Generally, these matters concern local and development issues and have been considered and adequately addressed by Council (refer to Attachment 7 of **Attachment E2**).

## 3.2 Advice from agencies

In accordance with the Gateway determination, Council was required to consult with the agencies identified in Table 4 (following).

**Table 4 Advice from public authorities**

| Agency           | Advice raised                                                                                                                                                                                                                                                                                                                                                                  | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Endeavour Energy | Provided previous comments in May 2021 indicating there are no further concerns from Endeavour's Planning team.                                                                                                                                                                                                                                                                | Council noted the submission.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Sydney Water     | <p>If the proposed is anticipated to generate trade wastewater, the developer must submit an application requesting permission to discharge trade wastewater to Sydney Water's wastewater system. Applicant must wait for approval and issue of a permit before any business activities can commence.</p> <p>Requested additional information be provided by the proponent</p> | <p>Council confirmed that the proponent has identified that trade waste may be generated in association with the proposed neighbourhood centre and stated that the proponent will be required to submit trade waste applications with Sydney Water when connections are required at the development application stage.</p> <p>Council stated that proponent will be required to provide the additional information to Sydney Water directly.</p> |

| Agency                                                                                        | Advice raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>State Emergency Services (SES)</p>                                                         | <p>SES recommended that advice is sought from DCCEEW regarding the impact of the proposed development on flood behaviour and adjacent areas.</p> <p>A number of other recommendations related to risk assessment processes and consideration of risks related to flooding to ensure the safety of residents and site visitors. Further, users of the proposed parks, active open space and environmental conservation areas should be considered in flooding events.</p> <p>Any proposed Emergency Management Strategy for an area should be compatible with the evacuation strategies identified in the relevant local or State flood plan or by the NSW SES</p> <p>Decisions relating to future development should be risk-based and ensure emergency management risks to the community - of the full range of floods - are effectively understood and managed.</p> <p>Further, risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood</p> | <p>Council confirmed that the planning proposal and Flooding and Watercycle Management Report (and associated flood modelling) has been reviewed against the requirements of Council's Upper South Creek Regional Flood Modelling framework. The report and modelling was also peer reviewed by an independent consultant.</p> <p>The report and modelling is considered to meet the requirements of the conditions outlined in the conditional gateway determination issued for the planning proposal and it has been demonstrated that the site can be developed to ensure no adverse downstream impacts.</p> <p>The DCCEEW Licensing &amp; Approvals and Biodiversity Conservation Science Group have been consulted throughout the planning proposal and during the public exhibition period.</p> <p>Council noted that some recommendations set out within the submission are matters for the development application stage.</p> |
| <p>Department of Climate Change, Energy, the Environment and Water (DCCEEW (Heritage NSW)</p> | <p>Raised concerns about the proximity of the proposed development to, and impacts on, the SHR item "Maryland". Also recommended that supporting reporting is updated.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Council confirmed updated reporting (planning proposal and AHIMS report) have been updated in response to the agency submission.</p> <p>Council noted that some recommendations set out within the submission are matters for future stages i.e. development application stage.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Agency                                | Advice raised                                                                                                                                                                                                                                                                                                                                                                                                                                  | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental Protection Agency (EPA) | <p>Raised concerns regarding:</p> <ul style="list-style-type: none"> <li>the odour assessment supporting the planning proposal including that it is inconsistent with the EPA's policy framework for managing odour in NSW, and</li> <li>the need for Council to consider odour arising from existing land uses.</li> </ul> <p>The EPA also raised concerns about sewage treatment and water quality treatment servicing for the precinct.</p> | <p>Council officers engaged an odour consultant to provide an independent peer review of the odour impacts assessments received from the proponent and via a submission to the exhibition.</p> <p>Council has inserted additional controls related to odour into the draft DCP amendment (proposed Pondicherry DCP provisions) to ensure future development is not impacted by odour from neighbouring odour emitting operations.</p> <p>Council noted that the proponent has been liaising with Sydney Water regarding servicing of the precinct.</p> |

| Agency                           | Advice raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DCCEEW (Licensing and Approvals) | <p>DCCEEW (Licensing and Approvals) - previously known as Natural Resources Access Regulator (NRAR).</p> <p>DCCEEW (Licensing and Approvals) raised concerns regarding South Creek categorisation and zoning of riparian corridors, online dams, deviation from guideline riparian corridor and instream works requirements, asset protection zones and DA referral requirements.</p> <p>In addition, DCCEEW (Licensing and Approvals) indicated that water supply for the life of the project is to be confirmed with Sydney Water.</p> | <p>Council noted that appropriate justification has been provided regarding open space requirements, connectivity, drainage and riparian functions of the lake, and that the proposed Pondicherry DCP schedule has been amended to incorporate provisions requiring riparian style embellishment along the lakes edge to extend riparian and biodiversity connectivity from Tranche 41 to South Creek.</p> <p>Further, Council contends that the proposed lake will provide a superior urban design outcome which will contribute to biodiversity and urban cooling outcomes for the precinct while appropriately managing stormwater at a regional scale.</p> <p>In response to concerns regarding zoning of riparian corridors, the proposed zoning of the lake has been amended to C2 Environmental Conservation.</p> <p>Council also noted that some recommendations set out within the submission are matters for the development application stage. Council will comply with notification procedures.</p> |

| Agency                                                           | Advice raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>DCCEEW<br/>(Biodiversity, Conservation and Science Group)</p> | <p>DCCEEW (Biodiversity, Conservation and Science (BCS) Group) made the following recommendations regarding biodiversity:</p> <ul style="list-style-type: none"> <li>the Biodiversity Assessment and Biodiversity Consistency Report should be updated to be consistent with the Planning Proposal;</li> <li>additional information be provided to demonstrate consistency with the certification order; and</li> <li>opportunities to retain Additional High Conservation Value Vegetation (AHCVV) within the proposed parks located in the certified area be explored through adjustments to the ILP.</li> </ul> <p>Further, DCCEEW:</p> <ul style="list-style-type: none"> <li>Supports rezoning riparian corridors as C2 Environmental Conservation; and</li> <li>raised issues regarding proposed changes to non-certified land in the Oran Park precinct.</li> </ul> | <p>Council confirmed that additional information has been provided and/or confirmed that the information provided with the planning proposal addresses matters raised in BCS submission.</p> <p>The proposed changes to biodiversity certification have been assessed in the Biodiversity Certification report</p> <p>The proposed zoning of creek corridors has been amended to a C2 Environmental Conservation Zone.</p> <p>Council confirmed that the proposed lake within the Pondicherry precinct means there is no longer a requirement for the existing mapped riparian corridors along the boundary of Pondicherry and Oran Park. However, additional DCP controls within the Pondicherry DCP schedule are proposed to ensure biodiversity and riparian connectivity across the lake and creek system to South Creek is provided around the lakes edge.</p> |
| <p>Transport for NSW<br/>(TfNSW)</p>                             | <p>TfNSW recommends that the proponent continue liaising with TfNSW before proceeding with road and lot design in the vicinity of future crossings.</p> <p>In addition, TfNSW made comments regarding land acquisition requirements, and is supportive of active transport measures in the DCP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>Council officers note and support continued collaboration and liaison between the proponent and TfNSW.</p> <p>Council noted that some of the comments and recommendations within the submission are matters for the development application and acquisition stages.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| Agency                                                            | Advice raised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Council response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NSW Health – South West Sydney Local Health District (NSW Health) | <p>NSW Health are generally supportive of the proposal.</p> <p>Recommendations in the submission included that the plan includes provision for local community health services and that Council incorporate principles from the position paper ‘Healthy Urban Planning &amp; Placemaking in SWSLHD’.</p>                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Council noted that the range of permissible uses, subject to consent, in the B1 and R2 zones will allow for local community health services to be provided in the Precinct.</p> <p>In addition, Council officers have considered the position paper and considers the proposal is consistent with the principles outlined in the paper.</p>                                                                                                                                                                                                                                                                                                                                                                              |
| Rural Fire Service (RFS)                                          | <p>RFS noted that the bushfire assessment provided in the Eco-Logical Bushfire Strategic Study (22 March 2021, Project No. 20SUT-16595) is generally considered to be appropriate.</p> <p>RFS also provided a number of recommendations related to Asset Protection Zones (APZ).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Council noted that the recommendations related to APZ, which will be considered in detail at the development application stage.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Department of Education (DoE) – Schools Infrastructure (SINSW)    | <p>SINSW confirmed the proposal generates demand for one (1) public primary school within the Precinct and confirmed in writing acceptance of the role of acquisition authority for this school site.</p> <p>SINSW outlined that the proposed school site is consistent with its School Site Development and Selection Guidelines 2023.</p> <p>SINSW will continue to investigate future opportunities within the area to accommodate growth in secondary school demand and requested amendments to the social infrastructure assessment report to update the population data to reflect 2021 census data.</p> <p>Requested that all consultant reports utilise the most recent version of the draft Layout Plan for the Precinct.</p> | <p>Council noted that a primary school site is nominated with appropriate zoning and is to be mapped for acquisition by Department of Education.</p> <p>Council officers support further conversation between the proponent and DoE to identify sites to cater for secondary school demand in the longer term.</p> <p>In response to community and agency submissions received regarding school provision and demand, additional information was provided. This included an updated demand assessment which considered school provision against up to date 2021 census population data.</p> <p>Council confirmed that the draft Indicative Layout Plan (ILP) has been appropriately revised as the proposal progressed.</p> |

| Agency              | Advice raised                                                                                                                                                                                                                                                                                                                                             | Council response                                                                                                                                                                                                 |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transgrid           | <p>All works near/within the electricity easement need to be carried out in accordance with Transgrid Easement Guidelines,</p> <p>Regarding the future proposed railway line, detailed plans are required for a final review to be undertaken by Transgrid for all works proposed either in the Easement and/or immediately adjacent.</p>                 | <p>Council note that the planning proposal does not approve works in the easement or adjoining land.</p> <p>Detailed plans will be required with future DAs, which will include consultation with Transgrid.</p> |
| NSW Ambulance       | NSW Ambulance note that planning is underway for a new ambulance station in the Narellan/Oran Park area that will be resourced to meet projected demand across the response network - including that associated with the Pondicherry Precinct. Further, the NSW Ambulance Service Planning will continue to monitor demand for changes in community need. | Council noted the submission                                                                                                                                                                                     |
| Fire and Rescue NSW | Existing fire station operational in Dick Johnson Drive / Southwell Road, Oran Park, will service the Pondicherry area. Fire and Rescue NSW does not anticipate a significant impact on the service demands / assessment needed for Pondicherry.                                                                                                          | Council noted the submission.                                                                                                                                                                                    |
| Jemena              | No objection raised.                                                                                                                                                                                                                                                                                                                                      | Council noted the submission.                                                                                                                                                                                    |

The Department considers Council has adequately addressed matters raised in submissions from public authorities.

## 3.3 Post-exhibition changes

### 3.3.1 Council resolved changes

At Council's Ordinary Meeting on 10/12/2024, Council resolved (**Attachment D**) to proceed with the planning proposal with the following post-exhibition changes:

- Amend the proposed zoning of the lake system from SP2 Infrastructure to C2 Environmental Conservation and make the subsequent mapping amendment.
- Insert additional controls into the following sections of the draft Pondicherry DCP:
  - 2.8 Aboriginal Cultural Heritage
  - 2.9 Odour; and
  - 2.10 Biodiversity and Riparian Corridors.

The Council report (**Attachment E**) states that these changes are consistent with the intent of the exhibited proposal and the DCP amendment and do not require re-exhibition.

Amendment of the zone was undertaken in consultation with the proponent and it is agreed with council that re-exhibition is not necessary.

### 3.3.2 The Department's recommended changes

#### Proposed amendments to Clause 5.3 Development near zone boundaries

Council's adopted planning proposal seeks to amend clause 5.3 *Development near zone boundaries* in Appendix 5 Camden Growth Centres Precinct Plan, to provide development flexibility within 50 metres of a zone boundary. This amendment was intended to address a concern that the application of mapped density bands does not provide adequate flexibility to accommodate adjustment with the final location of proposed development, following detailed design.

In view of legal drafting difficulties to address all possible scenarios, the Department considers that this intent would be more appropriately achieved on a case-by-case basis at the subdivision and/or detailed design stage, through the application of Clause 4.6 *Exceptions to development standards*, rather than a development near zone boundaries provision.

Accordingly, the Department recommends not proceeding with the proposed amendments to Clause 5.3 *Development near zone boundaries* in Appendix 5 Camden Growth Centres Precinct Plan.

#### Environment zone references in Appendix 2 Oran Park and Turner Road Precinct Plan and Appendix 5 Camden Growth Centres Precinct Plan

Council's adopted planning proposal seeks to apply the currently entitled C2 Environmental Conservation Zone, while the Western Parkland City SEPP refers to the former zone title of E2 Environmental Conservation. This is supported and to ensure clarity, it is recommended that the LEP amends Appendix 2 Oran Park and Turner Road Precinct Plan and Appendix 5 Camden Growth Centres Precinct Plan of the SEPP accordingly.

The proposed amendment will align the written instrument with relevant supporting mapping subject to the proposal.

### 3.3.3 Justification for post-exhibition changes

The Department notes that these post-exhibition changes are justified and do not require re-exhibition. It is considered that the post-exhibition changes:

- are a reasonable response to comments provided by the public authorities;
- ensure that the matters related to Aboriginal Cultural Heritage, odour and biodiversity and riparian corridors are further addressed at the development stage, and
- do not alter the intent of the planning proposal being minor amendments not necessitating further exhibition.

## 4 Department's assessment

The proposal has been subject to detailed review and assessment through the Department's Gateway determination (**Attachment B**) and subsequent planning proposal processes. It has also been subject to a high level of public consultation and engagement.

The following reassesses the proposal against relevant Section 9.1 Directions, SEPPs, Regional and District Plans and Council's Local Strategic Planning Statement. It also reassesses any potential key impacts associated with the proposal (as modified).

As outlined in the Gateway determination report (**Attachment C**), the planning proposal submitted to the Department for finalisation:

- Remains consistent with the regional and district plans relating to the site.
- Remains consistent with the Council's Local Strategic Planning Statement.

- Remains consistent with Section 9.1 Directions 1.3 Approval and referral Requirements, 1.4 Site Specific Provisions, 3.2 Heritage Conservation, 4.4 Remediation of Contaminated Land, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones, 7.1 Business and Industrial Zones (now Employment Zones); and justifiably inconsistent with section 9.1 Directions: 4.3 Planning for Bushfire Protection and 9.1 Rural Zones, which are justified on the basis of minor significance
  - At the time of Gateway determination, the Minister's delegate noted that consistency with section 9.1 Directions 3.1 Conservation Zones; 4.1 Flooding and 5.2 Reserving Land for Public Purposes, was unresolved subject to further consideration. The resolution of these directions is discussed in the next section.
- Remains consistent with all relevant SEPPs.

The following tables identify whether the proposal is consistent with the assessment undertaken at the Gateway determination stage.

**Table 5 Summary of strategic assessment**

|                                               | Consistent with Gateway determination report Assessment |                                                              |
|-----------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------|
| Regional Plan                                 | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1            |
| District Plan                                 | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1            |
| Local Strategic Planning Statement            | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1            |
| Local Planning Panel (LPP) recommendation     | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1            |
| Section 9.1 Ministerial Directions            | <input type="checkbox"/> Yes                            | <input checked="" type="checkbox"/> No, refer to section 4.1 |
| State Environmental Planning Policies (SEPPs) | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1            |

**Table 6 Summary of site-specific assessment**

| Site-specific assessment    | Consistent with Gateway determination report Assessment |                                                   |
|-----------------------------|---------------------------------------------------------|---------------------------------------------------|
| Social and economic impacts | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1 |
| Environmental impacts       | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1 |
| Infrastructure              | <input checked="" type="checkbox"/> Yes                 | <input type="checkbox"/> No, refer to section 4.1 |

## 4.1 Detailed assessment

The following section provides details of the Department's assessment of key matters and any recommended revisions to the planning proposal to make it suitable.

According to the Gateway determination report, the consistency with three Section 9.1 Directions remained unresolved, until further justification had been provided.

This section evaluates these unresolved matters.

#### 4.1.1 Section 9.1 Ministerial Directions

As part of the Gateway determination, the Minister's delegate noted that consistency with the following Section 9.1 Directions remained unresolved, until further advice had been provided and/or consultation carried out:

- 3.1 Conservation Zone
- 4.1 Flooding
- 5.2 Reserving Land for Public Purposes.

Each Direction above is discussed in further detail below.

##### Direction 3.1 Conservation Zone

The objective of this Direction is to protect and conserve environmentally sensitive areas.

The Gateway determination assessment noted that while the proposal is supported by appropriate biodiversity assessment and seeks to take appropriate action to preserve the riparian corridors, the proposed reduction in C2 zoned land may be inconsistent with the Direction.

Consequently, to satisfy the Direction, consultation was required with the NSW Environment and Heritage Group (EHG). It is noted that EHG was transferred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) in 2024.

DCCEEW (Water and Licensing) (previously known as the Natural Resources Access Regulator (NRAR)) and DCCEEW (Biodiversity, Conservation and Science (BCS) Group) were consulted in accordance with the Gateway determination and provided advice on the planning proposal by way of submissions during the public consultation period. Refer to Sections 3.1 and 3.2 for further detail.

The Department considers that the proposal is not inconsistent with the direction.

##### Direction 4.1 Flooding

The objectives of this Direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and ensure that the provisions of an LEP - that apply to flood prone land - are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.

The Gateway determination required amendment of the Flooding and Water Cycle Management Study prior to exhibition including consideration of Direction 4.1 Flooding, and consultation with the NSW EHG during the exhibition period. It is noted that EHG was transferred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) in 2024.

The DCCEEW (Biodiversity, Conservation and Science (BCS) Group) were consulted on the proposal during public exhibition. The DCCEEW BCS noted in its submission that the flood assessment is fit for purpose for the planning proposal stage.

The Department notes that the NSW State Emergency Service (SES) also provided a submission during public exhibition and made recommendations including to seek advice from DCCEEW.

Refer to Sections 3.1 and 3.2 for further detail.

The Department considers that the proposal is not inconsistent with the direction.

## Direction 5.2 Reserving Land for Public Purposes

The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

The proposed Land Reservation Acquisition (LRA) Map identifies a school site (proposed zone of SP2 *Educational Establishment*) in the eastern portion of Pondicherry, with SINSW as the acquisition authority. The Direction specifies that a planning proposal must not create zonings or reservations of land for public purposes without the approval of the relevant public authority.

The Gateway determination required approval of SINSW is to be provided to undertake the acquisition role for the school site. The Department of Education – School Infrastructure NSW (SINSW) provided council with written approval that the authority agrees to be the acquisition authority for the proposed public school site.

The Gateway determination also required that satisfactory arrangements are in place concerning the ownership of the lake within the Precinct (identified as SP2 *Drainage* in the proposed zoning map at the time of Gateway determination) as the Direction specifies that a planning proposal must not create zonings or reservations of land for public purposes without the approval of the relevant public authority.

In response to DCCEEW (Licensing and Approvals), the proposed zoning of the lake has been amended from SP2 Drainage to C2 Environmental Conservation and an acquisition authority is now not required. The lake and its surrounding open space network are funded and will be delivered by a Voluntary Planning Agreement (VPA) which was endorsed by Council on 11 June 2024.

The Department considers that the proposal is not inconsistent with the direction.

## 5 Post-assessment consultation

The Department consulted with the following stakeholders after the assessment.

**Table 7 Consultation following the Department's assessment**

| Stakeholder                       | Consultation                                                                                                                                                                                                                                                                                            | The Department is satisfied with the draft LEP                                                |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Mapping                           | Maps have been prepared by the Department's ePlanning team and meet the technical requirements.                                                                                                                                                                                                         | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No, see below for details |
| Council                           | Council was consulted on the terms of the draft instrument under clause 3.36(1) of the <i>Environmental Planning and Assessment Act 1979</i> ( <b>Attachment F</b> )<br><br>Council confirmed on 24/06/2025 that it supported the draft plan being made, with comments (refer to <b>Attachment G</b> ). | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No, see below for details |
| Parliamentary Counsel Certificate | On 20/06/2025, Parliamentary Counsel provided the Certificate that the draft LEP could legally be made. This Certificate is provided at <b>Attachment PC</b> .                                                                                                                                          | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No, see below for details |

## 6 Recommendation

It is recommended that the Minister's delegate as the local plan-making authority determine to make the draft LEP under clause 3.36(2)(a) of the Act because:

- The draft LEP has strategic merit being consistent with the Western City District Plan.
- It is consistent with the Gateway Determination.
- Issues raised during consultation have been addressed, and there are no outstanding agency objections to the proposal.



Terry Doran  
Manager, Local Planning and Council Support  
24/6/25



Tina Chappell  
Director, Local Planning and Council Support

Noted:

Daniel Thompson  
A/Executive Director, Local Planning and Council Support

Assessment officer

Lara Levy  
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## Attachments

| Attachment | Document                                          |
|------------|---------------------------------------------------|
| A          | Planning Proposal, November 2024                  |
| B          | Gateway Determination, 24 July 2023               |
| C          | Gateway Determination Report                      |
| D          | Minutes of Ordinary Meeting 10 December 2024      |
| E          | Ordinary-Council-Meeting-Agenda 10 December 2024  |
| F          | Council consultation on terms of draft instrument |
| G          | Council response to draft LEP - consultation      |
| PC         | Parliamentary Counsel Certificate 20 June 2025    |