



Camden Council

Business Paper

Ordinary Council Meeting

12 October 2021

Please note due to COVID-19 restrictions this meeting is being held as a teleconference. The public can view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>





ORDINARY COUNCIL

ORD002

SUBJECT: PLANNING PROPOSAL - ADDITIONAL LOCAL PROVISION TO INCREASE BUILDING HEIGHTS FOR RESIDENTIAL DEVELOPMENT SURROUNDING ORAN PARK HOUSE

FROM: Director Planning & Environment

TRIM #: 21/421018

PROPERTY ADDRESS Part of 4 O'Keefe Drive, Oran Park (Lots 6001-6030; 6040-6045; 6055-6061; 6064-6070; DP 1235007)
141 Banfield Drive, Oran Park (Lots 6031 – 6039; DP 1235007)

PROPONENT Hixson Pty Ltd

OWNER Hixson Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal that seeks to increase the height of dwellings and an amendment to the Camden Growth Centres DCP (DCP) for land at 4 O'Keefe Drive and 141 Banfield Drive, Oran Park.

The report recommends Council endorse the draft Planning Proposal and draft DCP and forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination.

The draft Planning Proposal is provided as an **attachment** to this report.

BACKGROUND

In February 2021, a draft Planning Proposal was lodged by Hixson Pty Ltd to amend Appendix 9 Camden Growth Centres Precinct Plan of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP). The proposal seeks to increase dwelling heights up to seven metres in certain circumstances for development surrounding Oran Park (Catherine Park) House.

The draft Planning Proposal is accompanied by amendments to the Camden Growth Centres DCP - Schedule 4 - Catherine Field (Part) Precinct (draft DCP). The amendments involve changes to the controls for building heights. The draft DCP is provided as an **attachment** to this report.

Heritage NSW has provided preliminary advice supporting building heights up to seven metres, subject to specific design conditions. Subject to Council endorsement of the draft Planning Proposal, further consultation will be undertaken with Heritage NSW.

On 21 September 2021, the Camden Local Planning Panel (Panel) considered the draft proposal and provided recommendations, discussed later in this report. A copy of the meeting minutes is provided as an **attachment** to this report.

Councillors were briefed on the draft Planning Proposal on 27 July and 28 September 2021.

Locality

The site is located within the north-west portion of the Catherine Field (Part) Precinct in the South West Growth Area (SWGA) as shown in **Figure 1**.

The Catherine Field (Part) Precinct is located on the western side of Camden Valley Way. It is bound by the Oran Park Precinct to the north-west, Catherine Field Precinct to the north-east, Turner Road Precinct to the south-east and Harrington Park (Harrington Grove Estate) to the south and west.

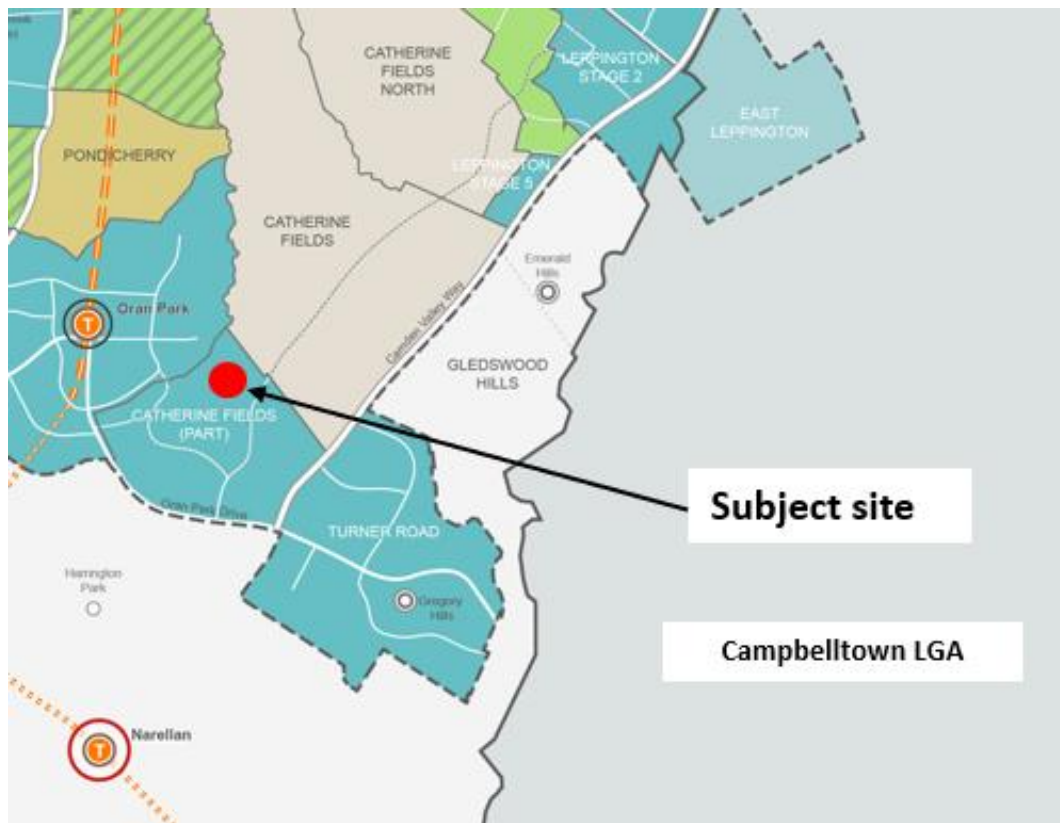


Figure 1: Location of subject site within the South West Growth Area

Site

The site forms part of the Catherine Park Estate, which is located within the Catherine Field (Part) Precinct. The site is known as Catherine Park Estate – Stage 6A. The site contains a state heritage-listed item, Oran Park House (also known as Catherine Park House), located on a single allotment approximately 4.5 hectares in area.

Oran Park House is located on an elevated knoll and sits above the surrounding residential development. As shown in **Figure 2**, the heritage curtilage includes ancillary outbuildings, surrounding gardens, coach house, silo and residential lots.

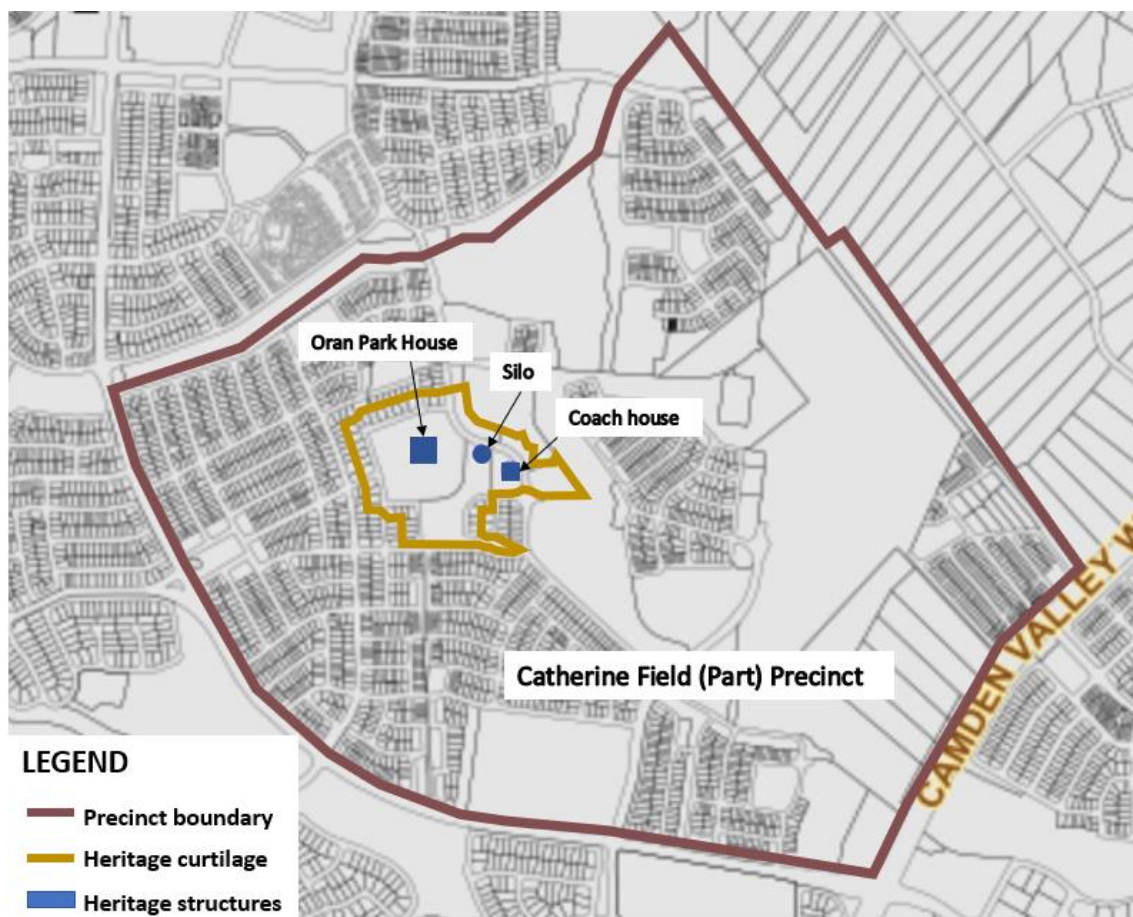


Figure 2: Location of the Catherine Field (Part) Precinct and Heritage Items

There is existing and future residential development to the south-east, south, west and north-west of the site as shown in **Figure 3**. South Creek is to the east, and a future neighbourhood shopping centre is proposed to the south-east of Oran Park House.

There are 66 lots within the site that currently have a maximum building height of 5 metres. Of these, 59 lots are affected by this draft Planning Proposal and 36 lots are located wholly or partially within the heritage curtilage area of Oran Park House.



Figure 3: Site Context Map

Development History

In May 2019, a revised Conservation Management Plan (CMP) for Oran Park House was endorsed by Heritage NSW. The revised CMP included a Public Domain Strategy and the Oran Park Heritage Exemption Guidelines (Heritage Exemption Guidelines). The CMP is provided under **separate cover** and the Heritage Exemption Guidelines are included in the Planning Proposal provided as an **attachment** to this report.

On 26 May 2020, Council resolved to adopt amendments to the Camden Growth Centres DCP for development in the heritage curtilage of Oran Park House. The changes to development controls sought to align the DCP to the revised CMP and Heritage Exemption Guidelines. The amended DCP came into effect on 2 October 2020.

The land surrounding Oran Park House has been subdivided and recently registered and sold. Council is in receipt of several Development Applications (DAs) which seek approval for single storey dwellings up to seven metres in height. The assessment of these DAs has been deferred pending Council's decision on the draft Planning Proposal. The relevant development history of the site is provided as an **attachment** to this report.

MAIN REPORT

The draft Planning Proposal seeks to amend the Growth Centres SEPP to increase dwelling heights up to seven metres for development surrounding Oran Park (Catherine Park) House located within Stage 6A of the Catherine Park Estate, subject to specific design controls.

Zoning and permissibility

The site is zoned R2 Low Density Residential. Residential lots within the heritage curtilage have a minimum lot size of either 500m² or 700m², while lots outside of the heritage curtilage have a minimum lot size of 500m².

A Floor Space Ratio (FSR) of 0.45:1 applies to the 700m² lots within the heritage curtilage and the DCP requires a minimum site frontage of 20 metres. The zoning, minimum lot size and FSR controls are shown in **Figures 4 to 6**.

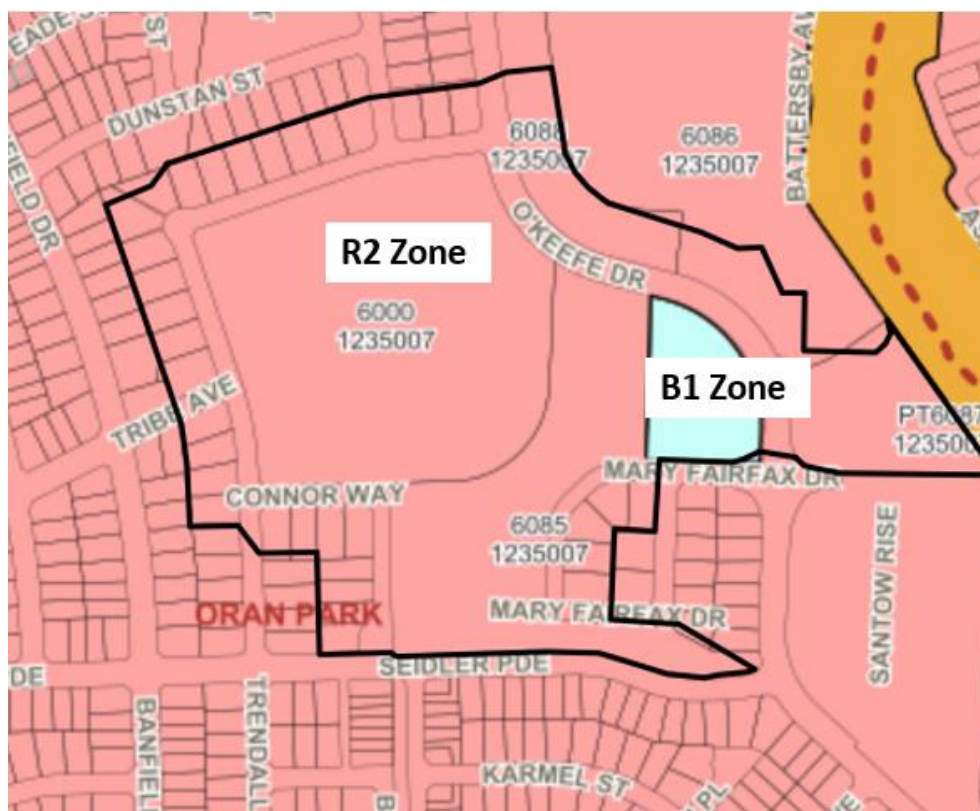


Figure 4: Existing Zoning and Heritage Curtilage

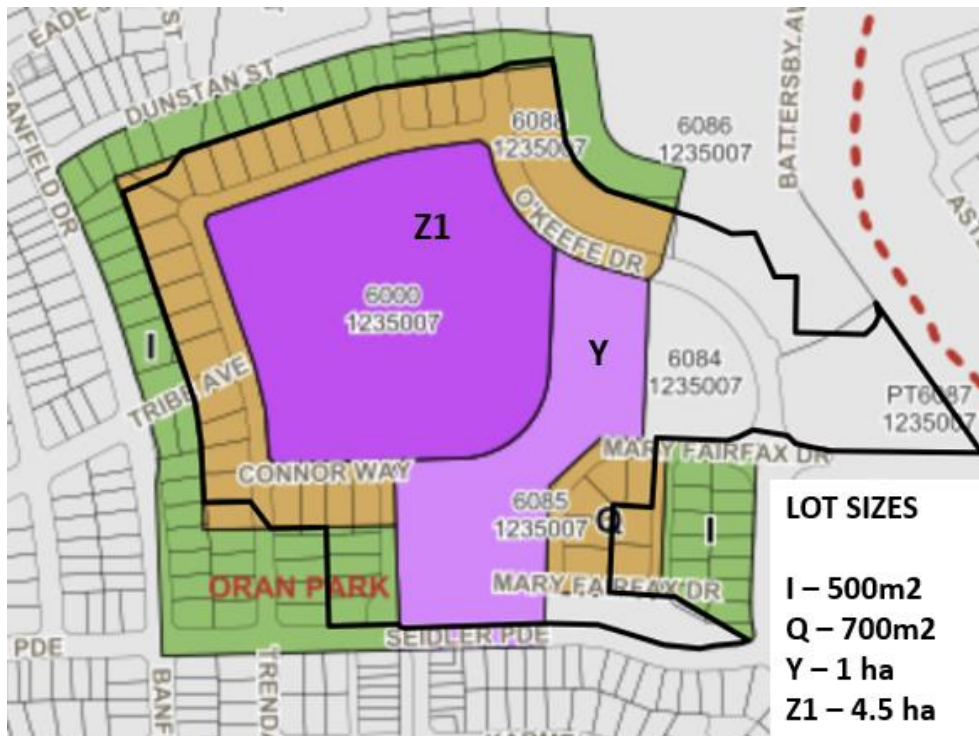


Figure 5: Existing Minimum Lot Sizes and Heritage Curtilage

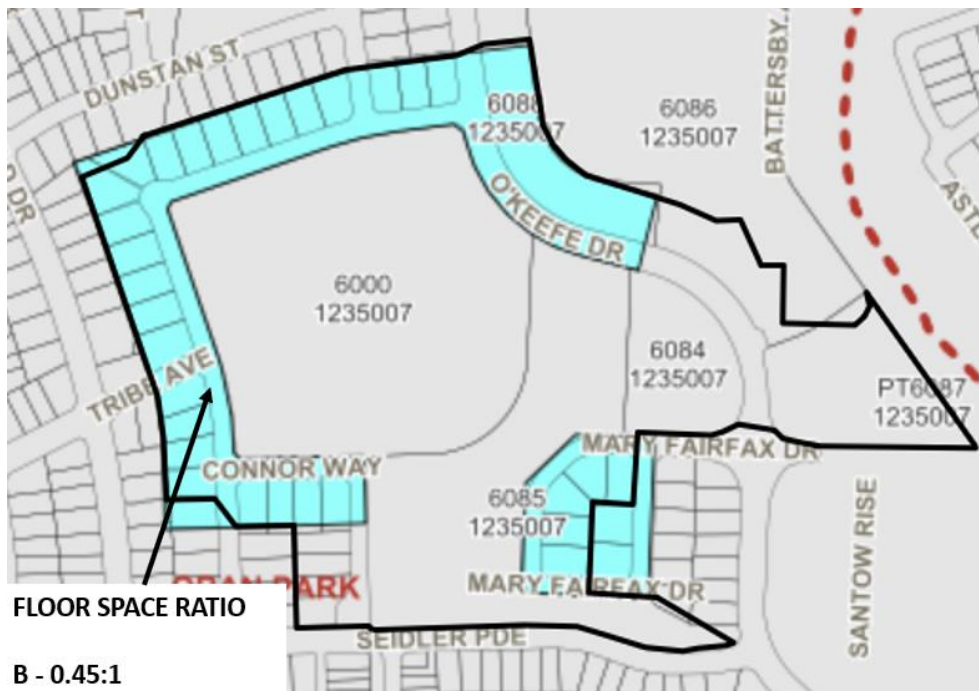


Figure 6: Existing Floor Space Ratio and Heritage Curtilage

Specialist Studies

The draft Planning Proposal is supported by the following specialist study:

- Heritage Assessment and Evaluation Report dated February 2021 - Tropman & Tropman Architects.

This study is included in the Planning Proposal provided as an **attachment** to this report.

DCP Amendment

The proposal is accompanied by amendments to the Camden Growth Centres DCP, provided as an **attachment** to this report. In summary, the amendments include:

- Building height controls to reflect the proposed clause;
- Street facade and elevation controls, including diagrams to illustrate the design solution;
- Residential built form, deleting the requirement for the development to be built by one builder; and
- Minor administrative amendments.

Subject to Council endorsement of the draft Planning Proposal, further consultation on the draft DCP amendments will be undertaken with Heritage NSW.

Key Issues

Council officers have assessed the draft Planning Proposal and a summary of key issues is provided below.

Building height

The draft Planning Proposal notes that the current five-metre building height standard does not enable the proper design of residential dwellings as intended in the heritage landscape setting.

Furthermore, the five-metre building height standard does not allow compliance with the existing site-specific controls in the DCP. The current DCP requires single storey dwellings to have a minimum roof pitch of 22.5 degrees. This roof pitch is not achievable within the five-metre height limit on 700m² lots with a frontage of 20 metres, as illustrated in **Figures 7 and 8**.

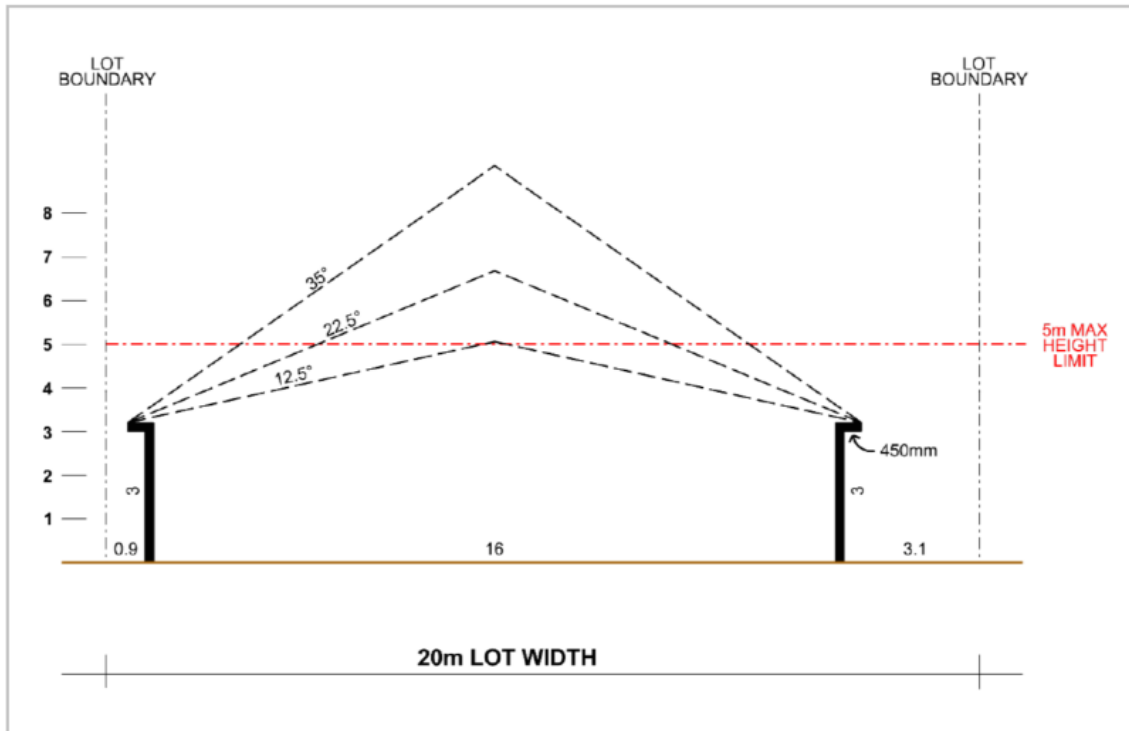


Figure 7: Five (5) metre maximum building height limit and roof pitch



Figure 8: Dwelling roof forms

Officer Comment

Heritage NSW has provided preliminary support for building heights up to seven metres subject to conditions, as provided as an **attachment** to this report.

The design supported by Heritage NSW allows a single storey dwelling with a transition from three metres at the front and sides of the dwelling and four metres for 30% of the building frontage to seven metres at the roof ridge. This enables single storey dwellings to achieve a minimum roof pitch of 22.5 degrees.

Draft Clause

The proposed clause will allow building heights above five metres providing:

- The development is a detached dwelling;
- The dwelling height does not exceed seven metres;
- The dwelling is contained within the Standard Building Height Envelope; and
- The four metre height at the front building line does not exceed 30% of the building frontage (front elevation).

Figures 9 and 10 illustrate the recommended design outcome.

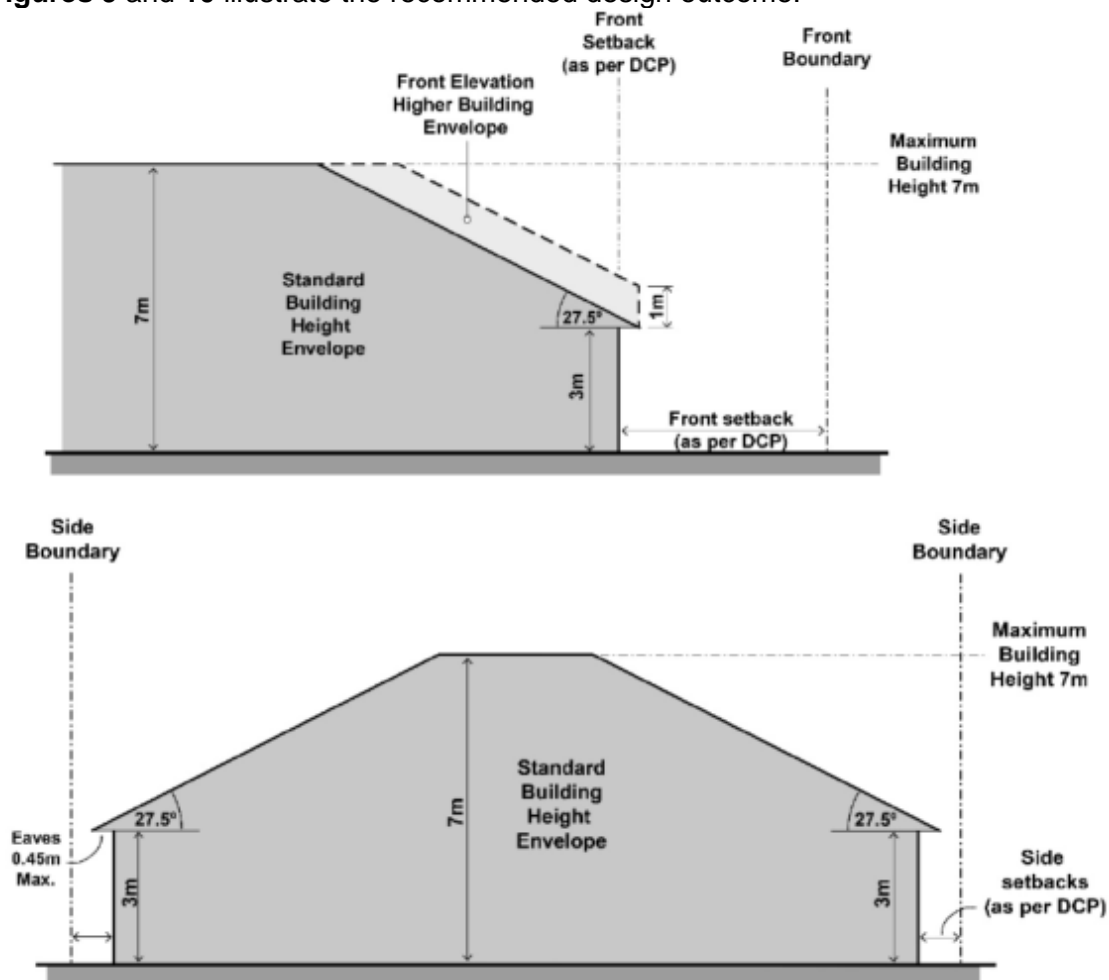


Figure 9: Building envelope for residential dwellings surrounding Oran Park House

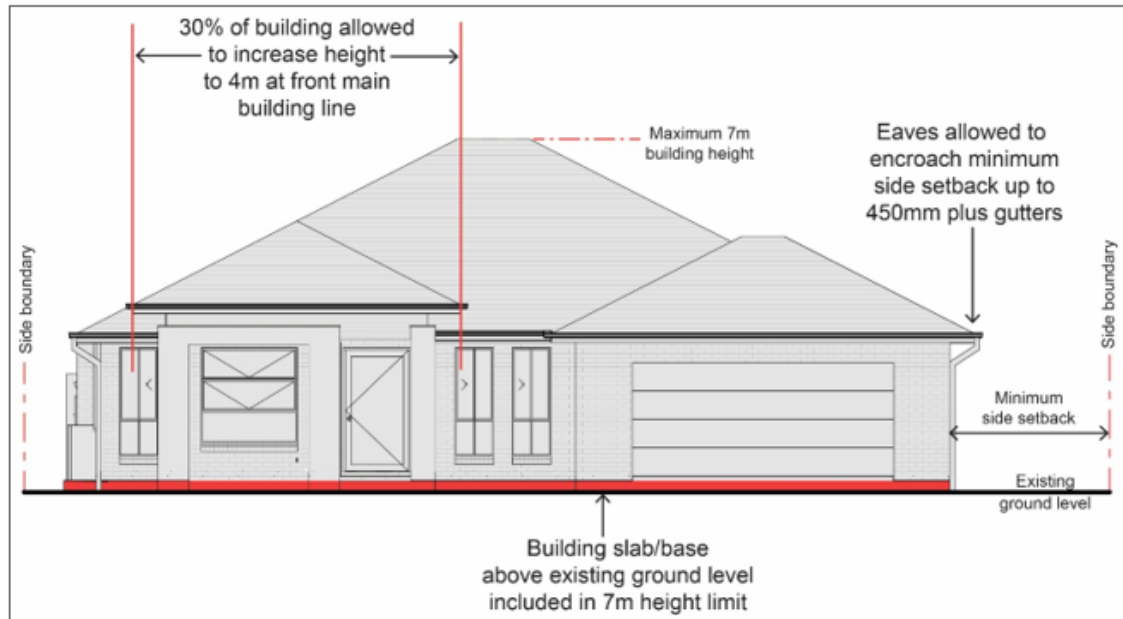


Figure 10: Draft local provision clause street façade

Officer Comment

The draft clause will apply to 59 residential lots. Council officers support the proposal being amended to clarify the land to which the proposed clause applies.

The clause will require that the design does not:

- Impact adversely on the heritage value and significance of Oran Park House;
- Intrude upon the identified view lines and vistas; and
- Detrimentially change the bulk and scale, and character of the streetscape.

To support the DCP amendments, it is recommended that the draft clause clarify that dwellings are to be single storey and that dormer windows will only be considered on corner lots. It is recommended that the clause be amended to prevent the height being varied under Clause 4.6 – variation of development standards. It is also recommended that the clause confirm the roof pitch of between 22.5 and 35 degrees.

Visual and Heritage Impacts

The draft Planning Proposal notes that the proposed controls will deliver better designed dwellings and more attractive streetscapes without impacting on views to and from Oran Park House. As illustrated in **Figure 11**, dwellings constructed at seven metres will sit below the roofline of dwellings built to nine metres.



Figure 11: View facing north towards McEvoy Street from Oran Park House

Officer Comment

An objective for the Catherine Field (Part) Precinct is for development surrounding Oran Park House to be subservient and not detract from its visual dominance in the landscape setting. As illustrated in **Figure 11**, due to the site topography, views will not be adversely impacted by single storey dwellings built to seven metres and in accordance with the design controls.

Assessment against Key Strategic Documents

An assessment of the draft Planning Proposal against the key strategic documents is provided as an **attachment** to this report and summarised below:

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. The proposal is consistent with the relevant directions and objectives of the Region Plan including:

- **Direction 4: Liveability** - Housing the City and A City of great places

Western Sydney 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.

The proposal is consistent with the relevant priorities and actions of the District Plan:

- **Planning Priority W5:** Providing housing supply, choice and affordability, with access to jobs, services and public transport; and
- **Planning Priority W6:** Creating and renewing great places and local centres and respecting the District's heritage.

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 has been assessed against the relevant directions and strategies of the CSP and is consistent with the following strategies:

- **Strategy 1.1.2:** Manage and plan for a balance between population growth, urban development and environmental protection; and
- **Strategy 2.1.1:** Protect the built and natural heritage of the Camden LGA.

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 has been assessed against the relevant Local Priorities and Actions of the LSPS and is consistent with the following Local Priorities:

- **Liveability Local Priority 1:** Providing housing choice and affordability for Camden's growing and changing population; and
- **Liveability Local Priority 2:** Celebrating and respecting Camden's proud heritage.

Draft Camden Housing Strategy

The draft Camden Local Housing Strategy (draft 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 draft Strategy and is consistent with the following priorities:

- Delivering resilient, healthy and connected communities; and
- Delivering the right housing in the right location.

Camden Local Planning Panel

On 21 September 2021, the Camden Local Planning Panel considered the draft Planning Proposal. The Panel recommended that the draft Planning Proposal proceed to Gateway Determination as it demonstrates strategic and site specific and is consistent with the preliminary advice from Heritage NSW.

The Panel recommended that the proposed clause:

- Stipulate the proposed roof pitch and front building line in the draft clause consistent with the preliminary advice from Heritage NSW;
- Exclude the operation of clause 4.6;
- Include a map that shows the area to which the clause applies; and
- Clarify the inclusion of eaves on the proposed local provision clause diagram with Heritage NSW.

A copy of meeting minutes is provided as an **attachment** to this report.

Officer comment

Council officers support the Panel's recommendations. It is recommended that the proposed clause be amended to address the matters raised by the Panel and in response to the Council officer's assessment of the draft Planning Proposal.

Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents including the Greater Sydney Region Plan, Western City District Plan, Community Strategic Plan, Camden Local Strategic Planning Statement and draft Camden Local Housing Strategy.

It is considered that the proposal demonstrates strategic and site-specific merit to proceed to Gateway Determination. As noted in this report, further consultation will be undertaken with Heritage NSW to address the Panel's recommendation and Council officer's comments.

Next Steps

Subject to Council endorsement, the draft Planning Proposal will be submitted to DPIE for Gateway Determination.

Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on public exhibition concurrently with the draft DCP. This will include further consultation with Heritage NSW. If unresolved submissions are received during the public exhibition period, a further report to Council will be prepared. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPIE for finalisation.

Recommended Community Participation Methods

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the Gateway report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, it is recommended that the following community engagement methods be undertaken at public exhibition of the draft Planning Proposal:

- Notification letters to affected landowners, surrounding properties, the Heritage Advisory Committee and the Historical Society. The extent of the notification area for this proposal is provided as an **attachment** to this report.
- Site signage to be provided at the Banfield Drive and Seidler Parade street frontages advising that the proposal is on exhibition; and
- Social media posts directing the community to Council's website for further information on the proposal.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to amend the Growth Centres SEPP to permit dwelling heights up to seven metres for development surrounding Oran Park House (within Stage 6A of the Catherine Park Estate) subject to specific design controls.

The draft Planning Proposal is accompanied by amendments to the Camden Growth Centres DCP. The DCP amendments include controls and diagrams to detail the design requirements to be satisfied where dwellings up to seven metres are proposed.

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

RECOMMENDED

That Council:

- i. **endorse the draft Planning Proposal for land at 4 O'Keefe Drive and 141 Banfield Drive, Oran Park to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;**
- ii. **endorse the draft amendment to Schedule 4 of the Camden Growth Centres Development Control Plan to be forwarded to the Department of Planning, Industry and Environment in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment;**
- iii. **subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition for the draft Planning Proposal and draft Schedule 4 Development Control Plan in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*;**
- iv. **subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning, Industry and Environment for the plan to be made; and**
- v. **upon notification of the State Environmental Planning Policy amendment:**
 - a. **grant delegation to the General Manager to adopt the proposed changes to the Camden Growth Centres Development Control Plan in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment; and**
 - b. **publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*; or**
- vi. **if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- vii. **should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

ATTACHMENTS

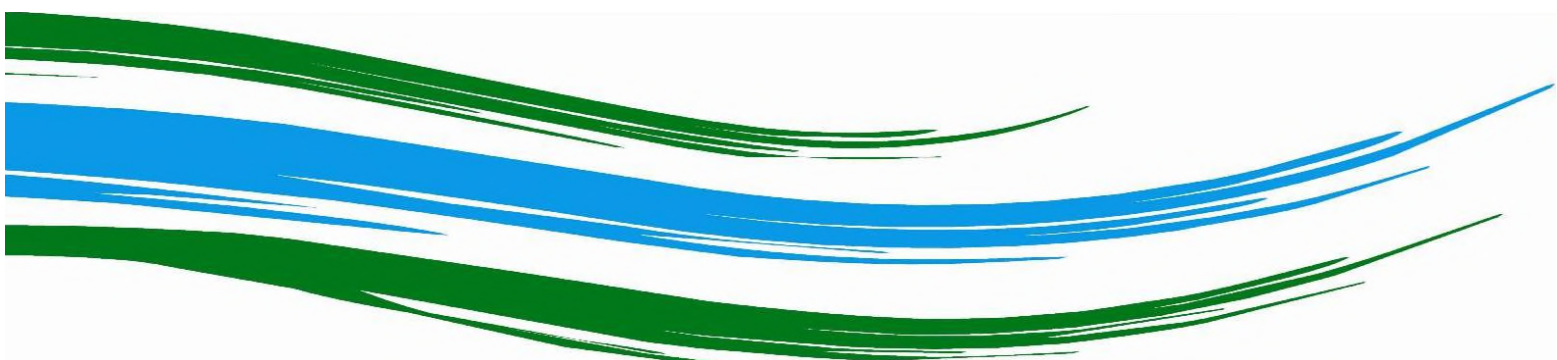
1. Planning Proposal Stage 6 Catherine Park - September 2021
2. Initial Assessment - Proposed Draft Amendments to 7 Schedule 4 Growth Centres DCP
3. Camden Local Planning Panel - Closed Meeting Minutes - 21/09/2021
4. Assessment against Key Strategic Documents
5. Report from Heritage NSW - 4 O'Keefe Drive, Oran Park
6. Oran Park House Conservation Management Plan
7. Relevant Development History - 4 O Keefe Drive and 141 Banfield Drive, Oran Park
8. Notification Area - 4 O Keefe Drive and 141 Banfield Drive, Oran Park



Camden Council Minutes

Ordinary Council Meeting
12 October 2021

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ORD01 ANNUAL FINANCIAL STATEMENTS - YEAR ENDING 30 JUNE 2021

Resolution: Moved Councillor A Cagney, Seconded Councillor C Cagney that Council:

- i. endorse the Statement by Councillors and Management, which is to be signed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer (Chief Financial Officer); and
- ii. notify the public that the Annual Financial Statements and Audit Report will be presented to Council on 9 November 2021.

ORD133/21 THE MOTION ON BEING PUT WAS CARRIED

(Councillors Symkowiak, Fedeli, C Cagney, A Cagney, Farrow and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD02 PLANNING PROPOSAL - ADDITIONAL LOCAL PROVISION TO INCREASE BUILDING HEIGHTS FOR RESIDENTIAL DEVELOPMENT SURROUNDING ORAN PARK HOUSE

Resolution: Moved Councillor C Cagney, Seconded Councillor Farrow that Council:

- i. endorse the draft Planning Proposal for land at 4 O'Keefe Drive and 141 Banfield Drive, Oran Park to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;
- ii. endorse the draft amendment to Schedule 4 of the Camden Growth Centres Development Control Plan to be forwarded to the Department of Planning, Industry and Environment in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment;
- iii. subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition for the draft Planning Proposal and draft Schedule 4 Development Control Plan in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*;
- iv. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning, Industry and Environment for the plan to be made; and
- v. upon notification of the State Environmental Planning Policy amendment:
 - a. grant delegation to the General Manager to adopt the proposed changes to the Camden Growth Centres Development Control Plan in accordance with the amended delegations issued to Council on 19 January 2015 from the Secretary of the Department of Planning and Environment; and
 - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*; or
- vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or

- vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD134/21 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Symkowiak, Fedeli, C Cagney, A Cagney, Farrow and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD03 PLANNING PROPOSAL - ADDITIONAL PERMITTED USE FOR STUDIO DWELLINGS AT 50 RABY ROAD, GLEDSDOOD HILLS (CAMDEN LAKESIDE)

Resolution: Moved Councillor C Cagney, Seconded Councillor Symkowiak that Council:

- i. endorse the draft Planning Proposal for land at Lot 70 DP 1261166, 50 Raby Road, Gledswood Hills, to be forwarded to the Department of Planning, Industry and Environment for Gateway Determination;
- ii. endorse the draft amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside;
- iii. subject to receiving a favourable response from the Department of Planning, Industry and Environment, proceed to public exhibition of the draft Planning Proposal and draft amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*;
- iv. subject to no unresolved submissions being received, forward the draft Planning Proposal for land at 50 Raby Road, Gledswood Hills to the Department of Planning, Industry and Environment for finalisation;
- v. upon notification of the Local Environmental Plan amendment being made:
 - a. grant delegation to the General Manager to adopt the amendment to Camden Development Control Plan 2019 – Schedule 6 Camden Lakeside; and
 - b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*; or
- vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition period; or
- vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD135/21 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Symkowiak, Fedeli, C Cagney, A Cagney, Farrow and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)