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# Camden Council Planning Proposal

229 Macquarie Grove Road Cobbitty

(Mater Dei/ Wivenhoe)

Version 4

November 2022

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## Document Register

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4	November 2022	Planning Proposal prepared for Gateway Determination by Camden Council	22/538945

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## Executive Summary

The subject site for this Planning Proposal (the Proposal) is land located at 229 Macquarie Grove Road (Part Lot 100 DP 1230568), Cobbitty, as shown in **Figure 1**.

The site is approximately 250ha in size and includes the Mater Dei School, the Aspect School, the heritage listed (local) Wivenhoe homestead, an existing convent, conservation lands and recreation and drainage land associated with the Kirkham Rise Estate.

The Planning Proposal seeks to amend the Camden Local Environmental Plan (LEP) 2010 to introduce more appropriate land use zones for the current uses on the subject site and apply new minimum lot sizes to facilitate the separation of these uses.

Initial community notification of the Proposal was undertaken in March and April 2022 and key public agencies were consulted in December 2021. The Proposal has been considered by the Camden Local Planning Panel on 20 September 2022 and advice was provided. The Proposal has been amended to incorporate feedback and advice from these sources.

The amended Proposal was supported by Council to proceed to a Gateway Determination on 8 November 2022.

The Proposal demonstrates sufficient strategic and site-specific merit to proceed to Gateway Determination.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant Department of Planning and Environment Guideline 'Local Environmental Plan Making Guideline (September 2022)' to ensure all matters requiring consideration are appropriately addressed.



**Figure 1 Site Context**

## Introduction

This Planning Proposal (the Proposal) seeks to amend the Camden Local Environmental Plan (LEP) 2010 to introduce more appropriate land use zones for the current uses on the subject site and to apply new minimum lot sizes to facilitate the separation of these uses.

## Background

In October 2021, Pascoe Planning Solutions lodged a draft Planning Proposal on behalf of the landowners, the Sisters of the Good Samaritan.

Initial community notification of the draft Proposal was undertaken for 14 days in March and April 2022. Two submissions were received in objection to the draft Proposal.

Key public agencies were also consulted during the preliminary assessment phase of the draft Proposal and five agency referrals were received.

The draft Proposal was considered by the Camden Local Planning Panel on 20 September 2022 and the Panel supported Council officer's recommendations. A copy of the Closed Panel minutes is provided as **Appendix 5**.

Feedback from initial notification, agency consultation and the Camden Local Planning has informed the final Proposal, specialist studies and the draft development control plan.

The draft Planning Proposal was reported to Council on 8 November 2022. At this meeting, Council resolved to endorse the amended Planning Proposal and to forward it to the Department of Planning and Environment (DPE) for Gateway Determination. A copy of the Pre-Gateway Council Meeting Report and Minutes are provided as **Appendix 6**.

## Site Location

The subject site is located within the rural residential area of Cobbitty and is bounded by the Nepean River to the west, Cobbitty Road to the north and Macquarie Grove Road to the northeast and southeast. Camden Airport adjoins part of the property boundary to the southwest of the site. Vehicular access to the site is via a central driveway accessed from Macquarie Grove Road.

The site comprises approximately 246ha of sloping land with large portions of the site covered by critically endangered Cumberland Plain Woodland and much of the site mapped as being bushfire prone.

The site is located within the Metropolitan Rural Area

The site is within Camden Airport's Australian Noise Exposure Forecast 20 year and 25-year zone, Inner Horizontal Surface, Approach Surface, Transitional Surface, and Obstacle Limitation Surface.

A portion of the site is within the Wivenhoe Heritage Curtilage area (item I99) as listed in Schedule 5 of the Camden LEP 2010. This item includes the house and gardens, outbuildings, stables, servant's quarters, and a coach house.

The site is currently zoned under the Camden LEP 2010 as R5 Large Lot Residential, RU1 Primary Production, C2 Environmental Conservation and SP2 Air Transport Facility with a 40ha minimum lot size applying to the part of the site zoned RU1 and R5.

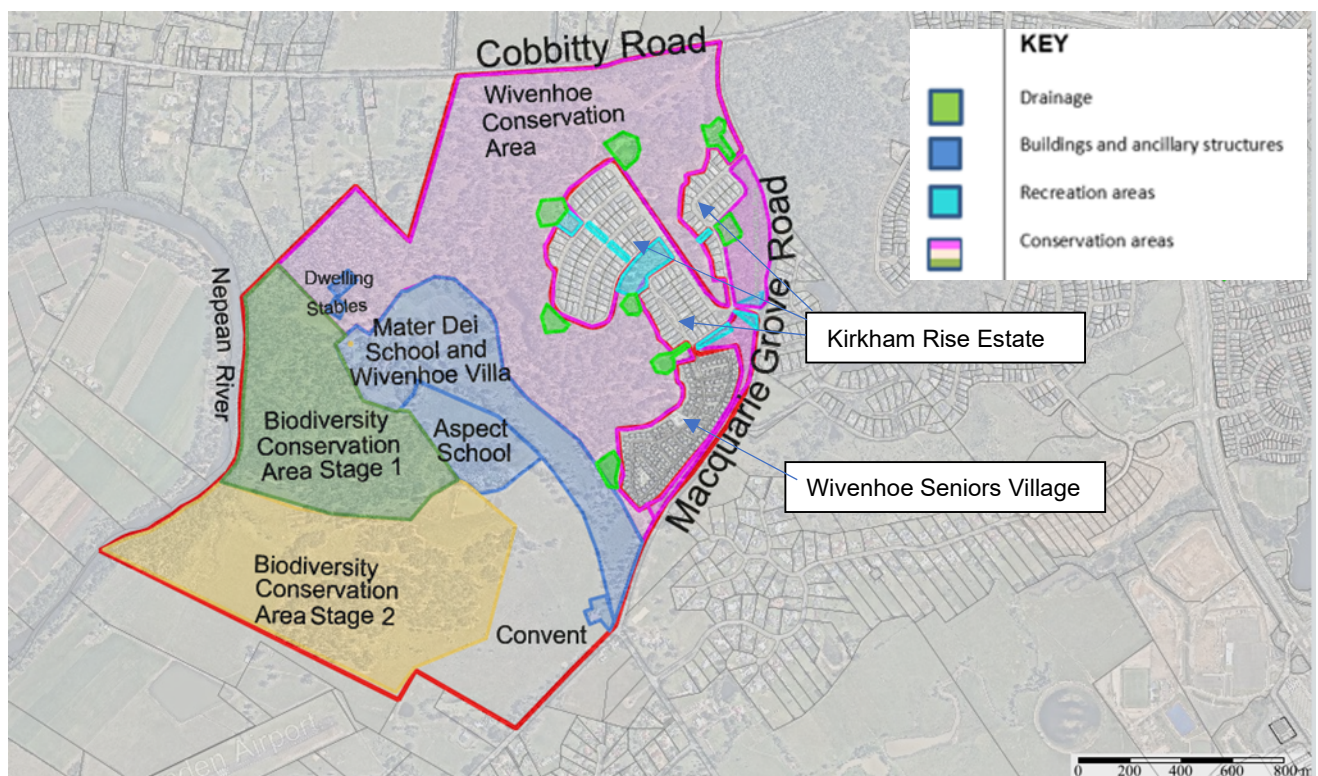
The site represents the residue holding following the Kirkham Rise residential development and the Wivenhoe Seniors Living Village.



The site comprises of the following precincts:

- Mater Dei “School” Precinct which includes the Mater Dei Special Needs Educational and Vocational Programs, the Mater Dei Chapel, the Stables and Wivenhoe Villa
- The Aspect School (Autism Spectrum Australia)
- The Convent/residue area
- Wivenhoe Environmental Conservation Area and Biodiversity Stewardship Areas Stages 1 and 2
- Supporting infrastructure for the Kirkham Rise residential development (including the Wivenhoe Seniors Living Village) including:
  - Parks and walkways (including one embellished small pocket park)
  - Walking track
  - Several detention basins

The distribution of these uses across the site is shown in **Figure 2**.



**Figure 2 Distribution of current uses across the site**

### Planning Proposal History

The Kirkham Rise and Wivenhoe Village sites were rezoned for residential purposes on 14 September 2007 as part of Local Environmental Plan 139.

Three other approved Planning Proposals have also been associated with the broader site:

- April 2011: The first Planning Proposal resulted in the rezoning of the land within the Wivenhoe Village site to R2 Low Density Residential zone to facilitate the development of Seniors Living Housing.

- January 2013: The second Planning Proposal provided some minor adjustments to the land zoning boundaries on the land surrounding the Kirkham Rise and Wivenhoe Estates.
- April 2014: The third Planning Proposal resulted in an amendment to the description and Heritage Curtilage of Wivenhoe (Item I99 of the Camden LEP).

### Development within the Locality

Kirkham Rise and Wivenhoe Village were developed as part of a 210 lot four stage subdivision that was approved on 24 February 2009.

The consent also approved the construction of 12 water quality basins and recreational areas located on Part Lot 100 DP1230568.

As part of the subdivision, a Voluntary Planning Agreement (VPA) was entered into between Council and the Trustees of the Sisters of the Good Samaritan. This included an agreement to provide active and passive recreational areas, monetary contributions, heritage conservation and ongoing environmental conservation works.

### Existing Conservation Protection over the site

A substantial portion of the site has significant biodiversity values shown in **Figure 3**. These mapped areas are already subject to conservation protection measures, which include two Biodiversity Conservation Areas (Stage 1 and 2) (subject to Biodiversity Stewardship Agreements) and the Wivenhoe Conservation Area which is subject to a Conservation Management Plan (CMP) which is managed by a Trust that was set up by the Sisters of the Good Samaritan for this purpose.

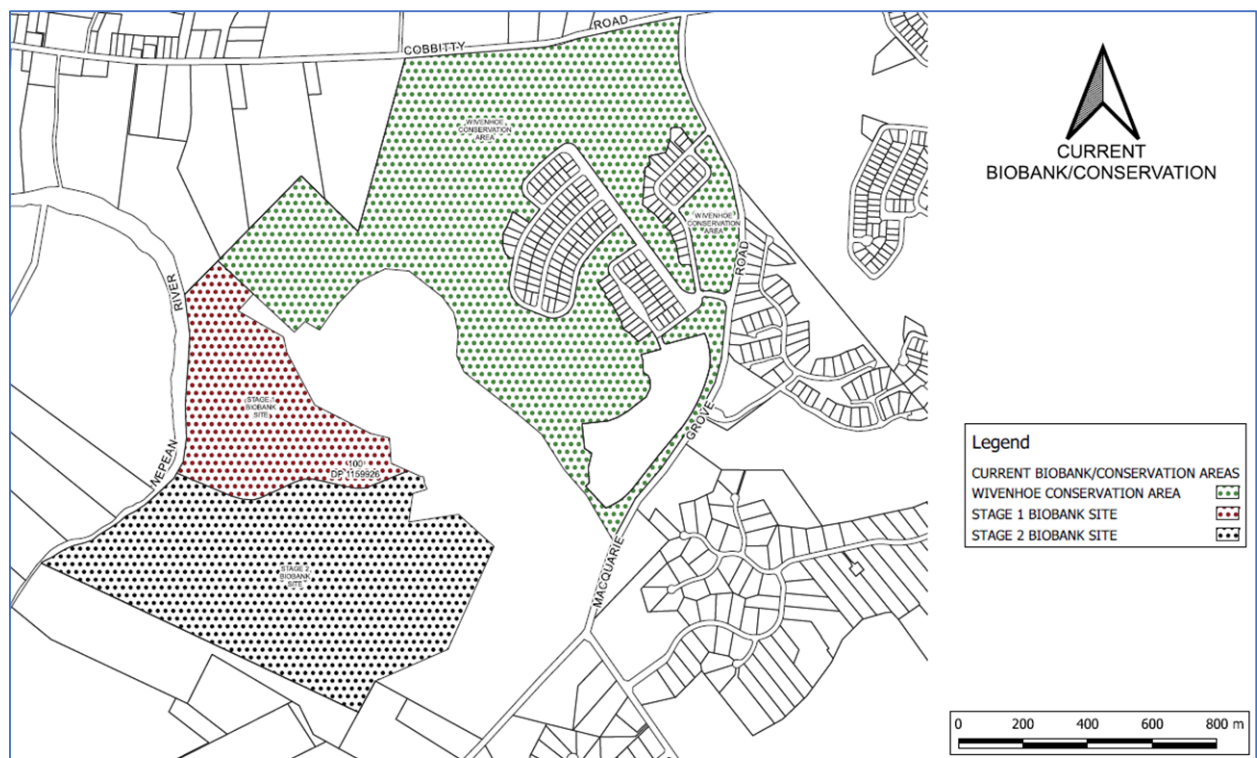


Figure 3 Existing conservation areas across the site



## Vision for the Site and Future Management

The vision for the site is to enable the Sisters of the Good Samaritan to withdraw from the site whilst ensuring that the current uses of the site are protected into the future.

The intention for the Mater Dei Precinct is that the site will continue to be operated by Good Samaritan Schools and there will be the option for the Aspect School to purchase the smaller school site.

The intention for the Convent Precinct is that it will form a residual lot that can be sold to fund the Planning Proposal and future subdivision.

The Sisters have been in negotiation with Council dedicate the active and passive recreation and drainage land associated with the Kirkham Rise development (shown in **Figure 2**) with Council agreeing to accept this land subject to conditions. The rezoning of this land forms part of the Proposal with a RE1 Public Recreation zone and a SP2 Drainage zone proposed.

## Draft Development Control Plan

The Proposal is accompanied by an amendment to Schedule 5 of the Camden Development Control Plan 2019 (draft DCP) that applies to land within the subject site. The draft DCP is included as an attachment to this report.

## Specialist Studies

The Planning Proposal is supported by various specialist studies, as listed in Table 1 which are included as **attachments** to the Proposal.

**Table 1 List of Specialist Studies submitted with the Planning Proposal**

Specialist Study	Author	Date
European Heritage Assessment	Design 5 Architects	30 September 2021
Aboriginal Due Diligence Assessment	Travers Bushfire & Ecology	22 September 2021
Bushfire Protection Assessment	Travers Bushfire & Ecology	3 September 2021
Camden Airport Operations Report	REHBEIN Airport Consulting	September 2021
Transport Assessment	Transport Planning Partnership	October 2021
Transport Assessment Addendum	Transport Planning Partnership	20 January 2022
Biodiversity Overview (updated) (Including Conservation Initiatives) Report	Travers Bushfire & Ecology	8 August 2022
Wivenhoe Biodiversity Overview and Management (appendices 1 -7)	Travers Bushfire and Ecology, Eco Logical Australia, OEH	7 October 2021, Jan 2008, Oct 2016, July 2012, May 2016, May 2012

## Part 1 – Objectives and Intended Outcomes

The objective of the Proposal is to amend the Land Zone Map and the Lot Size Map of the Camden Local Environment Plan 2010 to apply land use zones that are in keeping with the current uses and to facilitate the future separation of the Mater Dei School, Aspect School, Conservation Lands and Convent Precinct onto separate allotments. The intended outcome of this is to secure these current uses and the management of the site into the future.

## Part 2 – Explanation of provisions

The Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 Land Zone and Lot Size Maps as described in the following **Tables 2 and 3**:

**Table 2 Proposed Amendments to the Camden LEP 2010 Land Zone Map**

Current Land Zone	Land area within current zone (ha)	Proposed Land Zone	Land area gain to proposed zone (ha)
RU1 Primary Production	117.0	SP2 Educational Establishment	10
		C2 Environmental Conservation	81.9
		RU2 Rural Landscape	25.1
C2 Environmental Conservation	98.7	SP2 Educational Establishment	2.3
		C2 Environmental Conservation (no change)	91.4
		SP2 Drainage	2.8
		RE1 Public Recreation	2.2
R5 Large Lot Residential	26.0	SP2 Educational Establishment	13.1
		C2 Environmental Conservation zone	12.9
SP2 - Air Transport Facility	3.0	C2 Environmental Conservation zone	3.0

**Table 3 Proposed amendments to the Camden LEP 2010 Lot Size Map**

Existing Lot Size	Land area within current Lot Size (ha)	Proposed Lot Size	Land area within proposed Lot Size (ha)
AB2 (40ha) (R5 and RU1 zones)	143.0	Z1 (2ha)	2.2
		AB2 (20ha)	46.0
		None (C2 zone)	94.8
None (C2 zone)	98.7	AB2 (20ha) (SP2 Educational Establishment zone)	2.4
		None (RE1 & SP2 Drainage zones) and C2 zone	96.3
None (SP2 Air Transport Facility)	3.0	None (C2 zone)	3.0

The maps for the proposed amendments to the Camden LEP 2010 are provided in **Appendix 7**.

### Part 3 – Justification of strategic and site -specific merit

This section addresses the need for the proposed amendments to the Camden LEP 2010, identifies the background studies undertaken, and details why the Planning Proposal is the best approach.

#### 3.1 Section A – Need for the Planning Proposal

*Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?*

This Planning Proposal is not the result of any strategic study or report. The proposed amendments are a result of a proponent led request to introduce more appropriate land use zones for the current uses on the site and to apply new minimum lot sizes to facilitate the separation of these uses.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

This Planning Proposal is considered to be the best means of achieving the objectives and intended outcomes having regard to the following:

- The current RU1 Primary Production zone applies to the two Biodiversity Stewardship sites and so the zone is not considered appropriate for these uses. A C2 Environmental Conservation zone is more in keeping with the current and future intention for the use of that portion of the site.
- The current R5 Large Lot Residential zone could permit future residential development of the site, whereas an SP2 -Educational Facility zone will protect the current educational uses on the site into the future.

- The SP2 Air transport Facility zone is not in keeping with the Biodiversity Stewardship agreement that applies to that portion of the site and a C2 Environmental Conservation zone is considered to be more appropriate.
- A C2 Environmental Conservation zone is not in keeping with the existing recreation and drainage uses in these areas and is not in keeping with the objectives of the C2 zone. The introduction of a RE1 Public recreation and a SP2 Drainage zone is considered to be more appropriate.
- The proposed RU2 Rural Landscape zone is considered to be more in keeping with heritage and conservation values of the site as it will prevent intensive agricultural uses in a visually sensitive location.
- The current lot sizes across the site will not support the future separation of the various uses which could hinder management of the site into the future.  
Lot sizes that facilitate the separation of current uses will assist in future proofing these uses so they can be provided to the Camden community into the future

### 3.2 Section B – Relationship to Strategic Planning Framework

*Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*

The Planning Proposal is consistent with the objectives and directions of the Region and District Plan.

The objectives and directions of the Greater Sydney Region Plan and Western City District Plan applicable to the Planning Proposal have been addressed at **Appendix 1** of this report.

*Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

This Planning Proposal is consistent with Council's local strategies as summarised below. Consistency against these strategies has been addressed in **Appendix 1**.

#### **Camden Local Strategic Planning Statement**

The Local Strategic Planning Statement (LSPS) was adopted by Council on 14 April 2020. The LSPS is a 20-year planning vision, and includes land use, transport, and sustainability objectives to demonstrate how the Camden LGA will change to meet the community's needs over the next 20 years.

The proposal is consistent against the relevant Local Priorities and Actions of the LSPS, with specific focus on the following Local Priorities:

- Local Priority L2: Celebrating and respecting Camden's proud heritage
- Local Priority S3: Protecting Camden's rural land
- Local Priority S4: Protecting and restoring environmentally sensitive land and enhancing biodiversity

#### **Camden Community Strategic Plan**

The Community Strategic Plan (CSP) seeks to actively manage growth by retaining Camden's heritage sites, scenic vistas, and cultural landscapes.

The proposal is consistent with the relevant directions and strategies of the CSP and is assessed with the following Key Directions:

- Key Direction 2 – Liveable: Strong and integrated connections between our people and our services.
- Key Direction 3 – Prosperous: Advancing local economic opportunities and job creation.
- Key Direction 4 – Balanced: Providing sustainable and responsible solutions that enhance our heritage and natural environment.
- Key Direction 5 – Leading: A successful advocate for our people and places.

### **Camden Local Housing Strategy**

The Camden Local Housing Strategy was adopted by Council on 12 October 2021. The Camden Local Housing Strategy sets out a plan for housing in the Camden LGA over the next 10 to 20 years. The proposal has been assessed against the Priorities, Objectives and Actions of the Strategy. The specific priorities this proposal is considered against are as follows:

- Priority 3 – Delivering the right housing in the right location
- Priority 4 – Increasing housing choice and diversity

### **Camden Rural Lands Strategy**

The Camden Rural Lands Strategy (RLS) outlines seven key planning principles that will inform land use planning decision making for Camden. The specific principles this proposal is considered against are as follows:

- Principle 1 - Protect Camden's remaining rural land
- Principle 2 - Retain Camden's valued scenic and cultural landscapes
- Principle 3 - Provide certainty and avoid rural land fragmentation
- Principle 4 - Minimise and manage rural land conflict
- Principle 5 - Enhance Camden's Rural Economy
- Principle 6 - Minimise unplanned non-agricultural development
- Principle 7 - Maximise opportunities for relocation of rural enterprises

The RLS also requires that all Planning Proposals lodged for land within the Metropolitan Rural Area (MRA) is assessed against four different criteria. The specific criteria this proposal is considered against are as follows:

- Criteria 1 - The Planning Proposal must be consistent with the State and Local Strategic Plan.
- Criteria 2 - The Planning Proposal must not adversely impact on the operation of existing rural enterprises.
- Criteria 3 - Planning Proposals must be a logical extension to existing urban areas
- Criteria 4 - Planning Proposals must not reduce the quality of scenic landscapes, vistas and ridgelines, or heritage values.

### **Metropolitan Rural Area**

The strategic status of the MRA was established with the adoption of the Region and District Plans in March 2018 and was not a matter for consideration for the previous Planning



Proposal, which was finalised in late 2018. An objective of the Region Plan is that the environmental, social, and economic values of the MRA are protected and enhanced.

The District Plan and Council's LSPS also recognise the significance of the scenic and cultural landscape of the MRA, noting the rural hills and ridgelines of Camden create a distinct setting for neighbouring communities.

The proposal is consistent with the Region and District Plans as it does not propose residential growth or an intensification of uses within the site. Therefore, maintaining the existing environmental, social, and economic values of the MRA. The proposal also seeks to apply an environmental conservation zone to existing conservation lands and to introduce a Rural Landscape zone to visually and historically sensitive land, thus enhancing the values of land within the MRA.

*Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

No other State and regional studies or strategies are applicable to this Planning Proposal.

*Q.6. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPS)?*

The State Environmental Planning Policies (SEPPs) that are relevant to this Planning Proposal are identified below:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

The relevant SEPPs have been addressed at **Appendix 2** to this report.

*Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?*

The Section 9.1 Directions applicable to the Planning Proposal have been addressed at **Appendix 3** of this report.

This Planning Proposal is considered largely consistent with the applicable Directions with the exception of Direction 3.1 Conservation Zones, where an inconsistency has been noted. This inconsistency is considered to be of minor significance. This is further discussed in **Appendix 3**.

### 3.3 Section C – Environmental, Social and Economic Impact

*Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

## Biodiversity Impacts

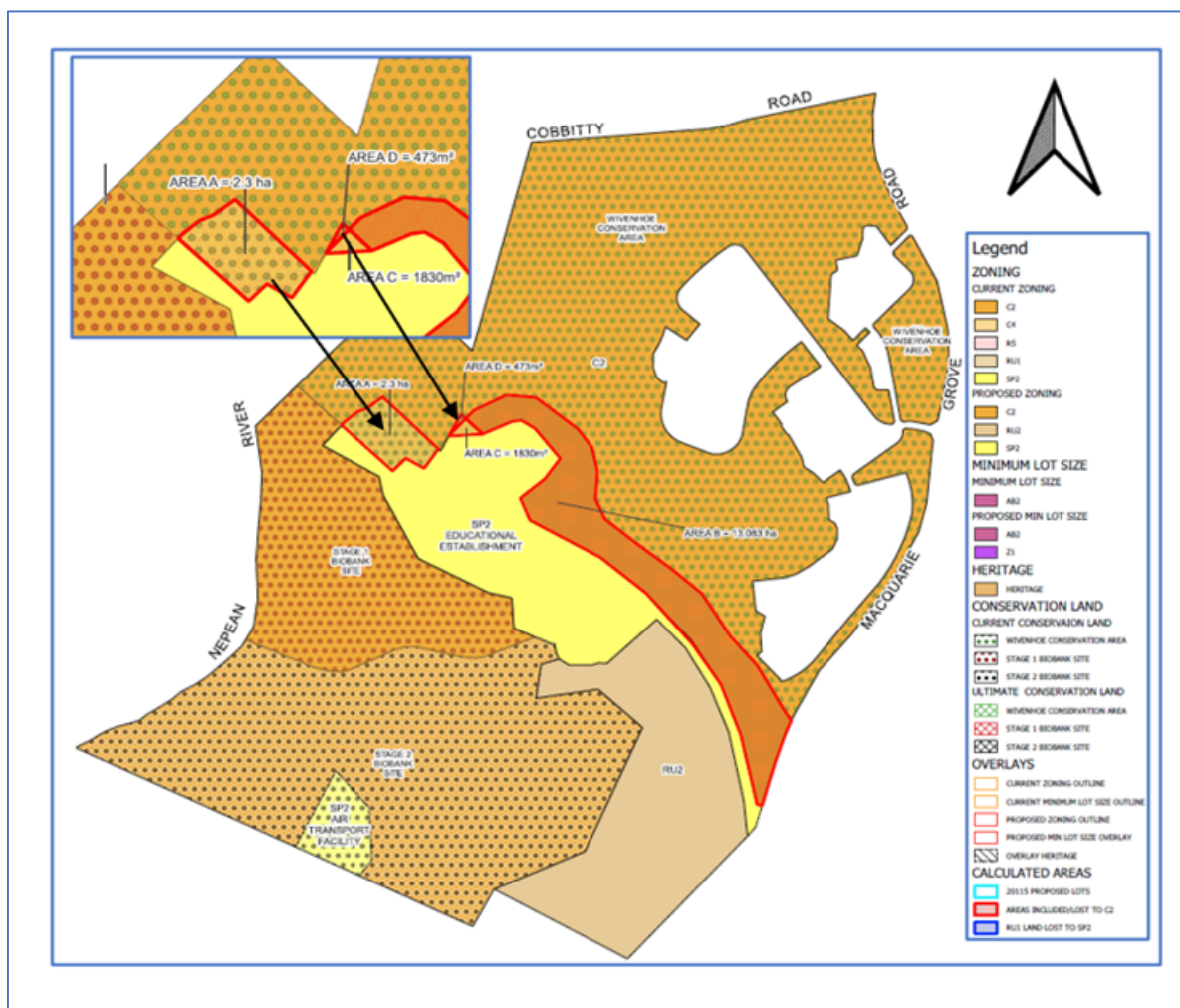
It is proposed to rezone approximately 2.3ha of land that forms part of the Wivenhoe Conservation Areas from C2 to SP2 Educational Establishment on the northern boundary. The location of this land is shown in **Figure 4**. The figure also shows that this will result in a loss of approximately 2.3ha of land from the C2 Environmental Conservation zone in this location. This land is also part of the Wivenhoe Conservation Lands.

This part of the site also contains the Stable development which forms part of Wivenhoe Heritage Item I99 and an existing dwelling that is currently leased to the onsite caretaker is also located on this land.

The Biodiversity Overview Report provides assessment of this portion of the site and concludes that vegetation in this portion of the site is of particularly poor ecological/biodiversity quality and the limited vegetation is predominately European because of historical landscape and farming practices.

The study also considers that the impact of rezoning this portion of the site from C2 to SP2 Educational Establishment will be offset by the gain of additional land to the C2 zone with the rezoning of RU1 and R5 zoned land to C2.

A visit to the site also confirmed that the vegetation on this part of the land is predominately European species.



**Figure 4 Map showing loss of C2 Environmental Conservation zoned land to SP2 Educational Establishment**

The study also considered the impact of future APZs on existing vegetation and concluded that some vegetation will need to be removed to manage bushfire risk. This will need to be further considered at the development application stage and offsetting may be required at this time. The draft DCP includes provisions for conservation and APZs.

Further loss of land from the C2 Environmental Conservation zone (approximately 5ha) is also proposed with the rezoning of land to RE1 Public Recreation and SP2 Drainage. This loss is not considered to have an impact on the overall conservation values of the site due to the land already being maintained and managed for drainage and formal recreation uses (including embellishments such as picnic tables, paved walkways and maintained gardens). Aerial photos showing the current embellishment of all land proposed to be rezoned RE1 – Public Recreation are provided in **Appendix 8**.

*Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?*

Consideration of the bushfire protection, flooding and airport operations is provided below.

### **Bushfire Protection**

The bushfire prone areas of the subject site are shown in **Figure 5**. The Bushfire Protection Assessment submitted with the Proposal concludes that future development adequately addresses bushfire risk and the land is suitable for the proposed development.

The assessment also notes that the proposal will result in a decrease in the area that can be used for residential purposes and is unlikely to result in an increase of demand on the local road network, emergency services or infrastructure.

A school is listed as a 'special fire protection purpose' under Section 100B(6) of the Rural Bushfire Act 1997 and the proposed RU2 zoned convent/residual site will permit residential uses. Therefore, access, APZ's and evacuation will need to be considered in any future subdivision application.

Controls for APZ's, access and emergency evacuation have been included in the draft DCP.

The proposal was also referred to the NSW RFS during the initial notification stage and no objection has been raised regarding the proposal. Further consultation on the Planning Proposal and the draft DCP will also be undertaken with the RFS during formal public exhibition period, should a Gateway Determination be issued.

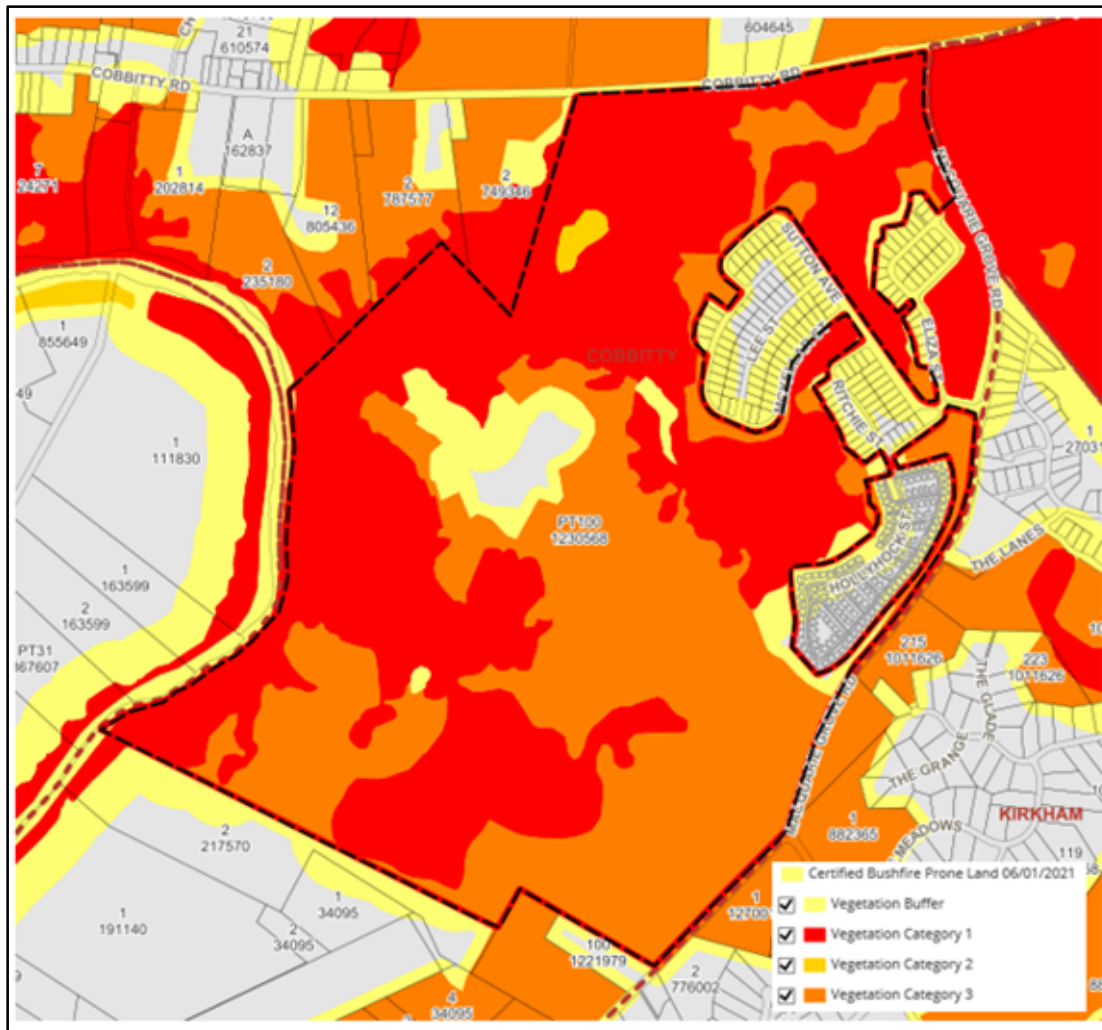


Figure 5 Bushfire Prone land map applying to site

### **Flooding**

Portions of the site are mapped as being within the 1% (1:100) and 5% (1:20) Annual Exceedance Probability (AEP) flood level and the Probable Maximum Flood (PMF) area (Nepean River Flood Study 2015). The flood extent is shown in **Figure 6**.

The portion of the site mapped as flood affected are in proximity to the Nepean River and within areas identified for a future C2 Environmental Conservation land zone and sit below the 80-metre contour outside of any of the developed areas on the site. Therefore, no buildings or evacuation routes are likely to be impacted during flooding and so no management actions are proposed.



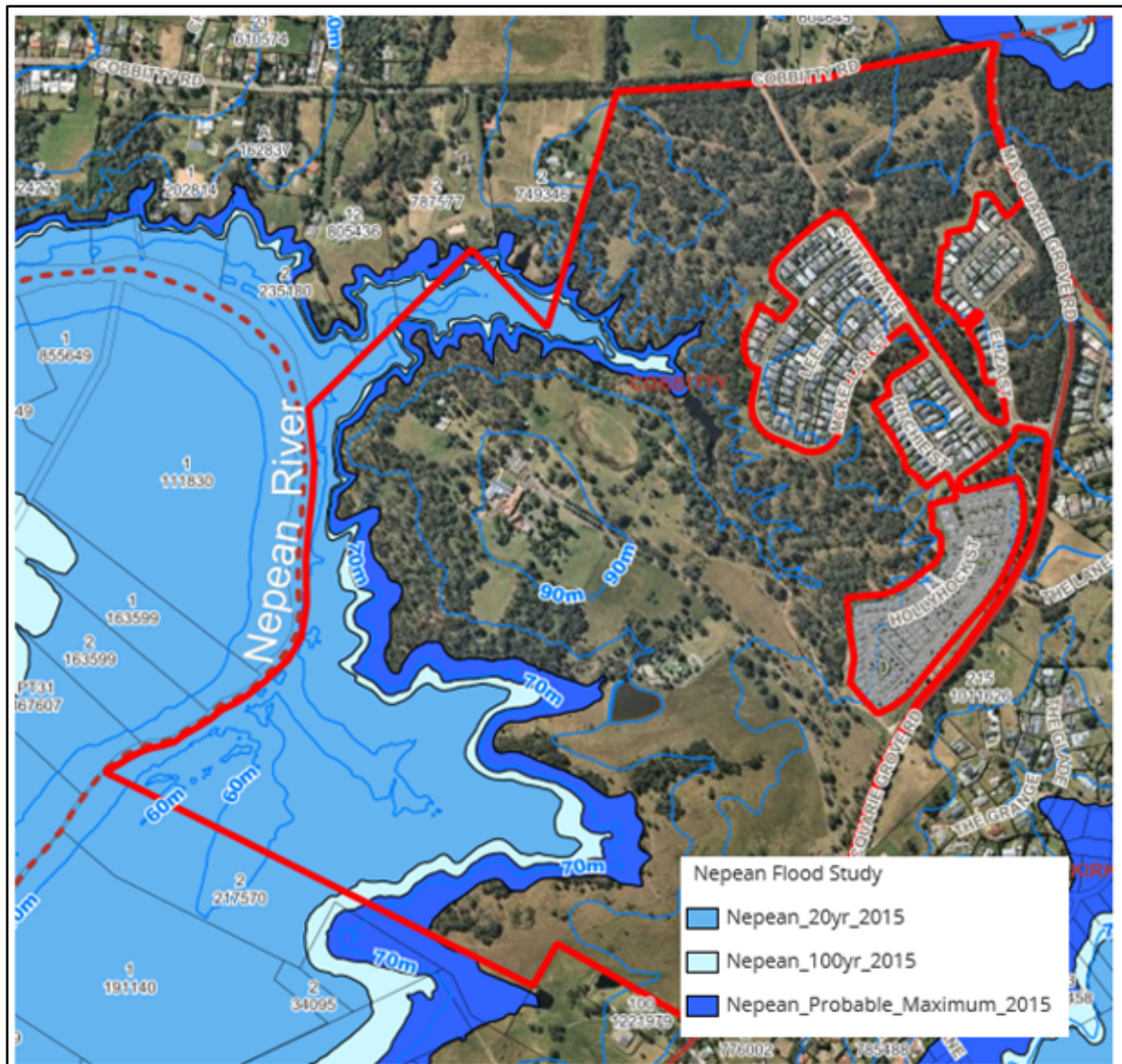


Figure 6 Flood Prone Land applying to the site

### **Camden Airport Operations**

The subject site is impacted by the Australian Noise Exposure Forecast (ANEF) contours and Obstacle Limitation Surface (OL) and most of the site is also within the 100-year Airport noise event with flight paths directly over the Convent and Conservation Lands precincts as shown in **Figure 7**.

The Camden Airport Operations Report (The Report) submitted with the Proposal provides an assessment of the Planning Proposal against the National Airports Safeguarding Framework (NASF) Guidelines – (A) to (I) in relation to Camden Airport.

Camden Airport have reviewed the report and have not raised any objections. Controls relating to Camden Airport are already provided in the Camden DCP 2019 and further site-specific controls are proposed in the draft DCP.

Further consultation will be carried out with Camden Airport and Western Sydney Airport should a Gateway Determination be received.



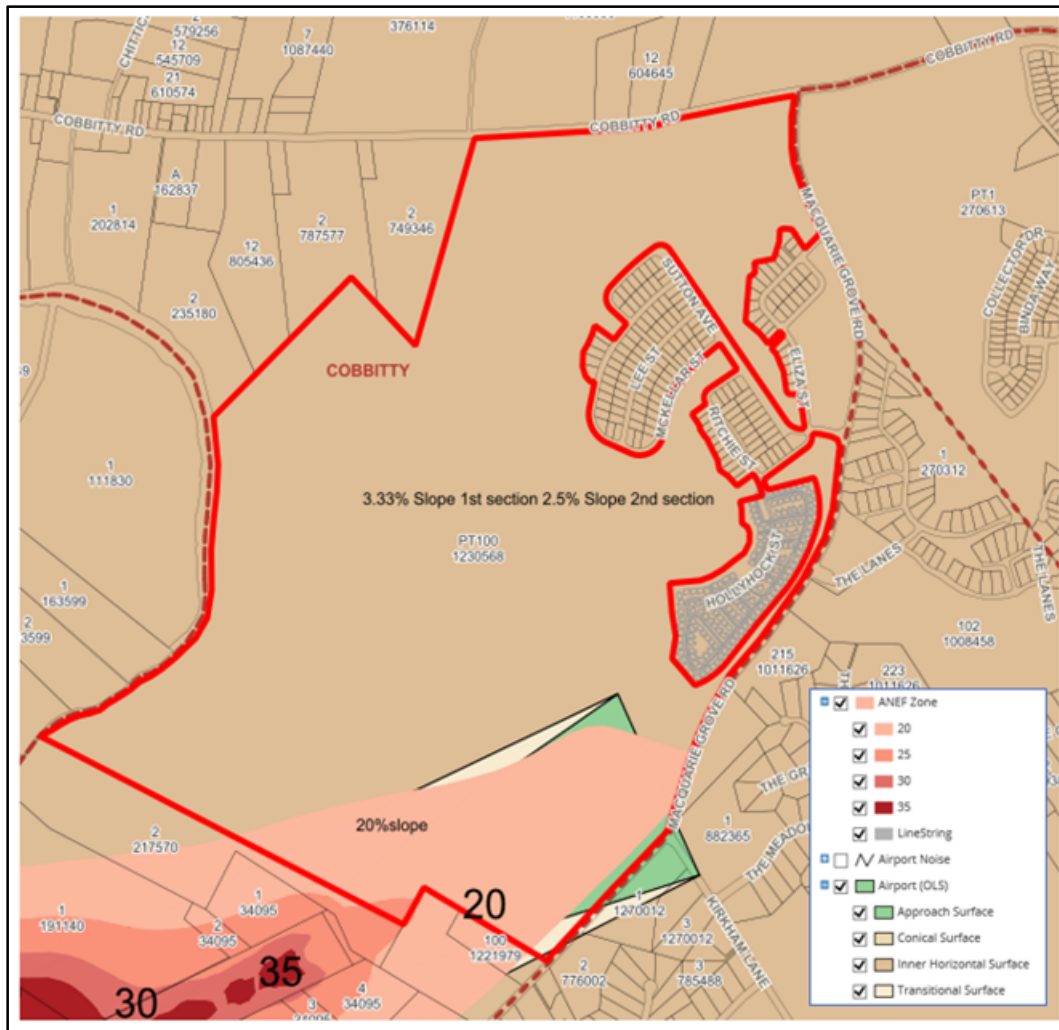


Figure 7 Camden Airport Extent of site mapped

Q10. Has the planning proposal adequately addressed any social and economic effects?

The Proposal is viewed as broadly providing a positive social and economic outcome for the Camden community by supporting the future operation of the Mater Dei and Aspect schools, which provide specialist education to families living in the Camden area. This in turn supports educational and social opportunities for the students attending the schools, it supports working parents by providing educational opportunities close to home, thus reducing the need to travel outside of the LGA and it supports employment opportunities for educators living within the LGA.

The social effects on Aboriginal Cultural Heritage and European Heritage have been considered in more detail below.

### **Aboriginal Cultural Heritage**

The Due Diligence Aboriginal Heritage Assessment submitted with the proposal has identified that there are twelve sites within the study area that are listed in the AHIMS database. These sites are within the conservation areas and so can be retained in-situ within the proposed C2 zoned land.

The Assessment also notes that there is a moderate likelihood that potential undiscovered Aboriginal heritage artefacts may be within the subject site with the most likely location for

these being along the Nepean Riverbank, creek lines and the riparian zones. These areas will also be retained within the proposed C2 zone and so it is unlikely that potential items will be impacted by the proposal.

The Assessment recommends that all known Aboriginal artefacts or Potential Aboriginal Deposits (PADs) within the proposed C2 Environmental Conservation zone are to be plotted and marked in the field and on any land management or vegetation management plans. Controls have been included in the draft DCP to require that future development complies with this report.

The Proposal was referred to Heritage NSW during initial notification and no objections to the study or proposal have been raised.

### **European Heritage**

The extent of the Heritage Curtilage applying to the site is shown in **Figure 8**. The European Heritage Assessment submitted with the Proposal notes that the proposed SP2 Educational Establishment zone will include the entrance driveway (Mater Dei Road) to the site. This driveway runs along the ridgeline to the highest point of the property and offers significant views to and from the property. This part of the site is of significant rural landscape character.

The proposed RU2 Rural Landscape zone located along Macquarie Grove Road also provides significant views into and from the site and across the site to bushland to the west.

An existing Conservation Management Plan applies to the site and the Proposal was assessed against the CMP. The Assessment concludes that the consolidation of the various cultural heritage elements under the proposed SP2 Educational Establishment zone is appropriate on heritage grounds. The Assessment also recommends that the boundary of the proposed SP2 zone be considered in regard to natural hazards so that any future development proposals and new structures (owing to their location) will not jeopardise the built heritage items in the event of a bush fire or flood.

The proposal will facilitate the future subdivision of the site resulting in the heritage curtilage being on a separate allotment. The proposal has been referred to Heritage NSW who have determined that the proposal will not impact on any identified items on the NSW State Heritage register and have noted that the Wivenhoe local item could potentially be impacted.

The proposal does not seek to introduce new development or intensify the use of the site and so it is unlikely that the heritage significance of items on the site will be impacted by the proposal. Development controls to ensure the ongoing management of the conservation values of the site have been included in the draft DCP to ensure heritage is protected into the future.



Figure 8 Wivenhoe Heritage Curtilage (Item 199)

### 3.4 Section D – Infrastructure (Local, State and Commonwealth)

*Q11. Is there adequate public infrastructure for the planning proposal?*

The proposal does not seek to introduce a new use or intensify uses at the site and so it is unlikely that it will generate an increased demand for additional public infrastructure. Further consideration on transport, traffic and site access is provided below.

#### **Local Infrastructure – Transport, Traffic and Site Access**

The proposal will facilitate a future super lot subdivision which will create at least four different ownerships. Currently only one access driveway is available into the site to service all Precincts. This access point is located along Macquarie Grove Road and forms an informal intersection with Kirkham Lane. This is shown in **Figure 9**.

The Transport Assessment and Addendum (The Assessment) submitted with the Proposal proposes to retain the existing single access point for the Mater Dei site, Aspect School, Conservation Lands and Convent site (residual land) with further consideration for a second access point along Macquarie Grove Road for emergency access purposes in a limited location to ensure sight distance.

The Assessment concludes that the existing access driveway for the school has restricted sight distance from the south and east and that this may contribute to future safety concerns at the intersection of Macquarie Grove Road and Kirkham Lane. However, the assessment also notes that 5-year crash history along Macquarie Grove Road has identified only one serious crash.



The Assessment also concludes that the proposal itself will not generate additional traffic to the site and so an upgrade to the access point is not required. However, a reduction in speed from 70km/hr to 60km/hr along Macquarie Grove Road will improve road safety generally and address sight distance issues at the site.

The Assessment notes that future upgrades to local roads in the Proposal location will be required because of the ongoing urbanisation of Oran Park and that any such upgrade is likely to lead to the installation of a roundabout and realignment of the intersection of Macquarie Grove Road and Kirkham Lane.

As the proposal itself will not create additional traffic demand, there is no nexus between the proposal and the future upgrade to warrant land dedication or a Voluntary Planning Agreement as part of this proposal. However, any future upgrade of the Macquarie Grove Road and Kirkham Lane intersection may be a trigger for a road widening request to the landowner.



**Figure 9 Access to site and informal intersection with Kirkham Lane**

Macquarie Grove Road Bridge and Kirkham Lane, which provides access to and from the site to the Camden town centre is prone to flooding and so during a flooding event, access can only be achieved via Cobbitty Road. Additional consideration of flooding impacts on surrounding road networks is likely to be required at the development application stage.

The draft DCP includes provisions for an additional emergency access and identifies the future intersection upgrade in section 5.2 Subdivision Planning and Design. A right of way access along the driveway will also need to be considered at the subdivision stage.

### 3.5 Section E – State and Commonwealth Interests

*Q12. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Preliminary consultation was undertaken with the following Government Agencies:

- NSW Rural Fire Service (RFS)
- Camden Airport
- Heritage NSW
- Environment Heritage Group (EHG)
- Biodiversity Conservation Trust on behalf of EHG
- National Parks and Wildlife

Submissions were received from five agencies, which raised no objections, subject to further investigation of certain matters. These matter have been considered as part of the final Planning Proposal document and supporting studies. Agency responses are provided as attachments to the Proposal.

The Gateway Determination will outline the State and Commonwealth public authorities to be consulted.

## **Part 4 – Mapping**

The following Camden LEP 2010 maps will need to be amended to support the Planning Proposal:

- Land Zoning Map – Sheet LZN\_002
- Land Zoning Map – Sheet LZN\_007
- Land Zoning Map – Sheet LZN\_008
- Lot Size Map – Sheet LSZ\_002
- Lot Size Map – Sheet LSZ\_007
- Lot Size Map – Sheet LSZ\_008

The mapping amendments are illustrated in **Appendix 7**.

## **Part 5 – Community Consultation**

The original draft Planning Proposal was initially notified for a period of 14 days from 28 March to 11 April 2022. Two submissions were received regarding the draft Planning Proposal.

The Planning Proposal will be placed on public exhibition subject to a favourable Gateway Determination.

The Planning Proposal will be publicly exhibited in accordance with the Gateway Determination. The exhibition material will be available at:

- Council Administrative Centre, 70 Central Avenue, Oran Park (Hard Copy)
- Narellan Library, Queen Street, Narellan (Hard Copy)
- Camden Library, John Street, Camden (Hard Copy)



- Camden Council website (Electronic Copy).

Prior to the public exhibition period, a notification letter will also be sent to landowners in the vicinity of the subject site to advise of the Planning Proposal.

## Part 6 – Project Timeline

Anticipated commencement date (date of Gateway Determination)	December 2022
Anticipated timeframe for the completion of required technical information	February 2022
Timeframe for government agency consultation (pre and post exhibition as required by Gateway <u>D</u> etermination)	February 2023
Commencement and completion dates for public exhibition period	March 2023
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	April 2023
Timeframe for the consideration of a proposal post exhibition	April 2023
Date of submission to the department to finalise the LEP	April 2023
Anticipated date RPA will make the plan (if delegated)	May 2023
Anticipated date RPA will forward to the department for notification	June 2023

## Part 7 – Conclusion

The Proposal seeks amendments to the Land Zone Map and Lot Size Map of the Camden LEP 2010.

The proposal demonstrates merit by

- Applying Land use zones that match the current uses on site.
- Removing the opportunity for residential development.
- Restricting intensive agricultural uses in a conservation area that is visually sensitive and has local historical value.
- Supports the ongoing future management of the site.

The Planning Proposal has been prepared in accordance with Section 3.33 of the EP& A Act 1979. Amendments to Land Use Zone and Lot Size maps is the most appropriate method to achieve the objectives of this Planning Proposal.

The Planning Proposal will have a positive outcome for the community and secure existing uses on the site into the future.

## Part 8 – Appendices

**Appendix 1:** Assessment against Regional, District and Local Strategic Plans

**Appendix 2:** Consistency against State Environmental Planning Policies

**Appendix 3:** Section 9.1 Directions

**Appendix 4:** Draft DCP

**Appendix 5:** Camden Local Planning Panel (LPP) Meeting Minutes

**Appendix 6:** Camden Council Meeting Report Agenda and Minutes

**Appendix 7:** Existing and Proposed LEP mapping

**Appendix 8:** Aerial photos and location of land proposed for RE1 – Public Recreation

## Appendix 1: Assessment against Regional, District and Local Strategic Plans

### 1.1 Greater Sydney Region Plan

The Greater Sydney Region Plan (the Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters.

Greater Sydney Region Plan		
	Consistency	Comment
<b>Liveability</b>		
<b>Objective 13:</b> Environmental heritage is conserved and enhanced	Yes	The proposal is viewed as being consistent with Objective 13 as it seeks to conserve existing heritage on the site through the introduction of land zones that are more in line with the current uses and removing the potential for residential development that currently exists under the R5 Large Lot Residential zone.
<b>Sustainability</b>		
<b>Objective 27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Yes	The proposal is viewed as being consistent with Objective 27 as it seeks to provide further protection to existing conservation lands on the site through the introduction of a C2 Environmental Conservation zone and ensuring that lands within this zone are appropriate for conservation.
<b>Objective 28:</b> Scenic and cultural landscapes are protected	Yes	The proposal is viewed as being consistent with Objective 28 as it seeks to conserve and protect existing scenic and cultural landscape on the site through removing the potential for intensive rural industry in a visually sensitive area that is currently permissible under the RU1 Primary Production zone and applying an RU2 Rural Landscape zone and a C2 Environmental Conservation Zone.
<b>Objective 29:</b> Environmental, social and economic values in rural areas are protected and enhanced	Yes	The proposal is viewed as being consistent with Objective 29 as it seeks to ensure that the existing educational uses on the site continue into the future whilst also providing additional protection to environmental conservation lands.
<b>Objective 31:</b> Public open space is accessible, protected and enhanced	Yes	The proposal is viewed as being consistent with Objective 31 as it seeks to apply a RE1 Public Recreation zone to land currently used by the community as public open space. This will also assist in

Greater Sydney Region Plan		
	Consistency	Comment
		future management of this land and help to protect and enhance and ensure ongoing access.



## 1.2 Western City District Plan

On 18 March 2018, the Western Sydney District Plan (the District Plan) was released by the GSC. The District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets.

Western City District Plan		
	Consistency	Comment
<b>Liveability</b>		
<p>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <p><b>Objective 10:</b> Greater housing supply.</p> <p><b>Objective 11:</b> Housing is more diverse and affordable.</p>	Yes	<p>The proposal is viewed as being consistent with Planning Priority W5 as it seeks to rezone land from R5 Large Lot Residential to SP2 Educational Establishment and C2 Environmental Conservation to better reflect existing land use precincts on the site.</p> <p>Currently a 40ha minimum lot size applies to the existing R5 Large Lot Residential zoned land and so is not suitable for residential subdivision under this current development standard. The site is also located within the Metropolitan Rural area and has not been identified in Council's housing strategy for future urban development, therefore the Proposal is unlikely to have an adverse impact on housing supply in the Camden LGA.</p>
<p>Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <p><b>Objective 12:</b> Great places that bring people together.</p> <p><b>Objective 13:</b> Environmental heritage is identified, conserved and enhanced.</p>	Yes	<p>The proposal is viewed as being consistent with Planning Priority W6 as it seeks to provide further protection to existing conservation lands on the site through the introduction of a C2 Environmental Conservation zone and ensuring that lands within this zone are appropriate for conservation.</p>
<b>Sustainability</b>		
<p><b>Planning Priority W14: Protecting and enhancing bushland and biodiversity</b></p> <p><b>Objective 27:</b> Biodiversity is protected urban bushland and remnant vegetation is enhanced.</p>	Yes	<p>The proposal is viewed as being consistent with Planning Priority W14 as it seeks to provide further protection to existing conservation lands on the site through the introduction of a C2 Environmental Conservation zone and ensuring that lands within this zone are appropriate for conservation.</p>
<p><b>Planning Priority W16: Protecting and enhancing scenic and cultural landscapes</b></p> <p><b>Objective 28:</b> Scenic and cultural landscapes are protected</p>	Yes	<p>The proposal is viewed as being consistent with Planning Priority W16 as it seeks to conserve and protect existing scenic and cultural landscape on the site through removing the potential for intensive rural industry in</p>

Western City District Plan		
	Consistency	Comment
		a visually sensitive area that is currently permissible under the RU1 Primary Production zone and applying an RU2 Rural Landscape zone and a C2 Environmental Conservation Zone.
<b>Planning Priority W17: Better managing rural areas</b> <b>Objective 29:</b> Environmental, social and economic values in rural areas are protected and enhanced.	Yes	The proposal is viewed as being consistent with Planning Priority W17 as it seeks to ensure that the existing educational uses on the site continue into the future whilst also providing additional protection to environmental conservation lands.
<b>Planning Priority W18: Delivering high quality open space</b> <b>Objective 31:</b> Public open space is accessible, protected and enhanced.	Yes	The proposal is viewed as being consistent with Planning Priority W17 as it seeks to apply a RE1 Public Recreation zone to land currently used by the community as public open space. This will also assist in future management of this land and help to protect and enhance and ensure ongoing access.

### 1.3 Camden Community Strategic Plan

The Connecting Camden Community Strategic Plan (CSP) 2036 acknowledges that Camden's urban landscape is changing and that there is a need to ensure that everyone has access to quality environments that are well planned and designed, maintained and built to last for future generations. The CSP also acknowledges that the green spaces, natural and rural landscapes, and waterways are special spaces with cultural and heritage values to the community.

Camden Community Strategic Plan		
	Consistency	Comment
<b>Key Direction 2 – Liveable: Strong and integrated connections between our people and our services</b>		
<b>Objective LB2</b> Our public spaces and places are vibrant and accessible	Yes	The Proposal aims to ensure the ongoing management of existing environmental conservation land by applying a C2 Environmental Conservation zone. The Proposal also seeks to apply an RU2 rural landscape zone to land zoned RU1 to restrict intensive agricultural type development to land within a heritage conservation curtilage.
<b>Key Direction 3 – Prosperous: Advancing local economic opportunities and job creation</b>		
<b>Objective P2</b> Our LGA provides diverse local job opportunities, supported by skills and training pathways to employment	Yes	The Proposal supports the future operation of the Mater Dei and Aspect schools by applying land zones most appropriate to these educational uses and allowing for the separation of these two schools, thus providing certainty into the future. This is in keeping with this Key Direction and it acts to retain school spaces in the Camden LGA.
<b>Key Direction 4 – Balanced: Providing sustainable and responsible solutions that enhance our heritage and natural environment</b>		
<b>Objective B1</b> Our natural environment and waterways are protected, well maintained and enhanced for community engagement	Yes	The Proposal seeks to remove a residential zone from land currently used for educational purposes and apply an SP2 Educational Establishment therefore, removing residential development at the site. This is viewed as being in keeping with this objective.  The proposal is consistent with the ongoing protection of environmental lands on the subject site.
<b>Objective B2</b> Our environment is integrated into the design of our towns, villages, suburbs and places	Yes	The site will add additional protection to existing conservation lands to ensure that they are secured for the future.

<b>Objective B3</b> Climate impacts and risks in Camden are well managed	Yes	The Proposal will act to protect low scale existing uses on the site and prevent inappropriate intensification of the site and thus, potential climate impacts
<b>Objective B4</b> Our community is resourced, efficient and able to meet our vision and objectives	Yes	The Proposal will protect land for existing educational services to the community.
<b>Key Direction 5 – Leading: A successful advocate for our people and places</b>		
<b>Objective L2</b> Our Council is forward thinking and building value for our community	Yes	The Proposal seeks to future proof existing uses on the site to ensure that they can continue to be available to the community in the future.
<b>Objective L3</b> Our Council decisions are informed, accountable and transparent	Yes	A comprehensive report on the Proposal has been considered by Council at its meeting on 1 November 2022 and supported to proceed to Gateway. This report and minutes of the meeting are available on Council's website.



## 1.4 Camden Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) was adopted by Council on 14 April 2020. The LSPS is a 20-year planning vision and includes land use, transport and sustainability objectives to demonstrate how the Camden LGA will change to meet the community's needs over the next 20 years.

Camden Local Strategic Planning Statement 2020		
	Consistency	Comment
<b>Liveability</b>		
<b>Local Priority L2:</b> Celebrating and respecting Camden's proud heritage	Yes	The Proposal acts to preserve the Wivenhoe heritage precinct by introducing changes to remove unintended residential development (R5 zoned land) and secure the current use of the site into the future.
<b>Sustainability</b>		
<b>Local Priority S3:</b> Protecting Camden's Rural Land	Yes	The proposal seeks to rezone RU1 zoned land to SP2 Educational Establishment, C2 Environmental Conservation and RU2 Rural Landscape. The proposed zonings are in keeping with the current uses on the site and so it is unlikely that there will be any negative impact on the existing rural character.
<b>Local Priority S4:</b> Protecting and restoring environmentally sensitive land and enhancing biodiversity	Yes	The proposal seeks apply a C2 Environmental Conservation Zone for land that is used for biodiversity conservation purposes, which would represent an increase in land zoned C2 across the site. The proposal also seeks to remove unintended large lot residential development from the site.

## 1.5 Camden Local Housing Strategy

The Camden Local Housing Strategy sets out a plan for housing in the Camden LGA over the next 10 to 20 years.

Camden Local Housing Strategy 2021		
	Consistency	Comment
<b>Priority 3 – Delivering the right housing in the right location</b>		
<b>Objective 7:</b> Housing growth in established areas is incremental, and preserves character and heritage values	Yes	The Proposal will provide one additional rural residential opportunity through the proposed rezoning of the Convent site to RU2 and the future subdivision of this land. This is viewed as being in keeping with the existing established large lot rural residential development in the area.
<b>Objective 8:</b> Protect Camden LGA's Rural Lands	Yes	The Proposal seeks to retain existing uses on the site and to apply a RU2 Rural landscape zone to protect the existing rural landscape quality of the site.
<b>Priority 4 – Increasing housing choice and diversity</b>		
<b>Objective 9:</b> The mix of housing types matches the changing needs and preferences of the community	Yes	The proposal seeks to rezone land from R5 Large Lot Residential to SP2 Educational Establishment and C2 Environmental Conservation to better reflect existing land use precincts on the site. Existing R5 zoned land has a 40ha minimum lot size and the proposal is not considered to have an adverse impact on housing supply.

## 1.6 Camden Rural Lands Strategy

The Camden Rural Lands Strategy sets out a plan to protect Camden's Rural Land outside of the South West Growth Area.

Camden Rural Lands Strategy 2018		
	Consistency	Comment
Principle 1: Protect Camden's remaining rural lands	Yes	The proposal seeks to rezone RU1 zoned land to SP2 Educational Establishment, C2 Environmental Conservation and RU2 Rural Landscape. The proposed zonings are in keeping with the current uses on the site which have a rural character. R5 zoned land is proposed to be rezoned to RU2 Rural Landscape.
Principle 2: Retain Camden's valued scenic and cultural landscapes	Yes	The proposal will not result in an intensification of the use on the site and so existing scenic and cultural landscapes will be retained.
Principle 3: Provide certainty and avoid rural land fragmentation	Yes	The proposal will result in the rezoning of land zoned as RU1 Primary Production to an C2 Environmental Conservation zone, an SP2 Educational Establishment Zone and an RU2 Rural landscape zone. The planning proposal also seeks to assist the separation of existing uses in these zones into the future. Although this will support fragmentation of existing rural land at the site, these changes will only reflect the current uses and protections on the site so minimal impact is anticipated
Principle 4: Minimise and manage rural land use conflict	Yes	The proposal is unlikely to result in rural land conflict as no new uses are being proposed
<b>Principle 5:</b> Enhance Camden's Rural Economy	Yes	The proposal will support the operation of the Mater Dei and Aspect schools, therefore securing ongoing local employment and services in the LGA.
<b>Principle 6:</b> Minimise unplanned non-agricultural development	Yes	No new development is planned for the site because of the proposal.
<b>Principle 7:</b> Maximise opportunities for relocation of rural enterprises	N/A	Not applicable.

## Appendix 2: Consistency against State Environmental Planning Policies

SEPP Chapter Title	Assessment of Consistency with
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Assessment provided under chapters below.
Chapter 2 Vegetation in non-rural areas	The site is within a rural area and no vegetation is proposed to be removed, therefore the SEPP is not applicable to this Planning Proposal
Chapter 3 Koala Habitat Protection 2020	Does not apply to the Camden LGA.
Chapter 4 Koala Habitat Protection 2021	Does not apply to the Camden LGA.
Chapter 5 River Murray Lands	Does not apply to the Camden LGA.
Chapter 6 Bushland in Urban areas	Not relevant to the Proposal.
Chapter 7 Canal Estate Development	Not relevant to the Proposal.
Chapter 8 Sydney Drinking water Catchment	Not relevant to the Proposal.
Chapter 9 Hawkesbury-Nepean River	<p>The proposal site is within the Hawkesbury-Nepean River Catchment. The Proposal seeks to introduce land zones to match the existing uses on the site.</p> <p>The Proposal includes detail on the future management of wastewater at the site. This includes the construction of a rising main from the Sydney Water sewer to cater for effluent flows from Mater Dei School, Wivenhoe Villa and separately for the Aspect School with some preliminary concept plans already developed.</p> <p>On-site wastewater management systems associated with the convent cottage and farmhouse will remain operational within their respective precincts.</p> <p>The introduction of a rising main to service the schools and villa may have a positive impact on the Hawkesbury – Nepean Catchment by reducing onsite wastewater disposal.</p>
Chapter 10 Sydney Harbour Catchment	Does not apply to the Camden LGA
Chapter 11 Georges Rivers Catchment	Only applies to a small area within the Camden LGA and the proposal site is outside of this catchment and so is not relevant to the Proposal.
Chapter 12 Willandra Lakes Region World Heritage Property	Does not apply to the Camden LGA
Chapter 13 Strategic Conservation Planning	No land within the site has been mapped as Avoided Land or Land for Strategic Conservation under the SEPP and so this Chapter is not relevant to the Proposal.



SEPP Chapter Title	Assessment of Consistency with
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Does not apply to the Proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The Proposal will not impede the provisions of this SEPP. The Proposal will assist in the application of this SEPP by introducing land zones in keeping with current uses at the site.
State Environmental Planning Policy (Housing) 2021	Not relevant to the Proposal.
State Environmental Planning Policy (Industry and Employment) 2021	Assessment provided under chapters below.
Chapter 2 Western Sydney Employment area	Does not apply to Camden LGA.
Chapter 3 Advertising and Signage	The Proposal will not impede the application of this chapter.
State Environmental Planning Policy No 65- Design Quality of Residential Apartment Development	Not relevant to the Proposal.
State Environmental Policy (Planning Systems) 2021	Assessment provided under chapters below.
Chapter 2 State and Regional Development	Not relevant to the Proposal.
Chapter 3 Aboriginal Land	Does not apply to the Camden LGA.
Chapter 4 Concurrences and Consents	The Proposal does not affect the implementation of this chapter.
State Environmental Planning Policy (Precincts- Western Parkland City) 2021	Assessment provided under chapters below.
Chapter 2 State Significant Precincts	Not relevant to the Proposal.
Chapter 3 Sydney Region Growth Centres	The site is outside of the Camden Growth Centres boundary and so the chapter is not relevant to the Proposal.
Chapter 4 Western Sydney Aerotropolis	Not relevant to the Proposal.
Chapter 5 Penrith Lakes scheme	Does not apply to the Camden LGA.
Chapter 6 St Marys	Does not apply to the Camden LGA.
Chapter 7 Western Sydney Parklands	Does not apply to the Camden LGA.
State Environmental Planning Policy (Primary Production) 2021	Assessment provided under chapters below.
Chapter 2 Primary production and rural development	Not relevant to the Proposal.
Chapter 3 Central Coast plateau areas	Does not apply to the Camden LGA.
State Environmental Planning Policy (Resilience and Hazards) 2021	Assessment provided under chapters below.
Chapter 2 Coastal Management	Does not apply to the Camden LGA.
Chapter 3 Hazardous and Offensive Development	Not relevant to the Proposal.
Chapter 4 Remediation of land	No changes to existing uses on the site are

SEPP Chapter Title	Assessment of Consistency with
	proposed with the Proposal and so assessment of contamination is not required.
State Environmental Planning Policy (Resources and Energy) 2021	Assessment provided under chapters below.
Chapter 2 Mining, petroleum production and extractive industries	Not relevant to the Proposal.
Chapter 3 Extractive Industries in Sydney Area	Not relevant to the Proposal.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Assessment provided under chapters below.
Chapter 2 Infrastructure	No new uses are proposed at the site and so the SEPP is not relevant to the Proposal.
Chapter 3 Educational Establishments and childcare facilities	The Proposal will assist in the application of this SEPP by rezoning two existing schools from an R5 Large Lot Residential zone to an SP2 Educational Establishment zone.
Chapter 4 Major Infrastructure corridors	The Proposal will not impact on major infrastructure corridors and so the SEPP is not relevant to the Proposal.
Chapter 5 Three ports- Port Botany, Port Kembla and Newcastle	Does not apply to the Camden LGA.

## Appendix 3: Section 9.1 Directions

S9.1 Direction Title	Assessment of Consistency
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	The Proposal's consistency with the Greater Sydney Region Plan and Western City District Plan has been assessed in the tables above under Section 1.1. The Proposal has been assessed as being consistent with the Greater Sydney Region Plan and so is consistent with this direction.
1.2 Development of Aboriginal Land Council Land	No rezoning of land owned by an Aboriginal Land Council is proposed with this Proposal.
1.3 Approval and Referral Requirements	The Proposal is consistent with this direction as it does not propose provisions requiring concurrence, consultation or referral of a minister or public authority outside of bushfire management and does not identify development as designated development.
1.4 Site Specific Provisions	The Proposal does not introduce any site-specific provisions and so is not inconsistent with this direction.
Focus Area 1: Planning Systems-Place-based	
1.5 Paramatta Road Corridor Urban Transformation Strategy	Not applicable to the Camden LGA.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to the Camden LGA.
1.7 Implementation of Greater Paramatta Priority Growth Area Interim Land Use and Infrastructure Implantation Plan	Not applicable to the Camden LGA.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to the Camden LGA.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to the Camden LGA.
1.10 Implementation of the Western Sydney Aerotropolis Plan	The Proposal is not inconsistent with this direction.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable to the Camden LGA.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable to the Camden LGA.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable to the Camden LGA.
1.14 Implementation of Greater Macarthur 2040	Not applicable to the Proposal.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable to the Camden LGA.
1.16 North West Rail Link Corridor Strategy	Not applicable to the Camden LGA.
1.17 Implementation of the Bays West	Not applicable to the Camden LGA.

S9.1 Direction Title	Assessment of Consistency
Place Strategy	
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable to the Camden LGA.
Focus Area 2: Design and Place	
Focus Areas 3: Biodiversity and Conservation	
3.1 Conservation zones	<p>The Proposal is both consistent and inconsistent with this direction as follows:</p> <p><u>Consistent:</u> The Proposal seeks to rezone conservation lands from an RU1 Primary Production and an SP2 Air Transport Facility zone to a C2 Environmental Conservation zone. Thus, improving the future protection of these conservation lands.</p> <p><u>Inconsistent:</u> The Proposal also seeks to rezone C2 Environmental Conservation zoned land to:</p> <ul style="list-style-type: none"> <li>- SP2 Educational Establishment,</li> <li>- SP2 Drainage and</li> <li>- RE1 Public recreation zone.</li> </ul> <p>This is viewed as being inconsistent with Direction 3.1 as the rezoning of this land will reduce the existing conservation standard applied to the land under the Camden LEP 2010.</p> <p>This inconsistency is viewed as being of minor significance due to the following considerations:</p> <ul style="list-style-type: none"> <li>- The proposed SP2 Educational Establishment portion of the site comprises of an existing dwelling; historical stables and the vegetation is predominantly maintained European species.</li> <li>- The land within the proposed SP2 Drainage zone comprises of maintained drainage basins, that are managed in accordance with a relevant Operational Plan.</li> <li>- The land within the proposed RE1 Public Recreation zone comprises of maintained public recreation land that includes embellishments such as picnic tables, paved walkways and maintained gardens.</li> </ul> <p>Advice is sought from the Planning Secretary regarding this inconsistency.</p>
3.2 Heritage Conservation	<p>The land subject to the Proposal includes the Wivenhoe Heritage Item I99 and curtilage area. The proposed amendments seek to protect the current uses on the site and reduce the potential for further</p>



S9.1 Direction Title	Assessment of Consistency
	development outside of these uses. This has been confirmed by the Heritage Assessment submitted with the Proposal. Additionally, as the Proposal will not result in future development and will increase conservation zoned land, no impact on land of Aboriginal Cultural significance is likely to occur. This has been confirmed by a due diligence assessment submitted with the Proposal. Therefore, the Proposal is viewed as being consistent with this direction.
3.3 Sydney Drinking Water Catchments	Not applicable to the Camden LGA.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	Not applicable to the Camden LGA.
3.5 Recreation Vehicle Areas	Recreational vehicle areas are not proposed and so the Proposal is not inconsistent with this direction.
3.6 Strategic Conservation Planning	No land within the Proposal site has been identified as Avoided Land or as a Strategic Conservation Area under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and so this Direction is not applicable to the Proposal.
Focus area 4: Resilience and Hazards	
4.1 Flooding	The land subject to the Proposal is located on land mapped as being flood prone however the portions of the site proposed for rezoning for SP2 Educational Establishment are elevated above the flood affected areas and are outside of this mapped land. Further studies are required to confirm that evacuation from the site and access roads will not be impacted by flooding however the Proposal is viewed as being consistent with this direction at this stage.
4.2 Coastal Management	Not applicable to the Camden LGA.
4.3 Planning for Bushfire Protection	The Proposal seeks to rezone land mapped as bushfire prone to an SP2 Educational Establishment zone. A Bushfire Assessment has been prepared for the Proposal which concludes that appropriate bushfire management can be achieved on site. In addition to this the site is already being used for educational purposes and the Proposal is not viewed as leading to the intensification of this use on site. Consultation will be undertaken with Commissioner of the NSW Rural Fire Service following receipt of a positive


S9.1 Direction Title	Assessment of Consistency
	Gateway Determination. The Proposal is viewed as being consistent with this direction at this stage.
4.4 Remediation of Contaminated Land	No additional or new uses are proposed on site and the site has already been developed for its current uses and has been in use for a number of years. Therefore, the Proposal is viewed as being consistent with this direction.
4.5 Acid Sulphate Soils	The Proposal will not result in an intensification of the use of the site and as the Camden LGA has not been mapped as being at risk for Acid Sulphate on NSW Government SEED mapping, the proposal is not inconsistent with this direction.
4.6 Mine Subsidence and Unstable Lands	The land is not within a mine subsidence area and so the direction is not applicable.
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Not relevant to the Proposal.
5.2 Reserving Land for Public Purposes	The Proposal will not result in the loss of land for public purposes and so is consistent with this direction.
5.3 Development Near Regulated Airports and Defence Airfields	The Proposal site is within the Wind Turbine Buffer and the Wildlife Buffer zone of the Western Sydney Airport and within the 20 and 25 ANEF zone of the Camden Airport as well as the Approach Surface and Transitional surface of the Camden Airport OLS. However, as the Proposal will not result in additional uses or density at the site no additional impact is anticipated on either airport. Therefore, the Proposal is consistent with this direction. The draft Proposal was referred to Camden Airport who have not raised any objection to the Proposal at this stage. Therefore, the Proposal is viewed as being consistent with this direction. Further consultation will be carried out with Western Sydney Airport and Camden Airport if the proposal receives a positive Gateway to confirm this consistency and to assess the inclusion of the proposed change to the SP2 Air Transport Facility zone following reporting to the Camden LPP and Council.
5.4 Shooting Ranges	Not applicable to the Proposal.
Focus area 6: Housing	
6.1 Residential Zones	The proposal seeks to remove the R5 zone from the site and so this direction is not relevant to the Proposal.
6.2 Caravan Parks and Manufactured Home Estates	Not relevant to the Proposal.
Focus area 7: Industry and Employment	

S9.1 Direction Title	Assessment of Consistency
7.1 Business and Industrial Zones	Not relevant to the Proposal.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable to the Camden LGA.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to the Camden LGA.
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	The Proposal will not impact on resource and extractive industries and so the direction is not relevant to the Proposal.
Focus area 9: Primary Production	
9.1 Rural Zones	The Proposal seeks to rezone land zoned RU1 Primary Production to C2 Environmental Conservation zone on land already protected as Biodiversity Stewardship sites. This land zone is not within the zones identified within this direction and so the Proposal is viewed as being consistent with this direction.
9.2 Rural Lands	Not applicable to the Camden LGA.
9.3 Oyster Aquaculture	Not applicable to the Camden LGA.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to the Camden LGA.

## Appendix 4: Draft DCP



## Appendix 5: Camden Local Planning Panel Minutes – 20 September 2022



Camden Local Planning Panel

**CC01      Mater Dei / Wivenhoe Planning Proposal**

The Panel has considered the Council Officers' report and inspected the site of the Planning Proposal.

The Panel considers the proposed zones and planning controls reflect the opportunities and attributes of this land holding. The Planning Proposal will ensure the important ecological and heritage values of the site will be protected and will continue to be appropriately managed in the future.

The Panel supports the amendments recommended by Council officers. These amendments:

- reflect an existing agreement between Council and the landowner under which Council will take ownership of drainage and public recreation/open space areas associated with the existing Kirkham Rise residential development; and
- correct an apparent anomaly in relation to land currently zoned SP2 Air Transport Facility.

These amendments are appropriate.

The Panel agrees that the inconsistency of the Planning Proposal with Ministerial Direction 3.1 (Conservation Zones) is justified, for the reasons outlined in the Council officers' report.

**PANEL'S ADVICE**

The Panel supports the planning proposal as recommended to be amended by Council officers being progressed to a gateway determination.

**Voting Numbers:**

The Panel voted 4-0 in favour of the advice.

MINUTES

CAMDEN LOCAL PLANNING PANEL MEETING HELD ON | 20 September 2022

## Appendix 6: Camden Council Meeting Report and Minutes – 1 November 2022

## Appendix 7: Existing and Proposed LEP Mapping

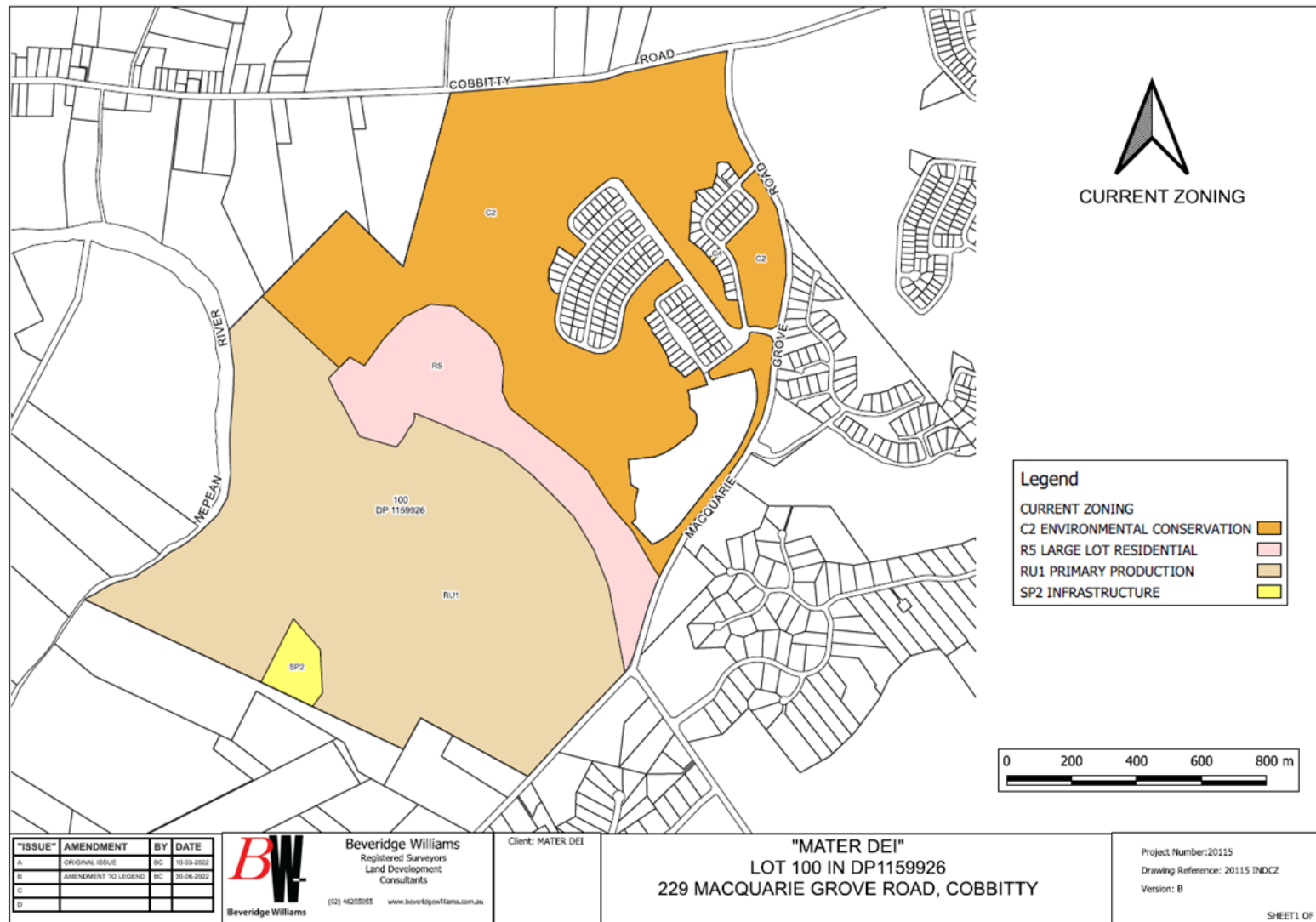


Figure 10 Existing Zoning

Planning Proposal – 229 Macquarie Grove Road, Cobbitty (Mater Dei/Wivenhoe)

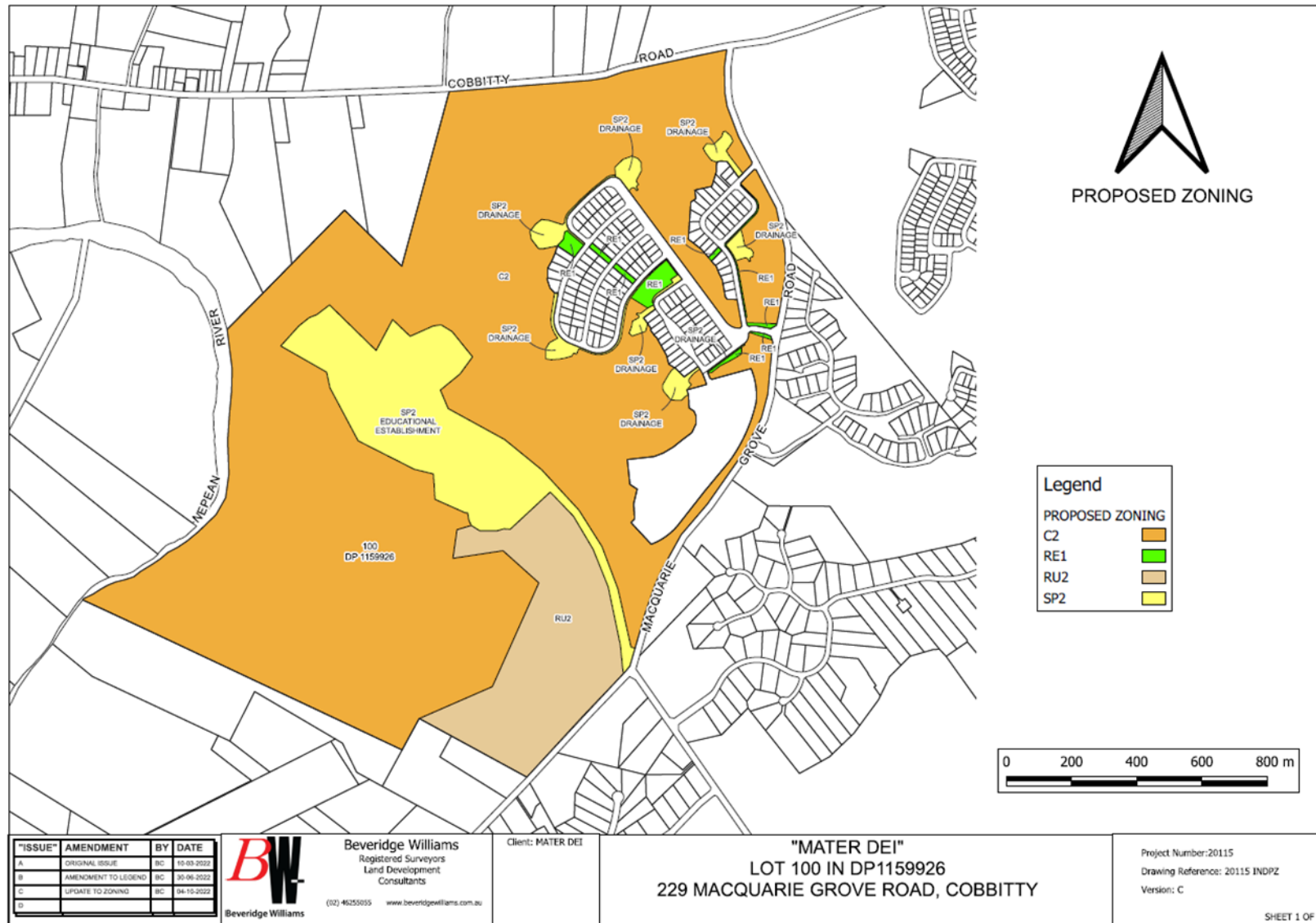


Figure 11 Proposed Zoning

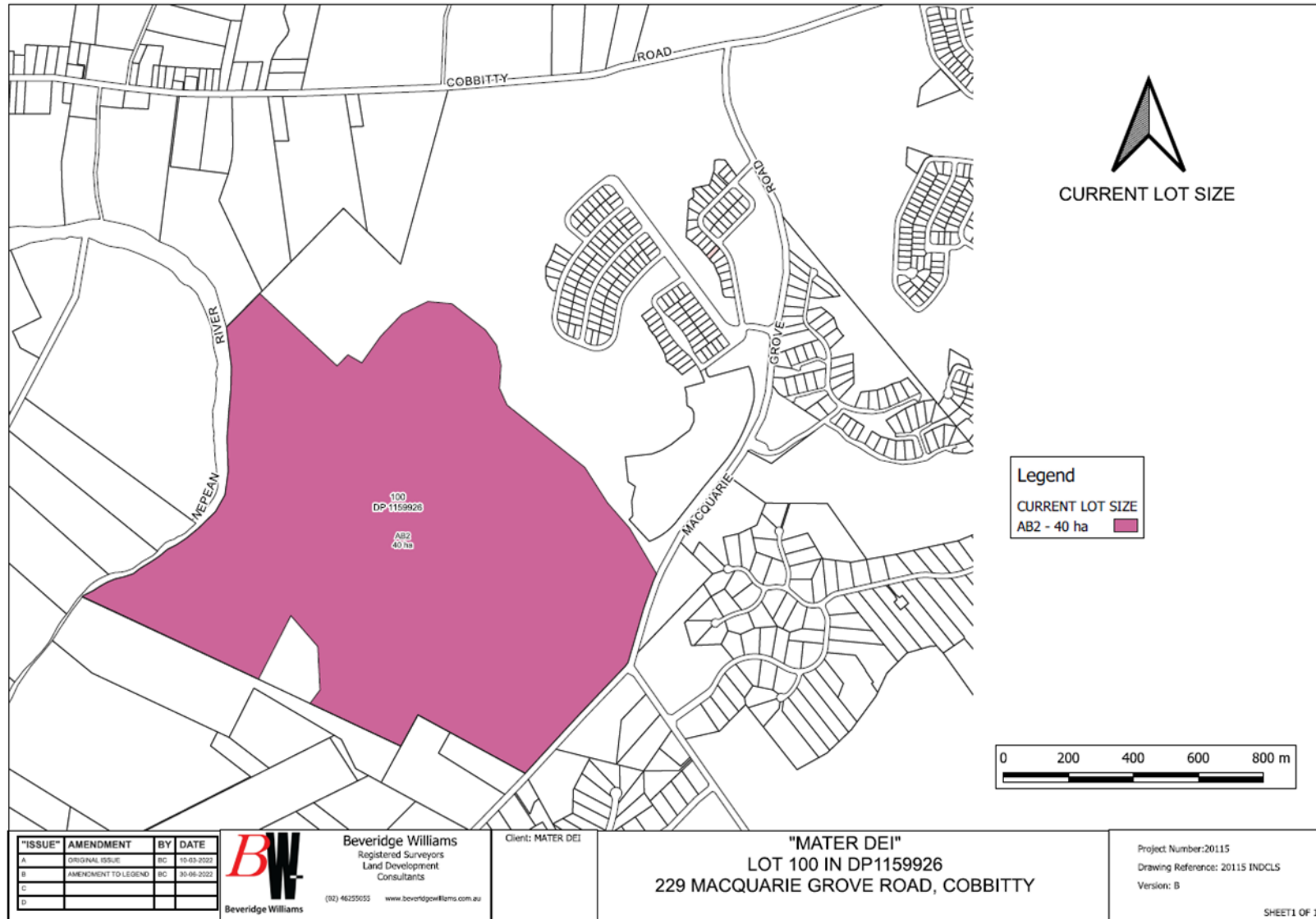


Figure 12 Existing Lot Size



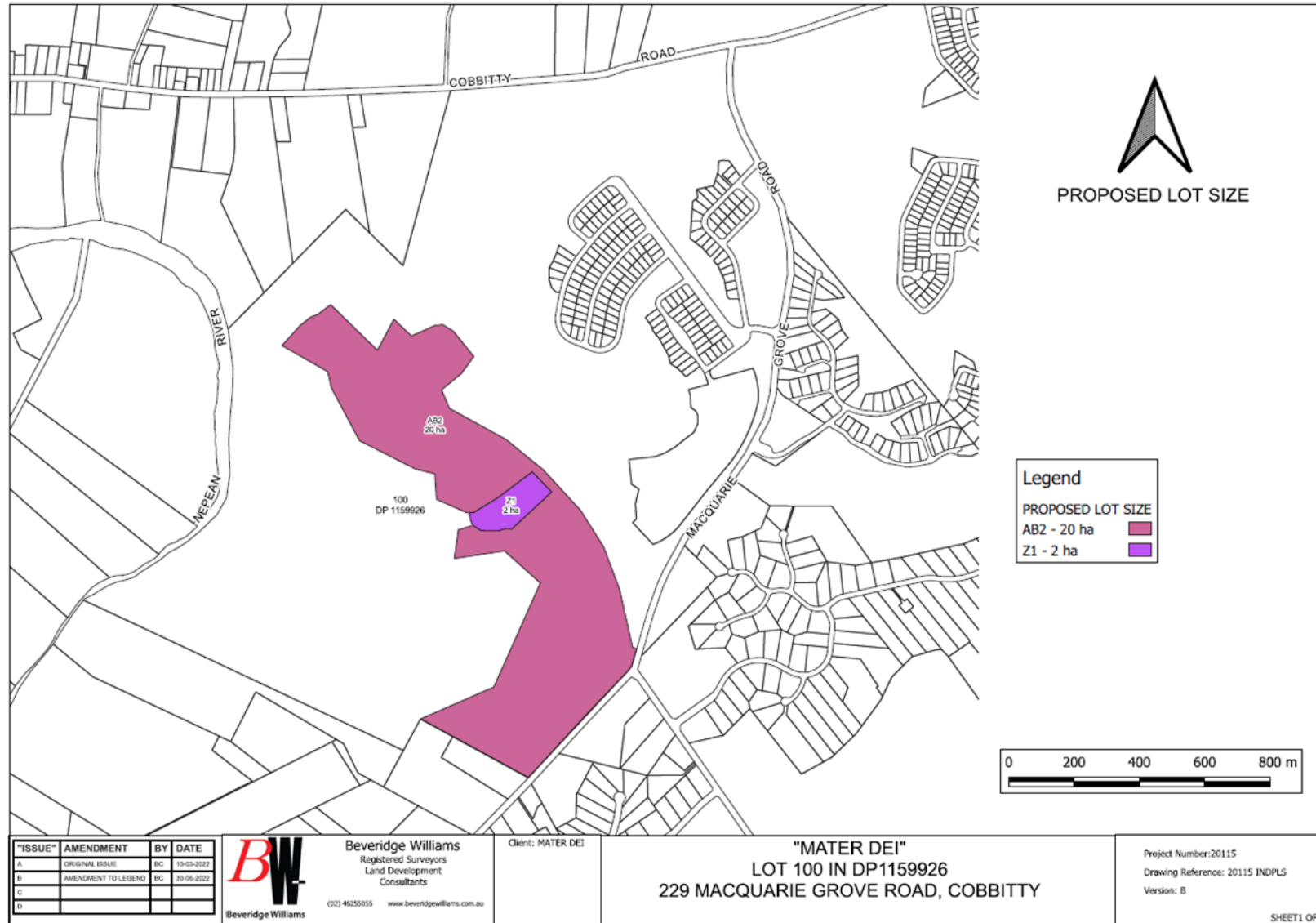


Figure 13 Proposed Lot Size



Appendix 8 Aerial Photos and location of land proposed for RE1 Public Recreation Zone showing current embellishment









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