



# Camden Council Planning Proposal

Increased Minimum Lot Size and Zone Boundary  
Adjustment for Land at Abercrombie Place, Harrington  
Park

Version 5  
October 2022

## Document Register

Version	Date	Detail	Council Reference
1	January 2022	Original Planning Proposal lodged by proponent	22/27690
2	March 2022	Revised Planning Proposal prepared by proponent	22/213210
3	June 2022	Planning Proposal for Gateway Determination prepared by Camden Council	22/243033
4	July 2022	Planning Proposal for Gateway Determination prepared by Camden Council with minor corrections	22/294092
5	October 2022	Planning Proposal for Public Exhibition prepared by Camden Council with minor corrections and amendments to correct a mapping anomaly in accordance with Gateway Condition 1.	22/361162

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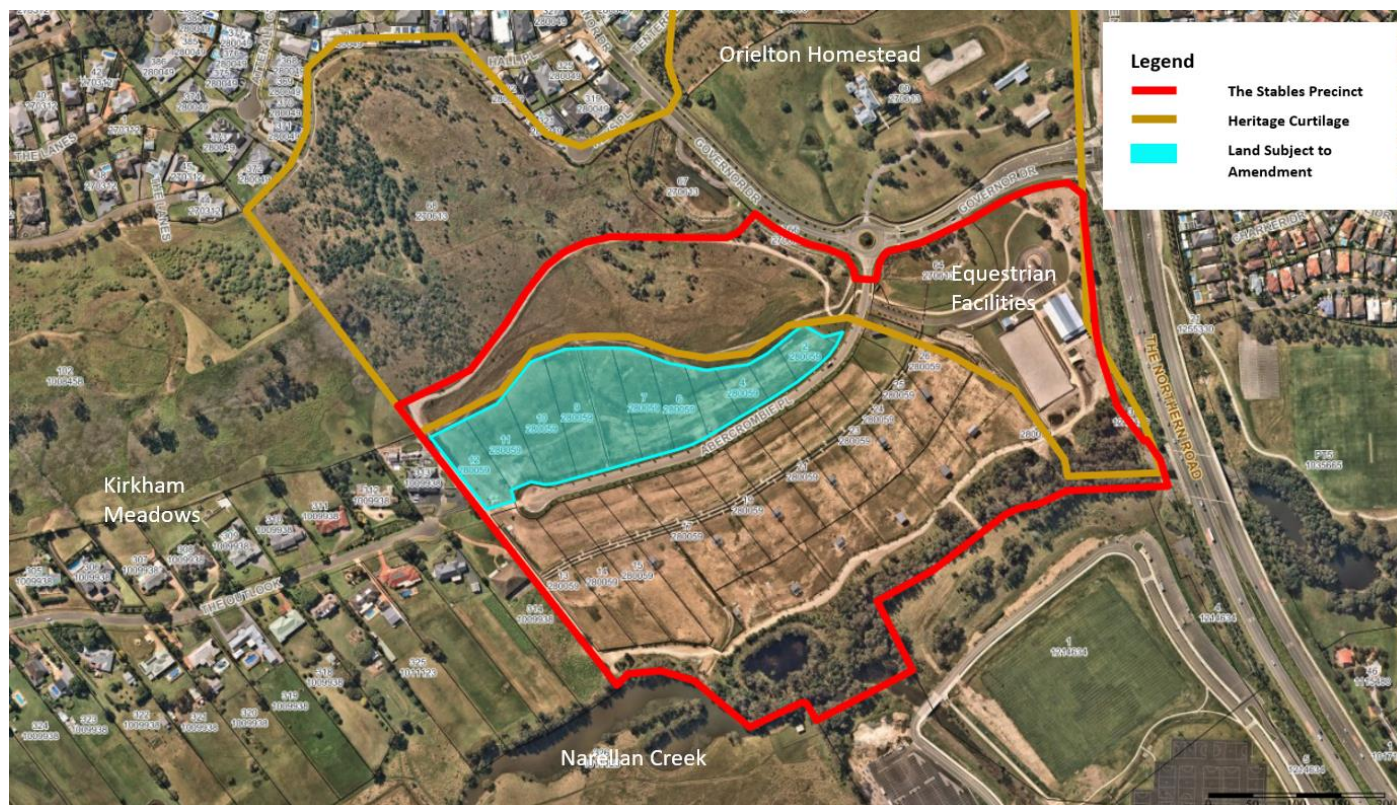


## Executive Summary

The subject site for this Planning Proposal is land located at Abercrombie Place (Lots 1-12 of DP 280059), Harrington Park, as shown in **Figure 1**.

The site forms part of the Harrington Grove Community Title approved development, which was rezoned for residential development in 2007. This Planning Proposal specifically applies to Lots 1-12 in Precinct O (hereafter known as The Stables).

This Planning Proposal seeks to increase the minimum lot size standard of the subject site to 6,000m<sup>2</sup> and align the boundaries of the R5 Large Lot Residential and C2 Environmental Conservation zones with the boundaries of the subject lots.



**Figure 1: Site Context**

## Introduction

### Background

In January 2022, a draft Planning Proposal was lodged by Dandaloo Pty Ltd to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010). The proposal sought to increase the minimum lot size standard of the subject site to 6,000m<sup>2</sup> and align the boundaries of the R5 Large Lot Residential and C2 Environmental Conservation zones with the lot boundary between Lot 1 and Lots 2-12.

On 19 April 2022, the Camden Local Planning Panel (the Panel) considered the draft proposal and supported the Council officer's recommendations. A copy of the Closed Panel minutes is provided as **Appendix 2**.

The draft Planning Proposal was reported to Council on 10 May 2022. At this meeting, Council resolved to endorse the draft 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**.

On 15 July 2022, the Planning Proposal received a Gateway Determination outlining the conditions for agency consultation and public exhibition (**refer to Appendix 7**).

The Planning Proposal has been amended in response to Condition 1 of the Gateway Determination.

#### Site Location

The subject site comprises of land located at Abercrombie Place, (Lots 1-12, DP 280059) Harrington Park, which is located within The Stables Precinct of Harrington Grove as shown in **Figure 1**.

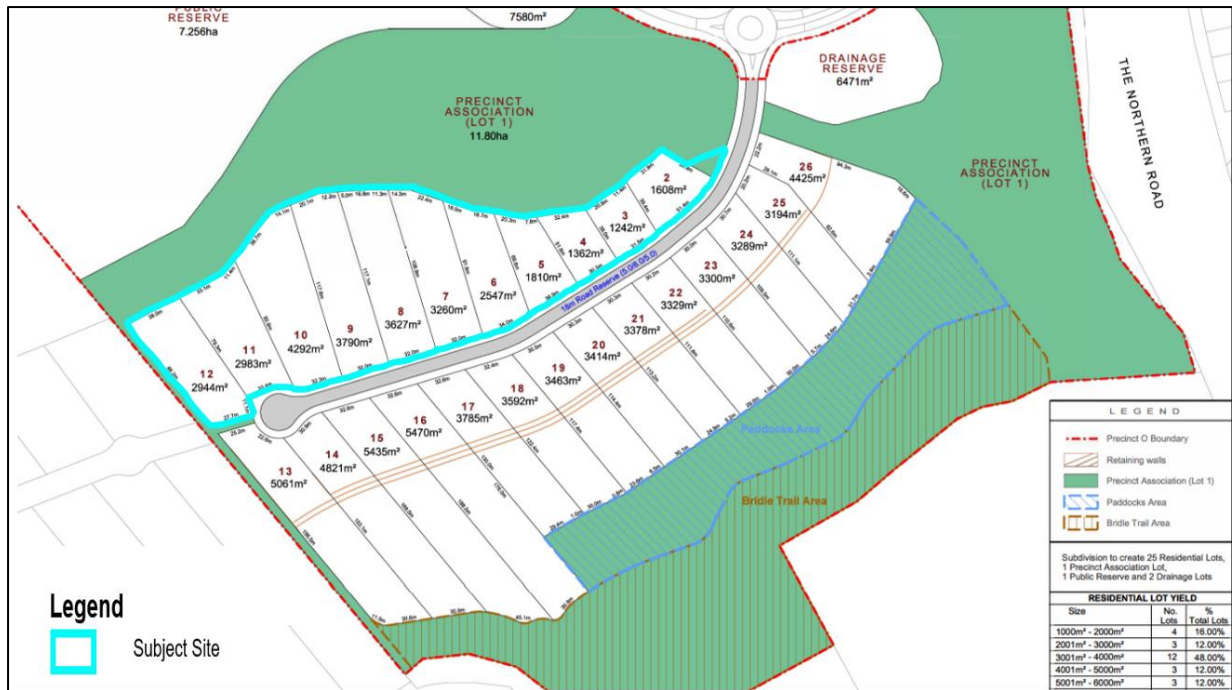
The site comprises of approximately 14.75 hectares of land that is largely undulating with elevated areas to the north. The site is mostly cleared of vegetation and is mapped as bushfire prone.

The adjacent areas to the subject site include Kirkham Meadows, a large lot residential subdivision to the west, Narellan Creek to the south, The Northern Road to the east and Orielton Homestead to the North. Orielton Homestead and its curtilage are listed on the state heritage register, with the listing comprising of the homestead, associated outbuildings, and the landscape setting. The subject site is located next to Orielton's heritage curtilage, as shown in **Figure 1**.

Governor Drive provides access from the subject site to the Northern Road and provides access to The Stables, Orielton Homestead and the other residential areas of Harrington Grove.

#### Planning Context

The developer's vision for the Stables is a unique equestrian themed large lot residential subdivision. The Stables was approved as a 30 large lot residential subdivision in April 2020 under DA/2018/1218 and has been subject to several modifications under Section 4.55. The current approved layout comprises 25 residential lots that range in area from 1,242m<sup>2</sup> to 5,510m<sup>2</sup> and includes a precinct association lot with communal equestrian facilities. The current approved subdivision layout is shown in **Figure 2**.



**Figure 2: Subdivision Plan**

### The Planning Proposal

The Planning Proposal applies to lots 1-12 as identified in **Figure 2**. Lots 2 -12 range in land area from 4292m<sup>2</sup> to 1242m<sup>2</sup> and a minimum lot size of standard of 2,000m<sup>2</sup> (Lot 12) and 700m<sup>2</sup> (Lots 2-11) applies to the site (**Figure 3**). These current lot size standards are well below the approved lot sizes and could facilitate further subdivision of the subject lots.

Further subdivision of the subject site would likely change the character and amenity of the area which has been designed to be sympathetic to the lower lying areas of Orierton Homestead. This would have a detrimental impact on the vision for The Stables. To prevent further subdivision of the subject site this proposal seeks to increase the minimum lot size standards applying to lots 2-12 to 6,000m<sup>2</sup>. This is shown in **Figure 4**. The proposed lot size standard of 6,000m<sup>2</sup> is larger than the areas of the approved and constructed lots and is considered an appropriate means for preventing further subdivision of the subject site.



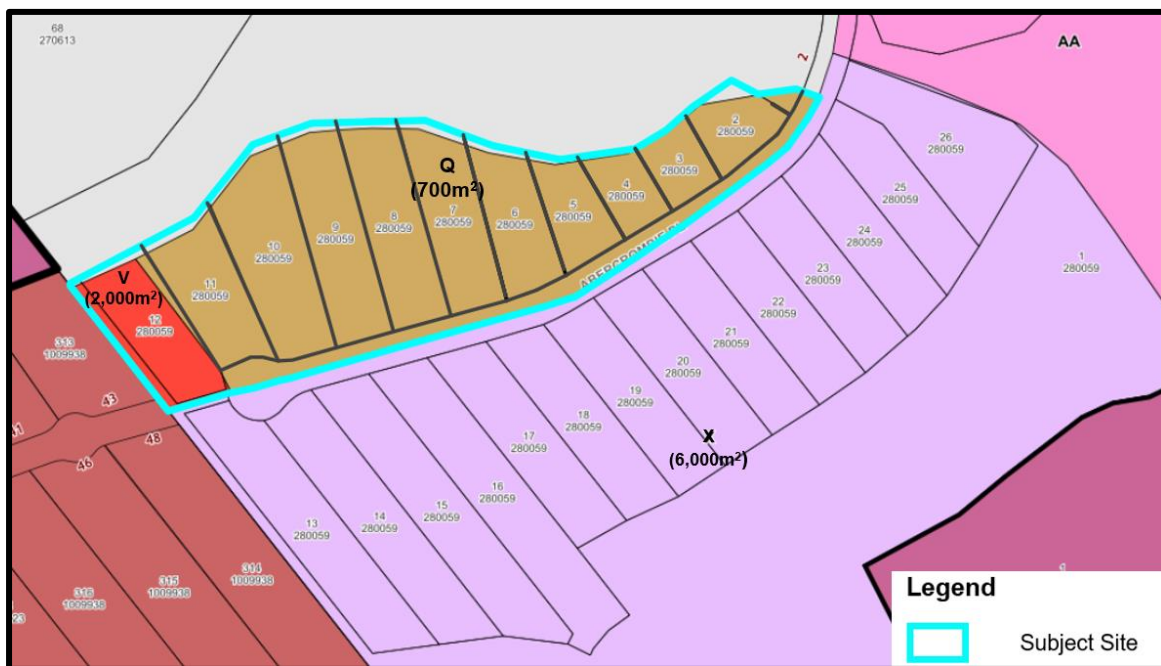


Figure 3: Existing Lot Size Map

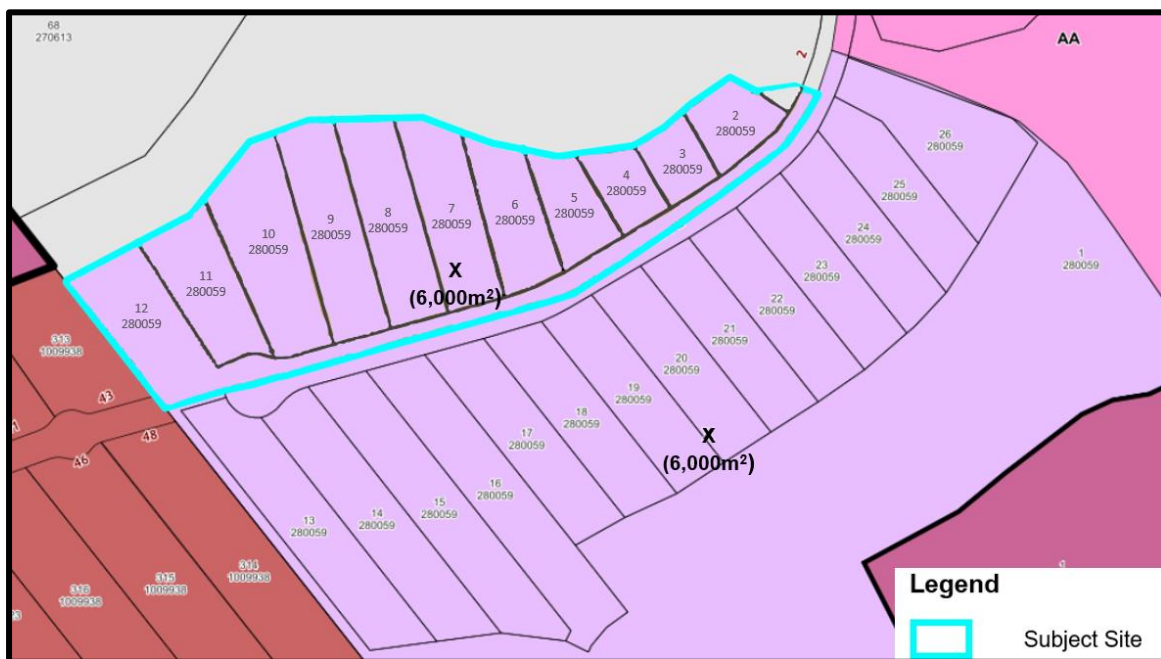
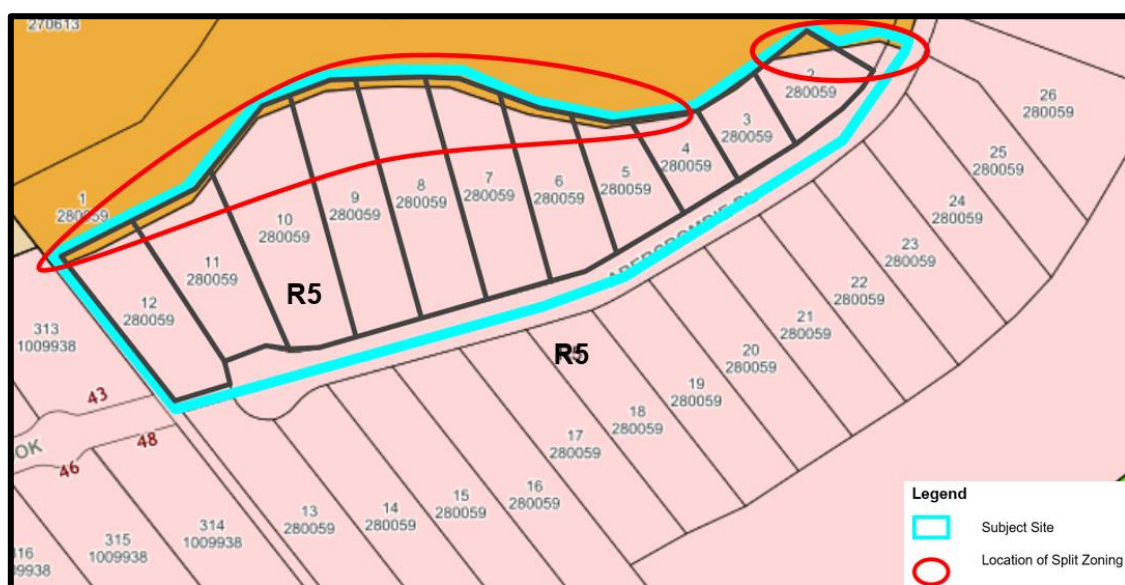


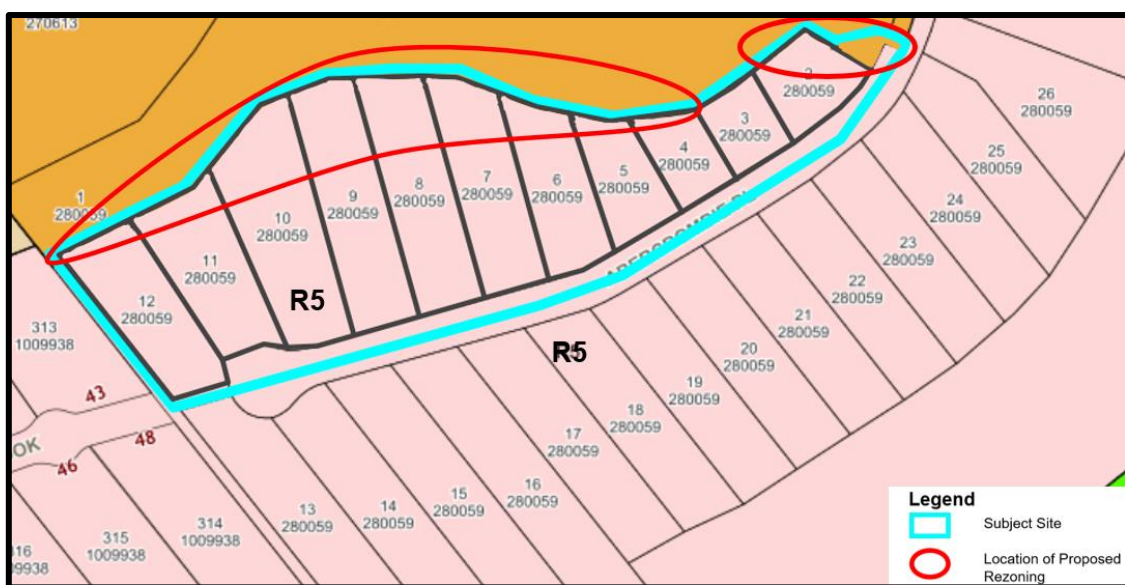
Figure 4: Proposed Lot Size Map



As shown in **Figure 5** Lot 3 is wholly zoned R5 Large Lot Residential whilst Lots 2 and Lots 4-12 are partially zoned C2 Environmental Conservation zoned land. Lot 1 is also shown in **Figure 5** as containing a small portion of R5 Large Lot Residential zoned land. The Planning Proposal seeks to rectify this split zoning by rezoning the small portions of C2 land applying to Lot 2 and Lots 4-12 to R5 Large Lot Residential and rezoning the smaller portion of R5 zoned land applying to Lot 1 to C2 Environmental Conservation. The location of these changes are shown in **Figure 6**.



**Figure 5: Existing Zoning Map showing approved lot layout**



**Figure 6: Proposed Zoning Map showing approved lot layout**

## Part 1 – Objectives and Intended Outcomes

The key objective of this Planning Proposal is to amend the Camden LEP 2010 Land Use Zoning and Lot Size Maps to facilitate an increased minimum lot size standard for Lots 2-12 at Abercrombie Place, Harrington Park and align the zone boundaries of the R5 Large Lot Residential and C2 Environmental Conservation zones with the boundaries of the subject lots.

The intended outcomes of this Planning Proposal are:

- To increase the minimum lot size standards of Lots 2-12 to prevent further subdivision of the existing large residential allotments in the R5 Large Lot Residential Zone.
- To maintain the existing rural character of the area and protect the amenity surrounding a State Heritage Registered item.
- To align the R5 Large Lot Residential and C2 Environmental Conservation Zone boundaries with the approved residential subdivision and provide consistent development standards across subject site.
- To rectify the split zoning of Lots 1-2 and Lots 4-12.

## Part 2 – Explanation of Provisions

The Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 as follows:

- Amend the Lot Size Map applying to Lots 2-12 from 700m<sup>2</sup> and 2,000m<sup>2</sup> to 6,000m<sup>2</sup>.
- Amend the Lot Size Map applying to Lot 1 to remove the 700m<sup>2</sup> standard so that it is consistent with other C2 Environmental Conservation zoned land in the Camden LGA.
- Amend the Land Zoning Map to rezone the portions of Lot 2 and Lots 4-12 currently zoned C2 Environmental Conservation to R5 Large Lot Residential.
- Amend the Land Zoning Map to rezone a portion of Lot 1 currently zoned R5 Large Lot Residential to C2 Environmental Conservation.

## Part 3 – Justification

This section addresses the need for changes to the minimum lot size and zone boundaries and details why the Planning Proposal is the best approach to achieve the objectives stated above.

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

#### **Q1. Is the planning proposal a result of any strategic study or report?**

This Planning Proposal is not the result of any strategic study or report. The need for the Planning Proposal is the result of a proponent led request to protect the existing development outcomes and amenity of the approved subdivision of the site.

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

A Planning Proposal is required to amend the Camden Local Environmental Plan 2010 Lot Size Map and Land Use Zoning Map. A Planning Proposal is considered to be the best means of achieving the objectives and intended outcomes having regard to the following:

- The current minimum lot size of 700m<sup>2</sup> and 2,000m<sup>2</sup> could permit further subdivision of large residential lots. This could have a negative impact on the character and amenity of the Stables, which was designed with equestrian facilities and large residential lots to create a rural character and amenity sympathetic to the lower-lying areas of Orielton homestead. The proposed minimum lot size of 6,000m<sup>2</sup> is larger than the existing lots and will prevent further subdivision of the site.
- Lot 2 and Lots 4-12 have been approved and constructed for residential development and are currently subject to a split zoning. By rezoning the small portions of Lots 2 and Lots 4-12 from a C2 Environmental Conservation zone to a R5 Large Lot Residential zone, the proposal will rectify this split zoning and provide more certainty for future owners around the development controls applying to their lot. The proposed amendment will not change the approved use of the lots and is considered to have minimal impact on land zoned C2 Environmental Conservation.
- The subject site is adjacent to Orielton Homestead's heritage curtilage and was designed to be sympathetic to the heritage significance of Orielton Homestead. In seeking to prevent further subdivision of the subject site the proposal will protect the amenity surrounding a State heritage item.

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

**Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes, 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's local strategy or other local strategic plan?**

This Planning Proposal is consistent with Council's local strategies including the Camden Community Strategic Plan, Camden Local Strategic Planning Statement, and Camden Local Housing Strategy, as summarised below. Consistency against these strategies are provided in greater detail in **Appendix 1**.

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

The Camden 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:

- Actively Managing Camden LGAs Growth; and
- Healthy Urban and Natural Environment

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

The Camden 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:

- Liveability Local Priority L1: Providing housing choice and affordability for Camden's growing and changing population
- Liveability Local Priority L2: Celebrating and respecting Camden's proud heritage.

### ***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:

- Delivering the right housing in the right location
- Increasing housing choice and diversity

### **Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

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

The Planning Proposal is considered consistent with these SEPPs, including deemed SEPPs.

### **Q6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?**

The s9.1 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. There is a minor inconsistency with Direction 3.1 Conservation Zones regarding the rezoning of a portion of C2 Environmental Conservation land.



This rezoning is to correct a zone boundary mapping anomaly between the C2 Environmental Conservation and R5 Large Lot Residential zones and the boundary of Lot 1 and Lots 2-12.

The current alignment for the zone boundaries between the C2 and R5 zones came into force on 2 August 2019 when the Camden LEP 2010 (Amendment No 45) was notified. The subdivision of the site was approved under DA/2019/1218, with the most recent modification of the application having been determined on 6 December 2021. Since then, the site has been cleared and constructed for residential development, with the subject lots being registered on 18 March 2022. The time lag between the mapping of the zones and the registration of the lots has likely resulted in a difference in the mapping information used, which has led to this mapping discrepancy. It is evident that the large residential lots were designed to fit wholly within the R5 zone as the lot boundaries follow the same line/curve as the zone boundaries. The subject land has since been cleared of all vegetation, undergone substantial earthworks and constructed for residential use and so has little conservation value. This Planning Proposal seeks to correct the mapping anomaly and ensure that the land zone reflects the approved use of the site.

The inconsistency is viewed as being minor in nature due to the land already being the subject of approved subdivision works and cleared of vegetation. The proposal also includes the rezoning of a portion of R5 Large Lot residential to C2 Environmental Conservation which may provide a partial offset to this zone change. Further consultation with the Environment and Heritage Group of DPE will be undertaken during public exhibition regarding this inconsistency.

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

***Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

No impacts on critical habitat or threatened species, population or ecological communities or their habitats have been identified with this proposal. The subject site has already been approved and constructed ready for residential use.

**Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

Bushfire constraints were considered as part of the assessment of DA/2018/1218. During this assessment the application was referred to the NSW Rural Fire Service (RFS) and General Terms of Approval were issued. No changes to lot layout, road design, access or lot size are proposed with this Planning Proposal and so no further assessment of bushfire risk has been requested.

In accordance with Condition 4 of the Gateway Determination and Section 9.1 Direction 4.4 Planning for Bushfire Protection, the Planning Proposal was referred to the NSW Rural Fire Service (RFS) for consultation prior to public exhibition. The NSW RFS had no objection to the proposed boundary realignment, noting that future dwellings on the subdivided lots are required to address the requirements of *Planning for Bush Fire Protection 2019*.

Comments from the NSW RFS are in **Appendix 8**.

**Q9. Has the planning proposal adequately addressed any social and economic effects?**

The Planning Proposal is not supported by a social or economic study.

Social Effects

The subject site forms part of a new subdivision and the Planning Proposal seeks to protect and retain the approved subdivision lot pattern and ensure that consistent development standards apply across all residential lots. Therefore, the Planning Proposal is viewed as being minor in nature and as unlikely to result in any negative social effects.

Economic Effects

The primary economic effect of the Planning Proposal is the certainty it will give to adjoining land owners within the Community Title subdivision that the site will remain in the same configuration and will not increase in density and thereby will not increase demands on community infrastructure.

**3.4 Section D – State and Commonwealth Interests**

**Q10. Is there adequate public infrastructure for the planning proposal?**

No additional density or population will result from the Planning Proposal and therefore no further demand on public infrastructure will be created.

**Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

The Gateway Determination identified that the following State and Commonwealth public authorities be consulted:

- NSW Rural Fire Service;
- Environment and Heritage Group of DPE; and
- Heritage NSW

Council referred the Planning Proposal to NSW Rural Fire Service on 22 August 2022 for comment prior to public exhibition. The NSW RFS raised no objections to the proposed zone boundary realignment, noting that future dwellings on the subject lots are required to address the requirements of Planning for *Bush Fire Protection 2019*. Comments from the NSW RFS are in **Appendix 8**.

Consultation will be undertaken with the above authorities during public exhibition in accordance with the Gateway conditions.

**Part 4 – Mapping**

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

- Lot Size Map- Sheet LSZ\_012
- Land Zoning Map – Sheet LZN\_012

The mapping amendments are illustrated in **Appendix 4**.

## Part 5 – Community Consultation

The Planning Proposal will be placed on public exhibition in accordance with Council's Community Participation Plan, subject to a favourable Gateway Determination.

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. At its meeting on 10 May 2022, Council resolved to endorse the Planning Proposal (**Appendix 6**). The Planning Proposal is on Public Exhibition from 17 October to 13 November 2022. The following community engagement methods are to be undertaken as part of the exhibition:

- Notification letters to landowners. Notification letters to landowners will include those of the subject lots and adjacent properties.
- Signage to be provided at the site advising that the proposal is on exhibition; and
- Social media posts directing the community to Council's website for further information on the proposal.

## Part 6 – Project Timeline

Anticipated commencement date (date of Gateway Determination)	July 2022
Anticipated timeframe for the completion of required technical information and mapping	September 2022
Timeframe for government agency consultation (pre and post exhibition as required by Gateway <u>D</u> etermination)	September/October 2022
Commencement and completion dates for public exhibition period	October/November 2022
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions and reporting to Council.	December 2022- March 2023
Date of submission to the department to finalise the LEP	April 2023
LEP Notification	May/June 2023
Adoption of LEP Amendment	May/June 2023

## Part 7 – Conclusion

This Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 to amend the minimum lot size and rezone a portion of R5 Large Lot Residential and C2 Environmental Conservation zoned land at Abercrombie Place, Harrington Park (Lots 1-12, DP 280059).

The Planning Proposal demonstrates strategic and site-specific merit through:

- Preventing further subdivision of an approved large lot residential development that has been designed to be sympathetic to the heritage and environmental constraints of the site.
- Rectifying the split zoning of existing residential lots and ensuring that consistent development controls and standards apply across the site.

This Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979. An amendment to the minimum lot size map and land use zone map is the most appropriate method to achieve the objectives of the Planning Proposal. The Planning Proposal will preserve the unique residential character of The Stables which contributes to the housing diversity and respects the heritage of the Camden LGA, aligning with the direction and objectives of the Camden Community Strategic Plan, Camden Local Strategic Planning Statement and Camden Local Housing Strategy.

## Part 8 – Appendices

**Appendix 1:** Greater Sydney Region Plan - Directions and Objectives & Western City District Planning Priorities and Objectives

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

**Appendix 3:** s9.1 Directions

**Appendix 4:** Existing and Proposed LEP Maps

**Appendix 5:** Camden Local Planning Panel Minutes- 19 April 2022

**Appendix 6:** Camden Council Pre-Gateway Meeting Report and Minutes -10 May 2022

**Appendix 7:** Gateway Determination

**Appendix 8:** NSW Rural Fire Service Pre-Exhibition Consultation



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

### Greater Sydney Region Plan

Objective	Consistency	Comment
<b>Liveability</b>		
<b>Objective 11:</b> Housing is more diverse and affordable	Yes	The subject site supports housing diversity by offering large lot residential housing with an equestrian theme that is unique to other housing typologies in the locality. The Planning Proposal aims to retain this diversity through preventing further subdivision of the site and so is viewed as being consistent with this objective.
<b>Objective 13:</b> Environmental heritage is conserved and enhanced	Yes	The proposal is viewed as being consistent with Objective 13. The large lot subdivision layout and equestrian theme of the subject site has been designed to be sympathetic and in keeping with the heritage significance of the adjoining Orielson Homestead. The Planning Proposal will act to preserve these elements by preventing unplanned subdivision of the site, thus preserving the amenity and character of the area.

## Western City District Plan

Objective	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 subject site is well located in proximity to existing infrastructure and services in Harrington Grove and provides additional housing supply that is diverse in design, lot size and character. The Planning Proposal aims to protect this diversity of character through preventing further unplanned subdivision of the site and is viewed as being consistent with this plan.</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 subject site is part of an existing approved subdivision that provides opportunities for community life through the inclusion of equestrian facilities under a community title management model.</p> <p>The site also adjoins the State heritage listed curtilage of the Orielton Homestead. While outside the curtilage, the subdivision has been designed to be sympathetic to the heritage significance of this item. The Planning Proposal will help to preserve this significance by preventing unplanned subdivision of the proposal site.</p> <p>The proposal is viewed as being consistent with these objectives of the plan.</p>

## Camden Community Strategic Plan

Objective	Consistency	Comment
<b>Key Direction 1- Actively Managing Camden Local Government Area's Growth</b>		
<b>Objective 1.1</b> Urban development is managed effectively	Yes	The existing subdivision at the proposal site supports objective 1.1 by providing additional housing to support population growth that has been designed to reflect the rural characteristics of the Camden LGA and the adjoining Orielton Homestead. The Planning Proposal aims to retain the future character and amenity of the site by preventing further unplanned subdivision of the site and so is in keeping with this objective.
<b>Key Direction 2- Healthy Urban and Natural Environment</b>		
Objective 2.1 Caring for urban and natural environment including heritage sites	Yes	The Planning Proposal aims to ensure that urban development adjoining the State heritage listed Orielton Homestead is appropriate and sympathetic to the character of this item through restricting the potential for unplanned subdivision of the site.

## Camden Local Strategic Planning Statement

Objective	Consistency	Comment
<b>Liveability</b>		
<b>Local Priority L1:</b> Providing housing choice and affordability for Camden's growing and changing population	Yes	The Planning Proposal supports the retention of an existing approved large lot residential subdivision layout in a location that is serviced by existing infrastructure and contributes to a sense of place. The Planning Proposal aims to preserve housing and diversity in the Camden LGA.
<b>Local Priority L2:</b> Celebrating and respecting Camden's proud heritage	Yes	The Planning Proposal acts to preserve an existing subdivision lot layout that has been designed to be sympathetic to the heritage significance of Orielton Homestead, through the use of large lots and equestrian themes. Therefore, the proposal is viewed as being consistent with this priority.



## Camden Local Housing Strategy

Objective	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 Planning Proposal aims to ensure that urban development around the State heritage registered Orielton Homestead continues to be managed effectively into the future. While outside the curtilage, the current subdivision design is sympathetic to the heritage significance of Orielton Homestead. The Planning Proposal will help preserve this significance by ensuring further subdivision does not impact on the amenity and character of the area.
<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 subject site has been designed and constructed as a unique large lot residential subdivision with an equestrian theme. This design contributes to the diversity of housing types as it is unique compared other housing forms in the locality. The Planning Proposal aims to maintain this diversity by preventing further subdivision of the site.

## Appendix 2: Consistency against State Environmental Planning Policies

SEPP/SREP/ Chapter Title	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021		Assessment provided under chapters below.
Chapter 2 Vegetation in non-rural areas	N/A	The subject site is part of a recently constructed subdivision and has been cleared of all vegetation and so no additional clearing of native vegetation is proposed as part of the Planning Proposal.
Chapter 3 Koala Habitat Protection 2020	N/A	Does not apply to the Camden LGA.
Chapter 4 Koala Habitat Protection 2021	N/A	Does not apply to the Camden LGA
Chapter 5 River Murray Lands	N/A	Does not apply to the Camden LGA
Chapter 6 Bushland in Urban areas	N/A	Not relevant to the Planning Proposal.
Chapter 7 Canal Estate Development	N/A	Not relevant to the Planning Proposal.
Chapter 8 Sydney Drinking water Catchment	N/A	Not relevant to the Planning Proposal.
Chapter 9 Hawkesbury-Nepean River	Yes	The proposal site is within the Hawkesbury-Nepean River Catchment. The Planning Proposal seeks to retain an existing lot size of an approved subdivision within a residential zoned area that will be serviced with reticulated wastewater. Therefore, the proposal is not viewed as having any additional impact on the Hawksbury – Nepean Catchment.
Chapter 10 Sydney Harbour Catchment	N/A	Does not apply to the Camden LGA
Chapter 11 Georges Rivers Catchment	N/A	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 Planning Proposal.
Chapter 12 Willandra Lakes Region World Heritage Property	N/A	Does not apply to the Camden LGA
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N/A	Future residential development of the subject site will be subject to the provisions of this SEPP. Does not apply to the Proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not impede the provisions of this SEPP. The Planning Proposal will assist in the application of this SEPP by removing the split zoning and applying a residential zone to the whole of Lots 2-12.

State Environmental Planning Policy (Housing) 2021		Assessment provided under chapters below.
Chapter 2 Affordable Housing	N/A	Not relevant to the Planning Proposal.
Chapter 3 Diverse Housing	N/A	Not relevant to the Planning Proposal.
State Environmental Planning Policy (Industry and Employment) 2021	N/A	Not applicable to the Planning Proposal.
Chapter 2 Western Sydney Employment area	N/A	Does not apply to Camden LGA
Chapter 3 Advertising and Signage	Yes	The Planning Proposal will not impede the application of this chapter.
State Environmental Planning Policy No 65- Design Quality of Residential Apartment Development	N/A	Not relevant to the Planning Proposal.
State Environmental Policy (Planning Systems) 2021		Assessment provided under chapters below.
Chapter 2 State and Regional Development	N/A	Not relevant to the Planning Proposal.
Chapter 3 Aboriginal Land	N/A	Does not apply to land subject to this Planning Proposal.
Chapter 4 Concurrences and Consents	Yes	The Planning Proposal does not affect the implementation of this chapter.
State Environmental Planning Policy (Precincts-Central River City)	N/A	Does not apply to the Camden LGA
State Environmental Planning Policy (Precincts-Eastern Harbour City) 2021	N/A	Does not apply to the Camden LGA
State Environmental Planning Policy (Precincts- Regional) 2021	N/A	Does not apply to the Camden LGA
State Environmental Planning Policy (Precincts- Western Parkland City) 2021		Assessment provided under chapters below.
Chapter 2 State Significant Precincts	N/A	Not relevant to the Planning Proposal.
Chapter 3 Sydney Region Growth Centres	N/A	The site is outside of the Camden Growth Centres boundary and so the chapter is not relevant to the Planning Proposal.
Chapter 4 Western Sydney Aerotropolis	N/A	Not relevant to the Planning Proposal.
Chapter 5 Penrith Lakes scheme	N/A	Does not apply to the Camden LGA
Chapter 6 St Marys	N/A	Does not apply to the Camden LGA.
Chapter 7 Western Sydney Parklands	N/A	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	N/A	Not relevant to the Planning Proposal.

Chapter 3 Central Cost plateau areas	N/A	Does not apply to the Camden LGA.
State Environmental Planning Policy (Resilience and Hazards) 2021		Assessment provided under chapters below.
Chapter 2 Coastal Management	N/A	Does not apply to the Camden LGA
Chapter 3 Hazardous and Offensive Development	N/A	Not relevant to the Planning Proposal.
Chapter 4 Remediation of land	N/A	The subject land has been assessed against the provisions of remediation of land as part of the assessment for the approved subdivision (development consent DA/2018/1218). The Planning Proposal does not seek to include additional land for residential development to that approved as part of this subdivision and so further 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	N/A	The proposal will not impact on resource and extractive industries and thus, this Chapter is not relevant.
Chapter 3 Extractive Industries in Sydney Area	N/A	The proposal does not involve extractive industries and thus, this chapter is not relevant.
State Environmental Planning Policy (Transport and Infrastructure) 2021		Assessment provided under chapters below.
Chapter 2 Infrastructure	N/A	Not relevant to the Planning Proposal.
Chapter 3 Educational Establishments and childcare facilities	N/A	The proposal does not include consideration of educational establishments of childcare centres and so the SEPP is not relevant.
Chapter 4 Major Infrastructure corridors	N/A	The proposal will not impact on major infrastructure corridors and so the SEPP is not relevant to the Planning Proposal.
Chapter 5 Three ports- Port Botany, Port Kembla and Newcastle	N/A	Does not apply to the Camden LGA



### Appendix 3: s9.1 Directions

S9.1 Direction Title	Consistency	Comment
<b>Focus area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	N/A	The Planning 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 Planning 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	N/A	No rezoning of land owned by an Aboriginal Land Council is proposed with this Planning Proposal.
1.3 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this direction as it does not propose provisions requiring concurrence, consultation or referral of a minister or public authority and does not identify development as designated development.
1.4 Site Specific Provisions	Yes	The Planning Proposal does not introduce any site-specific provisions and so is not inconsistent with this direction.
<b>Focus Area 1: Planning Systems-Place-based</b>		
1.5 Paramatta road Corridor Urban Transformation Strategy	N/A	Not applicable to the Camden LGA.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not applicable to the Camden LGA.
1.7 Implementation of Greater Paramatta Priority Growth	N/A	Not applicable to the Camden LGA.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not applicable to the Camden LGA.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not applicable to the Camden LGA.
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	The Planning Proposal is not inconsistent with this direction.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not applicable to the Camden LGA.
1.12 Implementation of Planning Principles for the cooks Cove Precinct	N/A	Not applicable to the Camden LGA.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not applicable to the Camden LGA.
1.14 Implementation of Greater Macarthur 2040	N/A	Not applicable to this Planning Proposal
1.15 Implementation of the Pymont Peninsula Place Strategy	N/A	Not applicable to the Camden LGA.

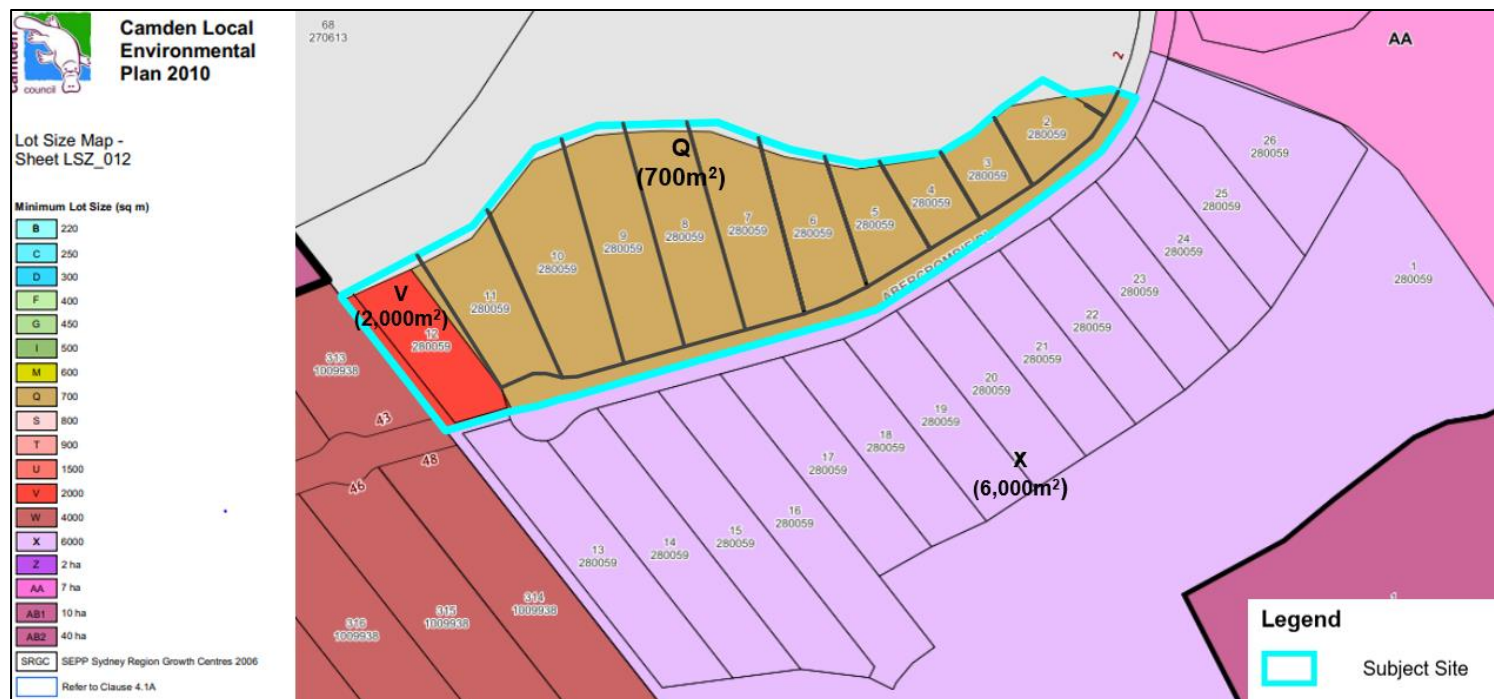
1.16 North West Rail Link Corridor Strategy	N/A	Not applicable to the Camden LGA.
1.17 implementation of the Bays West Place Strategy	N/A	Not applicable to the Camden LGA.
<b>Focus Areas 3: Biodiversity and Conservation</b>		
3.1 Conservation zones	No	<p>The Planning Proposal is inconsistent with this direction as it seeks to rezone a small amount of C2 Environmental Conservation land. This rezoning is to amend a mapping anomaly between the C2 and R5 zones boundaries and the boundaries of the subject lots. This inconsistency is viewed as minor in nature as the subject lots have already undergone substantial earthworks and have been cleared of vegetation for residential use. The proposal also includes the rezoning of a small portion of R5 land to C2 which may provide a partial offset to the loss of C2 zoned land in this location.</p> <p>Further consultation with the Environment and Heritage Group of DPE will be undertaken during public exhibition to confirm that this inconsistency is minor in nature.</p>
3.2 Heritage Conservation	Yes	<p>The land subject to the Planning Proposal borders the State heritage registered curtilage of Orielson Homestead. The proposed amendments seek to protect the current subdivision layout that is sympathetic to the heritage significance. Therefore, the Planning Proposal is viewed as being consistent with this direction.</p> <p>Consultation with Heritage NSW will be undertaken during public exhibition to confirm this assessment.</p>
3.3 Sydney Drinking Water Catchments	N/A	Not applicable to the Camden LGA
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	N/A	Not applicable to the Camden LGA.
3.5 Recreation Vehicle Areas	N/A	Recreational vehicle areas have not been proposed and so the Planning Proposal is not inconsistent with this direction.
<b>Focus area 4: Resilience and Hazards</b>		

4.1 Flooding	Yes	The land subject to the Planning Proposal is not located on land mapped as being flood prone and so is not inconsistent with this direction.
4.2 Coastal Management	N/A	Not applicable to the Camden LGA
4.3 Planning for Bushfire Protection	Yes	<p>The Planning Proposal seeks to rezone and introduce a larger minimum lot size to land mapped as bushfire prone. In accordance with Gateway Condition 4 and this direction, the Planning Proposal was referred to the NSW RFS for consultation prior to public exhibition.</p> <p>The NSW RFS had no objection to the proposed zone boundary realignment, noting that future dwellings on the subject lots are required to address the requirements of Planning for Bush Fire Protection 2019.</p>
4.4 Remediation of Contaminated Land	Yes	The subject land was assessed against the provisions of remediation of land as part of the development consent for DA/2018/1218 and so is viewed as being consistent with this direction.
4.5 Acid Sulphate Soils	Yes	The Planning 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	N/A	The land is not within a mine subsidence area and so this direction is not applicable.
<b>Focus area 5: Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	Yes	Transport (including the construction of roads) and access to the site was considered during the assessment of the associated development application. The site has been connected to key transport corridors through The Northern Road. The proposal is seen as being consistent with this direction.
5.2 Reserving Land for Public Purposes	Yes	The Planning 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	Yes	The Planning Proposal site is within the Wind Turbine Buffer of the Western Sydney Airport and within

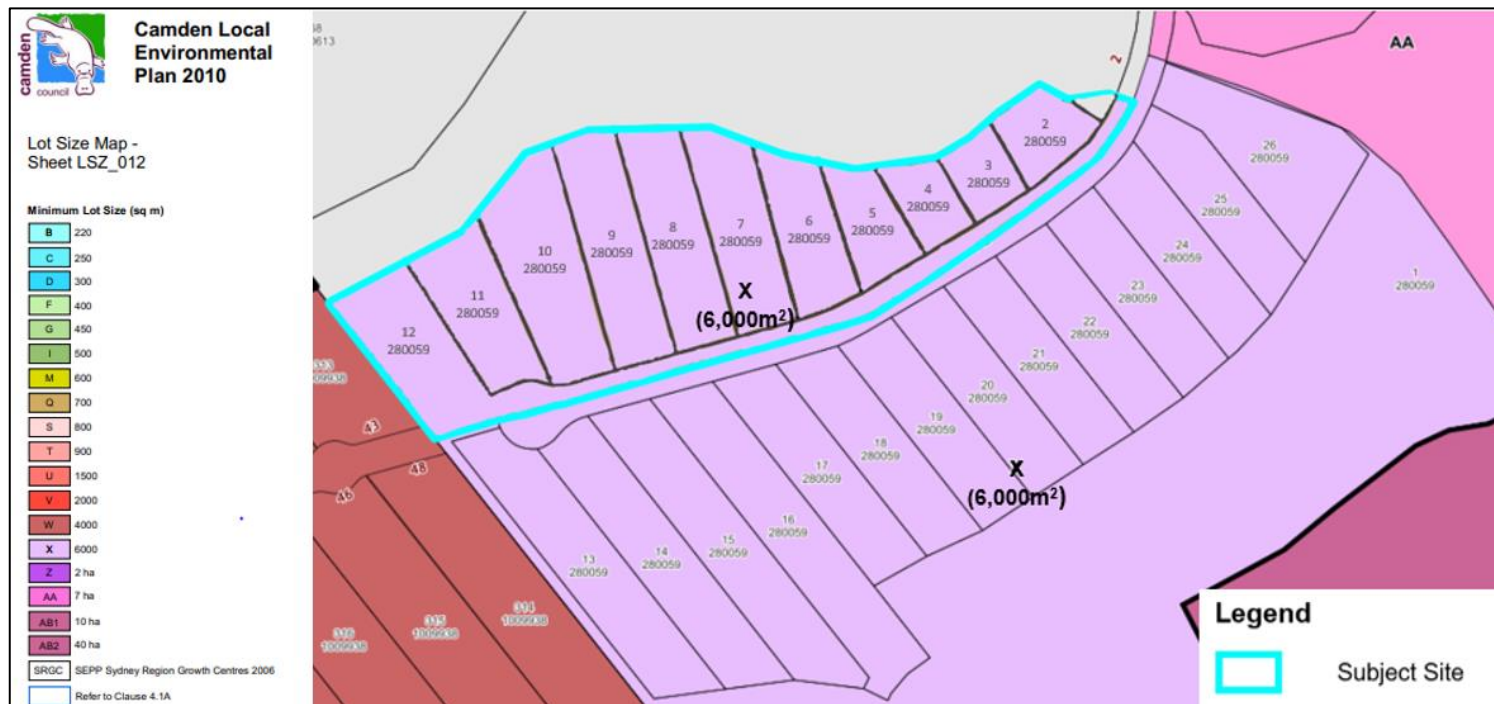
		the Camden Airport OLS (inner Horizontal Surface) and the 115 AHD and is impacted by airport noise. However, as the proposal will not result in additional uses or density at the site no additional impact is anticipated. Therefore, the proposal is consistent with this direction.
5.4 Shooting Ranges	N/A	Not applicable to the Planning Proposal
<b>Focus area 6: Housing</b>		
6.1 Residential Zones	Yes	The land subject to the Planning Proposal is zoned R5 large lot residential and is within a recently constructed equestrian themed residential subdivision. The Planning Proposal seeks to maintain the character of the subdivision and maintain a broad range of housing options available in the Camden LGA, the proposal is consistent with this direction.
6.2 Caravan Parks and Manufactured Home Estates	N/A	Not relevant to the Planning Proposal
<b>Focus area 7: Industry and Employment</b>		
7.1 Business and Industrial Zones	N/A	Not relevant to the Planning Proposal
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not applicable to the Camden LGA.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable to the Camden LGA.
<b>Focus area 8: Resources and Energy</b>		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	The Planning Proposal will not impact on resource and extractive industries. The direction is not relevant to the Planning Proposal.
<b>Focus area 9: Primary Production</b>		
9.1 Rural Zones	N/A	The subject site is zoned for residential use and will not impact on rural zones; therefore, the direction is not relevant to the Planning Proposal.
9.2 Rural Lands	N/A	Not relevant to the Planning Proposal
9.3 Oyster Aquaculture	N/A	Not relevant to the Planning Proposal
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable to the Camden LGA

## Appendix 4: Existing and Proposed LEP Mapping

### Existing Lot Size Map

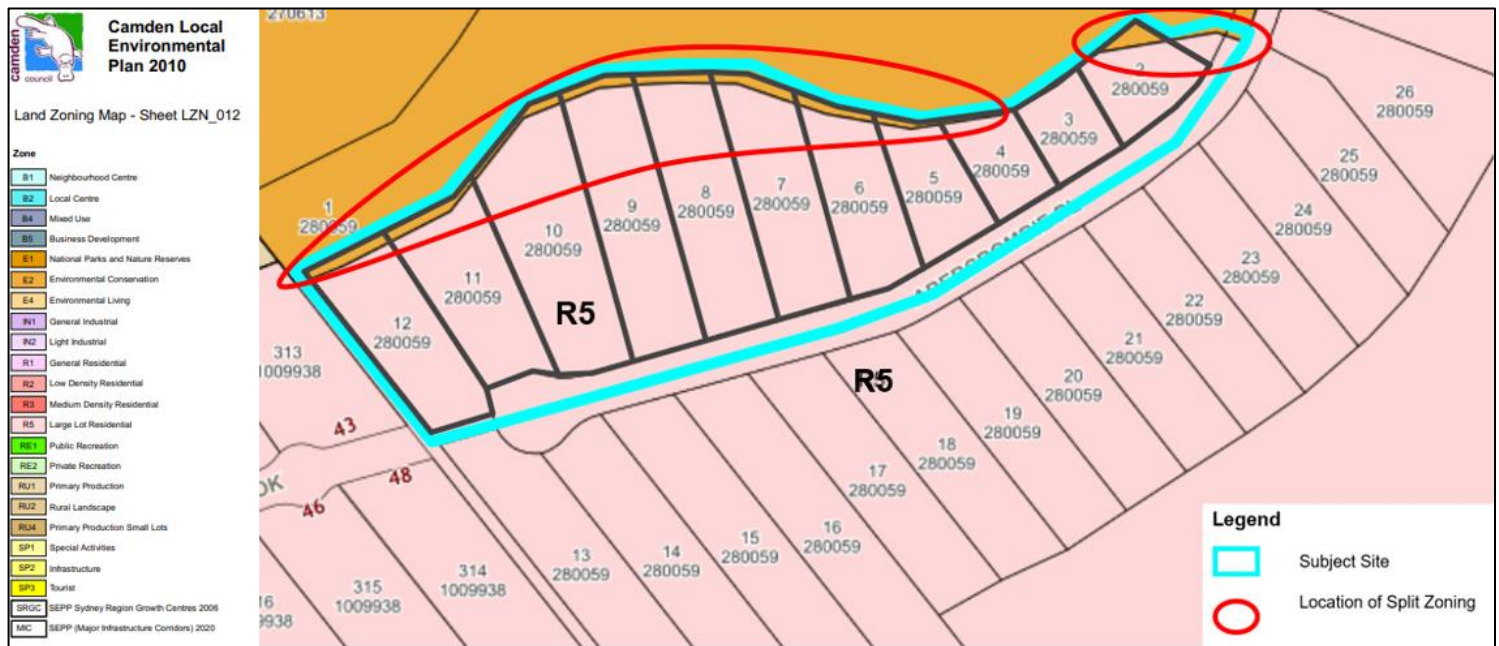


### Proposed Lot Size Map

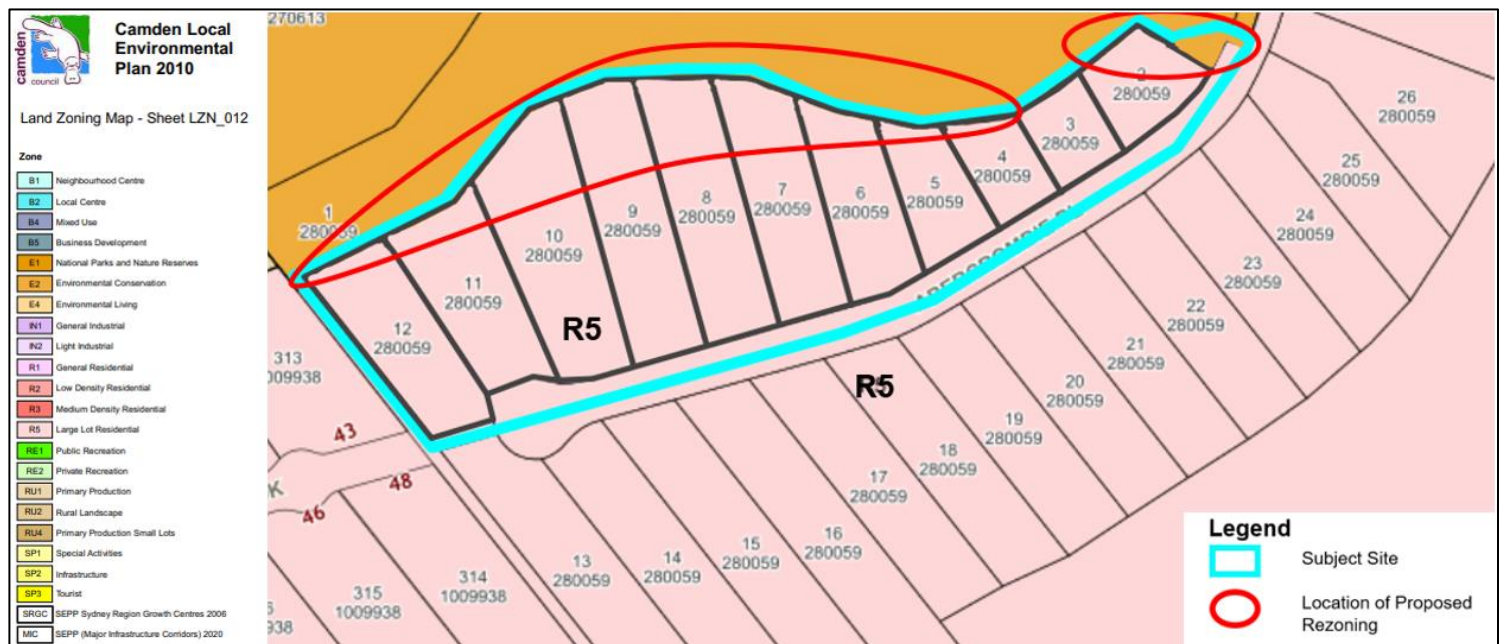




## Existing Zoning Map



## Proposed Zoning Map





# Camden Local Planning Panel

Closed Meeting Minutes  
19 April 2022

**Meeting held via teleconference**



# CLOSED CAMDEN LOCAL PLANNING PANEL MEETING

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**MEETING COMMENCED: 2.00PM**

**PRESENT**

Pamel Soon (Chairperson), Grant Christmas (Expert Panel Member), Sue Francis (Expert Panel Member), Bill Rooney (Community Representative – Central Ward).

**ALSO IN ATTENDANCE**

Manager Strategic Planning, Team Leader Heritage, Precincts and Rural, Strategic Planner, Graduate Planner/Building Surveyor.

**APOLOGIES**

There were no leave of absence to be granted.

**DECLARATIONS OF INTEREST**

There were no declarations to be noted.

**CCLPP01 PLANNING PROPOSAL - ROAD CLOSURE AS EXEMPT DEVELOPMENT**

**PANEL RECOMMENDATION**

The Camden Local Planning Panel has considered the draft Planning Proposal and supports the Council officer's report but would recommend for the two current matters that have been under consideration for some time, that they be dealt with via a development application and associated clause 4.6 variation dealing with minimum lot size so that they may be handled more efficiently and more timely than a planning proposal.

**VOTING NUMBERS**

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

**CCLPP02 PLANNING PROPOSAL - THE STABLES, HARRINGTON GROVE**

**PANEL RECOMMENDATION**

The Camden Local Planning Panel has considered the draft Planning Proposal and supports the Council officer's report.

**VOTING NUMBERS**

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

**MEETING CONCLUDED: 2.37PM**



# Business Paper

## Ordinary Council Meeting

Camden Council  
Administration Centre  
70 Central Avenue  
Oran Park

10 May 2022



The public can also 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>

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## ORD02

ORD02

**SUBJECT: PLANNING PROPOSAL - INCREASED MINIMUM LOT SIZE AND ZONE BOUNDARY ADJUSTMENT FOR LAND AT ABERCROMBIE PLACE, HARRINGTON PARK**

**FROM:** Director Planning & Environment  
**EDMS #:** 22/139798

<b>PROPERTY ADDRESS</b>	Abercrombie Place, Harrington Park (Lots 1-12, DP: 280059)
<b>PROPONENT</b>	Dandaloo Pty Ltd
<b>OWNER</b>	Dandaloo Pty Ltd

#### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal that seeks to increase the minimum lot size and amend the boundaries of the R5 Large Lot Residential and C2 Environmental Conservation zones for land at Abercrombie Place, Harrington Park (Lots 1-12, DP 280059).

The report recommends that Council endorse the draft Planning Proposal and forward the proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

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

#### BACKGROUND

In January 2022, a draft Planning Proposal was lodged by the proponent to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010). The proposal seeks to increase the minimum lot size standard to 6,000m<sup>2</sup> and amend the boundaries of the R5 Large Lot Residential and C2 Environmental Conservation zones to align with the approved property boundary of Lots 1 and 2.

On 19 April 2022, the Camden Local Planning Panel (the Panel) considered the draft proposal and supported the Council officer's recommendations. The minutes from the Panel meeting are provided as an **attachment** to this report.

Councillors were briefed on the draft Planning Proposal on 26 April 2022.

#### **Locality**

The site is part of the Harrington Grove community title development which was rezoned in 2007. The adjacent areas include Kirkham Meadows, a large lot residential subdivision to the west, Narellan Creek to the south, The Northern Road to the east and Orielson Homestead to the North. Orielson Homestead and its curtilage is listed on the State Heritage Register, with the listing comprising of the homestead, associated outbuildings, and the landscape setting. The subject site is located next to Orielson's heritage curtilage, shown in **Figure 1**.

ORD02



Figure 1: Site Context

#### Site

The site is part of The Stables precinct, which is envisioned as a unique, equestrian themed large lot residential subdivision. The Development Application (DA) approved subdivision for this precinct is shown in **Figure 2**. It includes 25 large residential lots, ranging in size from 1,242m<sup>2</sup> to 5,510m<sup>2</sup> and a precinct association lot with communal equestrian facilities.



**Figure 2: Approved Subdivision Plan**

### Development History

In July 2019, the southern portion of The Stables was rezoned from E2 Environmental Conservation (now known as C2 Environmental Conservation) to R5 Large Lot Residential to facilitate an additional residential lot. The minimum lot size for the site was also decreased and a maximum building height of 9.5m was applied.

In October 2018, a DA (DA/2018/1218) was lodged with Council for a proposed integrated equestrian park and residential development on the site (The Stables). The DA required the above-mentioned Planning Proposal to be supported to enable its determination. A modified consent was granted for the DA on 1 April 2020.

The current draft Planning Proposal aims to protect the outcomes of the approved DA.

### Initial Notification

Initial notification has not been undertaken. While the residential lots have recently been registered, their ownership remains vested with the proponent, who has advised a change in ownership to purchasers is expected in the coming months. Subject to the draft Planning Proposal being supported, Council officers will consult with the proponent to ensure that purchasers, along with other stakeholders, are consulted at the public exhibition stage.

## MAIN REPORT

The draft Planning Proposal seeks to:

- Align the C2 Environmental Conservation and R5 Large Lot Residential zone boundaries with the boundaries of the approved lots; and



ORD02

- Prevent further subdivision of the residential lots.

The site has been envisioned and designed as an equestrian themed large-lot residential subdivision. The proposal aims to protect this vision by preventing further subdivision of the site to maintain a consistent large residential lot setting.

#### Zoning and permissibility

As shown in **Figure 3**, the site is zoned R5 Large Lot Residential and C2 Environmental Conservation. The proposal seeks to align the boundary of lots 1 and 2, as shown in **Figure 4**.

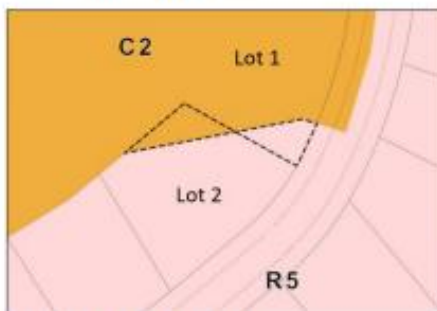


Figure 3: Existing Zoning

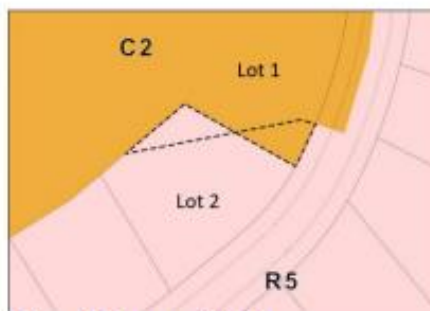


Figure 4: Proposed Zoning

As shown in **Figure 5**, a minimum lot size of 2,000m<sup>2</sup> (Lot 12) and 700m<sup>2</sup> (Lots 2-11) currently applies to the site. It is proposed to increase the minimum lot size to 6,000m<sup>2</sup>, as shown in **Figure 6**.



Figure 5: Existing Lot Size Map



Figure 6: Proposed Lot Size Map

#### **Specialist Studies**

The draft Planning Proposal was not submitted with any supporting specialist studies. It is considered that specialist studies are not required as key matters associated with this proposal were considered as part of the assessment and determination of the DA.

Supporting specialist studies may be required post-Gateway, should the draft Planning Proposal be supported.

### Officer Assessment

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

#### Prevention of further subdivision

The approved and constructed subdivision was designed to facilitate large residential lots with community equestrian facilities to create a semi-rural character. Its amenity is sympathetic to the lower lying areas of Orielton homestead.

The current minimum lot size could permit further subdivision of the lots which would have a negative impact on the character and amenity of the area.

#### *Officer Comment*

The proposed minimum lot size of 6,000m<sup>2</sup> is larger than the existing lots and will prevent further subdivision of the site. Lots 13 to 25 of The Stables, located on the southern side of the subject site, are already subject to a minimum lot size standard of 6,000m<sup>2</sup>. The proposed amendments will provide consistency across the subdivision and prevent further subdivision.

#### Changes to the C2 Environmental Conservation and R5 Large Lot Residential Zones

As shown in **Figure 3**, Lots 1 and 2 are currently subject to a split zoning. The proposal seeks to amend this by aligning the C2 Environmental Conservation and R5 Large Lot Residential zone boundaries with the approved property boundary of Lots 1 and 2.

#### *Officer Comment*

The split zoning for these lots was considered as part of the DA assessment, with the proposed zoning arrangement shown in Figure 4 considered to provide Lot 2 with a shape more suited for residential development. The proposed amendment will not change the current approved uses of the lots and is considered to have minimal impact on the land zoned C2 Environmental Conservation.

Amending the land zoning map will create more certainty for future owners around the development controls applying to the site. It will also provide more clarity around the application of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP).

#### Heritage Significance

The site is adjacent to Orielton Homestead's heritage curtilage. A number of heritage documents were considered as part of the assessment of the previous Planning Proposal and DA for the site, including a Statement of Heritage Impact, with Heritage NSW providing its concurrence for the development.



## ORD02

*Officer Comment*

The draft Planning Proposal does not alter the development of the proposed integrated equestrian park and residential development that these documents considered, but rather aims to protect its outcomes. The subdivision layout of The Stables was designed to be sympathetic to the heritage significance of Orierton Homestead. In seeking to prevent further subdivision of the lots the proposal will ensure the layout of the subdivision is not altered.

Environmental Constraints

The subject site is affected by both flood and bushfire risk.

*Officer Comment*

These environmental constraints were considered and addressed as part of the DA assessment, and in the case of bushfire, through a bushfire assessment and referral to the NSW Rural Fire Service. The DA demonstrated that there is sufficient building envelope to enable a compliant dwelling to be positioned above the flood planning level on all lots.

**Assessment against Key Strategic Documents**

The draft Planning Proposal has been assessed against key strategic documents, including the Greater Sydney Region Plan, Western City District, Community Strategic Plan and the Local Strategic Planning Statement. The proposal is generally consistent with the objectives of these key strategic documents, with a detailed assessment provided as an **attachment** to this report.

**Camden Local Planning Panel**

On 19 April 2022, the Camden Local Planning Panel considered the draft Planning Proposal. The Panel were supportive of the proposal proceeding to Gateway Determination. A copy of the Panel's meeting minutes is provided as an **attachment** to this report.

**Assessment of Site-Specific Planning Merit**

It is considered that the proposal demonstrates planning merit to proceed to Gateway Determination. The proposal is considered to:

- Preserve the character of a unique residential subdivision that contributes to housing diversity;
- Ensure that consistent development controls apply for the site; and
- Protect the development and amenity outcomes of the approved and constructed subdivision layout which addressed and considered the heritage and environmental constraints of the site.

**Next Steps**

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

Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on public exhibition. If unresolved submissions are received, a further report to Council will be prepared. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPE 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 landowners (approximately 37 letters). Whilst ownership of the site currently remains vested with the proponent, a change of ownership is expected shortly. Council officers will consult with the proponent to ensure that purchasers, along with other stakeholders, are consulted at the public exhibition stage. Notification letters to landowners will include those of the subject lots and adjacent properties. The extent of the notification area for this proposal provided as an **attachment** to this report.
- Signage to be provided at the site 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 direct financial implications for Council as a result of this report.

#### CONCLUSION

The draft Planning Proposal seeks to amend the Camden LEP 2010 to increase the minimum lot size and adjust the C2 Environmental Conservation and R5 Large Lot Residential zone boundaries to align with the approved residential subdivision of the subject site.

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

#### RECOMMENDED

**That Council:**

- i. **endorse the draft Planning Proposal for land at Abercrombie Place, Harrington Park (Lots 1 to 12 DP 280059), to be forwarded to the Department of Planning and Environment for Gateway Determination;**
- ii. **subject to receiving favourable response from the Department of Planning and Environment, proceed to public exhibition for the draft Planning Proposal in accordance with the requirement of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*;**

ORD02

- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

## ATTACHMENTS

- 1. Planning Proposal - Abercrombie Place, Harrington Park
- 2. Minutes - Camden Local Planning Panel - 19 April 2022
- 3. Assessment Against Key Region, District and Local Strategic Documents, State Environmental Planning Policies and Ministerial Directions Abercrombie Place, Harrington Park
- 4. Notification Area - Abercrombie Place, Harrington Park

# Minutes

## Ordinary Council Meeting

Camden Council  
Administration Centre  
70 Central Avenue  
Oran Park

10 May 2022



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**MEETING COMMENCED AT 6.31PM****PRESENT****In person:**

Cr Farrow (Deputy Mayor/Chairperson)  
Cr C Cagney  
Cr Campbell  
Cr Dommaraju  
Cr McLean  
Cr Symkowiak

**Remote:**

Cr Zammit

**STAFF**

General Manager  
Director Customer & Corporate Strategy  
Director Planning & Environment  
Director Community Assets  
Director Sport, Community & Activation  
Chief Financial Officer  
Manager Legal & Governance  
Manager Waste & City Presentation  
Manager Open Space & Sustainability  
Manager Public Affairs  
Manager Economic Development & Activation  
Manager Community Outcomes  
Internal Audit Coordinator  
Media Advisor  
Senior Governance Officer  
Governance Officer  
Governance Administration Officer

**LEAVES OF ABSENCE**

Motion: Moved Councillor Campbell, Seconded Councillor C Cagney that Councillor Fedeli and Councillor A Cagney be granted leaves of absence.

ORD50/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Symkowiak, Campbell, C Cagney, Farrow, Dommaraju, Zammit and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

**DECLARATIONS OF INTEREST**

Councillor Campbell declared a pecuniary interest in relation to ORD07 - Acceptance of Grant Funding - NSW Department of Planning and Environment - Streets as Shared Spaces (Round 2) - Larkin Place Activation Pilot, advising that her husband has property on Argyle Street, Camden that abuts the carpark and that she would vacate the chamber and not take part in discussion or debate on the matter.

Councillor C Cagney declared a non-pecuniary, less than significant interest in relation to ORD04 - Community Representation on Advisory Committees and Reference Groups, advising that several of the applicants are known to her however she has not been involved in the recruitment process and that she would remain in the chamber during discussion and voting on the matter.

Motion: Moved Councillor C Cagney, Seconded Councillor McLean that the declarations be noted.

ORD51/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Symkowiak, Campbell, C Cagney, Farrow, Dommaraju, Zammit and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

#### **PUBLIC ADDRESSES**

There were no public addresses to be noted.

#### **CONFIRMATION OF MINUTES**

Motion: Moved Councillor C Cagney, Seconded Councillor McLean that the Minutes of the Ordinary Council Meeting held 12 April 2022, copies of which have been circulated, be confirmed and adopted.

ORD52/22 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors Symkowiak, Campbell, C Cagney, Farrow, Dommaraju, Zammit and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

#### **ORD01 PLANNING PROPOSAL - SUBDIVISION FOR ROAD CLOSURE AS EXEMPT DEVELOPMENT**

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

- i. endorse the draft Planning Proposal for subdivision of a public road as exempt development, to be forwarded to the Department of Planning and Environment for Gateway Determination;
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition for the draft Planning Proposal in accordance with the requirement of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*;
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition.

**ORD53/22 THE MOTION ON BEING PUT WAS CARRIED**

Councillors Symkowiak, Campbell, C Cagney, Farrow, Dommaraju, Zammit and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

**ORD02 PLANNING PROPOSAL - INCREASED MINIMUM LOT SIZE AND ZONE BOUNDARY ADJUSTMENT FOR LAND AT ABERCROMBIE PLACE, HARRINGTON PARK**

Motion: Moved Councillor Symkowiak, Seconded Councillor Zammit that Council:

- i. endorse the draft Planning Proposal for land at Abercrombie Place, Harrington Park (Lots 1 to 12 DP 280059), to be forwarded to the Department of Planning and Environment for Gateway Determination;
- ii. subject to receiving favourable response from the Department of Planning and Environment, proceed to public exhibition for the draft Planning Proposal in accordance with the requirement of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*;
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

**ORD54/22 THE MOTION ON BEING PUT WAS CARRIED**

Councillors Symkowiak, Campbell, C Cagney, Farrow, Dommaraju, Zammit and McLean voted in favour of the Motion.

No Councillors voted against the Motion.

**ORD03 MARCH QUARTERLY REVIEW OF THE 2021/22 BUDGET**

Motion: Moved Councillor Zammit, Seconded Councillor Symkowiak that Council:

- i. adopt the budget variations contained within this report and confirm the allocation of the March Quarterly Review Surplus of \$302,494 to the Capital Works Reserve;
- ii. allocate the funding secured in the third round of the Local Roads and Community Infrastructure (LRCI) program of \$1,749,384 to roof rectification works at the Mount Annan Leisure Centre and that the funds be allocated to the 2022/23 Budget;
- iii. accept grant funding of \$186,666 under the 2021/22 Floodplain Management Program from the Department of Planning and Environment for the detailed Overland Flow Study of the Narellan Creek Catchment of the Nepean River and include the funding in the 2022/23 Budget;

## Appendix 7: Gateway Determination



Department of Planning and Environment

### Gateway Determination

**Planning proposal (Department Ref: PP-2022-159):** amend the Camden Local Environmental Plan 2010 to amend the minimum lot size and rezone a portion of R5 Large Lot Residential and C2 Environmental Conservation land at Abercrombie Place, Harrington Park (Lots 1-12, DP280059).

I, the Acting Director, Western at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Camden Local Environmental Plan 2010 to amend the minimum lot size and rezone a portion of R5 Large Lot Residential and C2 Environmental Conservation land at Abercrombie Place, Harrington Park (Lots 1-12, DP280059) should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to review the boundaries in the relevant Land Zoning, Lot Size and Height of Buildings Maps and determine whether an amendment is necessary to accommodate the proposal. Should an amendment be necessary, Council is to amend the planning proposal accordingly prior to exhibition and consultation, including the inclusion of relevant existing and proposed mapping within the proposal.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 3 months following the date of the gateway determination.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - NSW Rural Fire Service;
  - Environment and Heritage Group of DPE; and
  - Heritage NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 28 days to comment on the proposal.



4. Council is to consult with the NSW Rural Fire Service prior to exhibition in accordance with Section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments made by that agency.
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
  - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act, or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
7. The LEP should be completed on or before 18 April 2023.



15 July 2022

**Naomi Moss**  
**Acting Director Western, Metro West**  
**Western Parkland City**

**Department of Planning and Environment**

**Delegate of the Minister for Planning**

PP-2022-159 (IRF22/2072)



## Appendix 8: NSW Rural Fire Service Pre-Exhibition Consultation



**NSW RURAL FIRE SERVICE**

Camden Council  
PO Box 183  
CAMDEN NSW 2570

Your reference: (PP-2022-159) Ref-1571  
Our reference: SPI20220826000098

**ATTENTION:** Olivia Smith

Date: Tuesday 11 October 2022

Dear Sir/Madam,

**Strategic Planning Instrument**

**LEP Amendment – Planning Proposal**

Increased minimum lot size and zone boundary adjustment for land at Abercrombie Place, Harrington Park

I refer to your correspondence dated 22/08/2022 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Based on a review of the documentation in relation to the Planning Proposal, it is understood that the proposal seeks to rationalise the R5 Large Lot Residential and C2 Environmental Conservation Zone boundary to align with the approved and constructed subdivision on Lots 1 to 12, DP 280059, and to adjust the minimum lot size to prevent further subdivision.

It is noted that the land to which the Planning Proposal relates is now mapped as bush fire prone land.

The NSW RFS has no objection to the proposed boundary realignment, noting that future dwellings on the subdivided lots are required to address the requirements of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Rohini Belapurkar on 1300 NSW RFS.

Yours sincerely,

Marc Ellwood  
Supervisor Development Assessment & Plan  
Built & Natural Environment

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**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

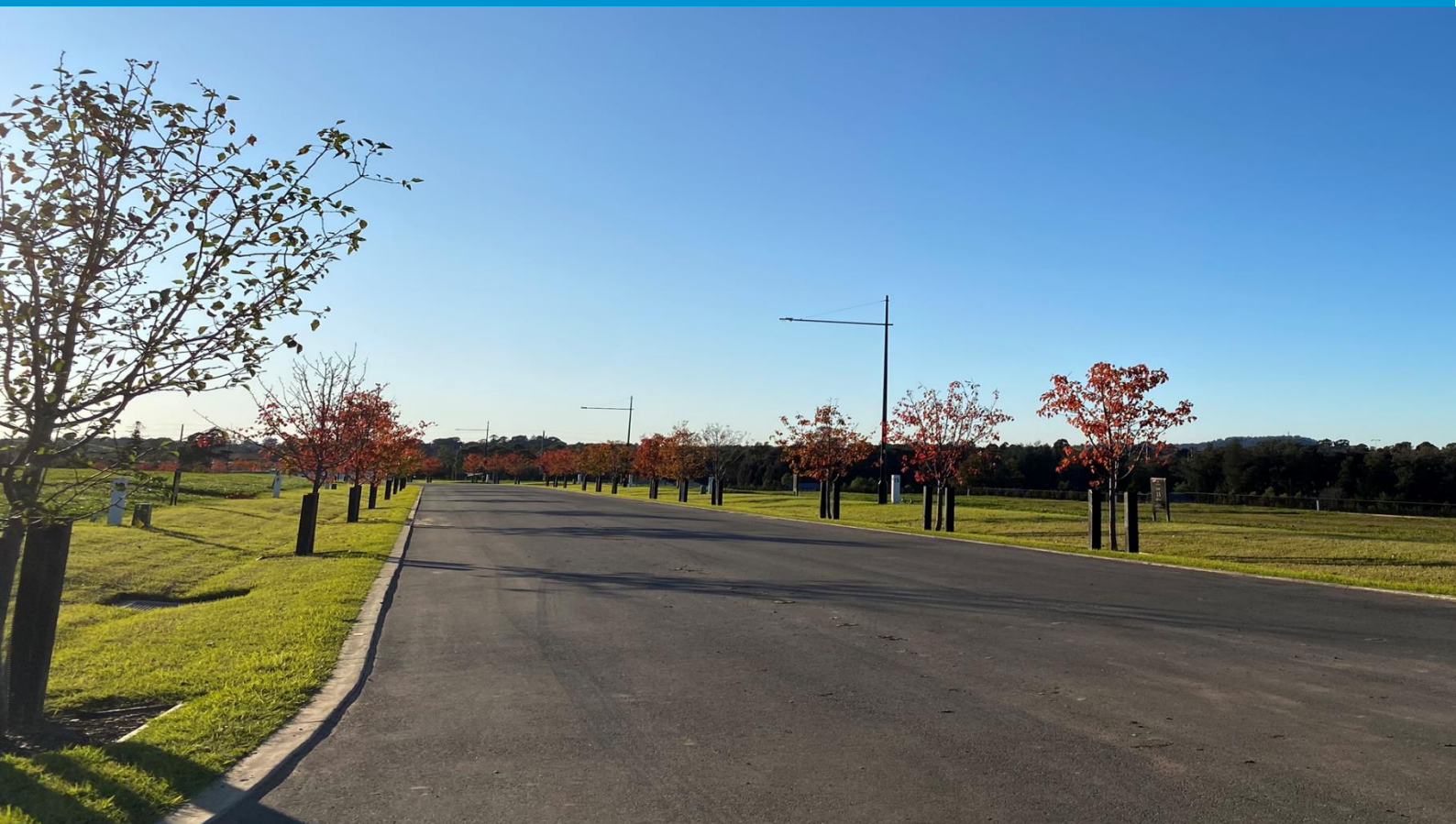
NSW Rural Fire Service  
4 Murray Rose Ave  
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