

## 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

ORD02

### PROPERTY ADDRESS

Abercrombie Place, Harrington Park (Lots 1-12, DP: 280059)

### PROPONENT

Dandaloo Pty Ltd

### OWNER

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

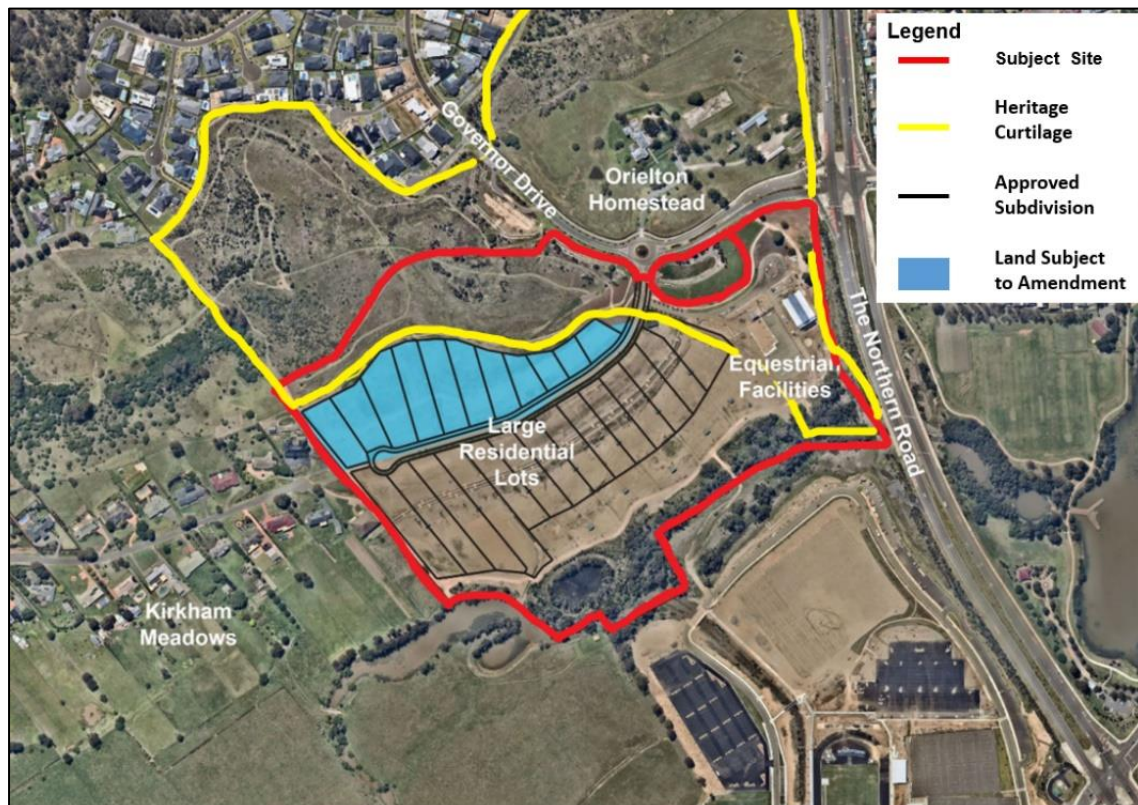
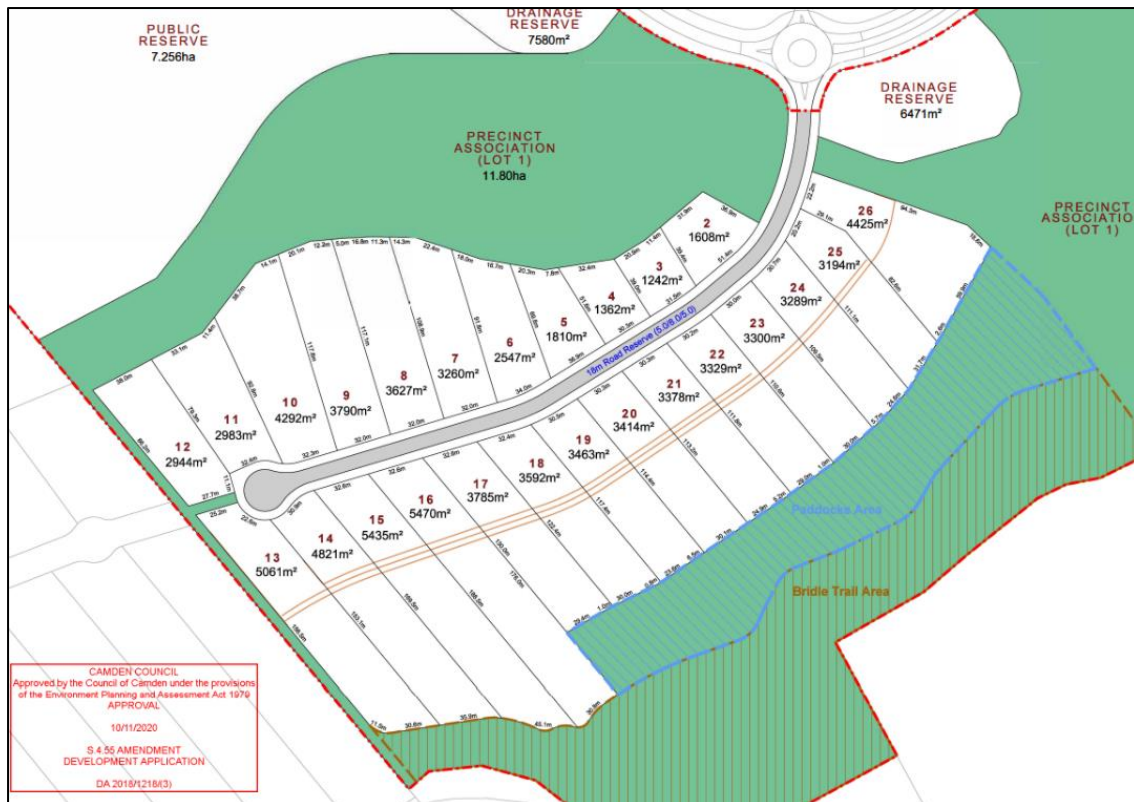


Figure 1: Site Context

### 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

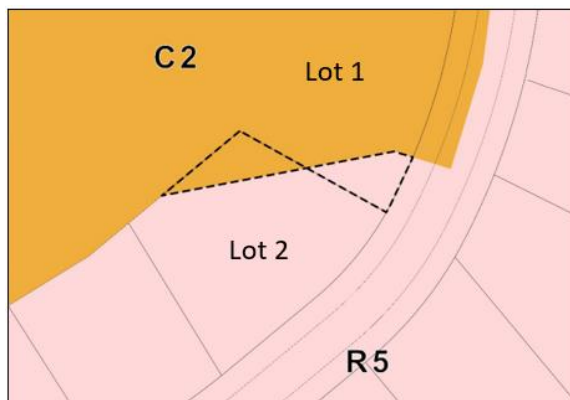


- Prevent further subdivision of the residential lots.

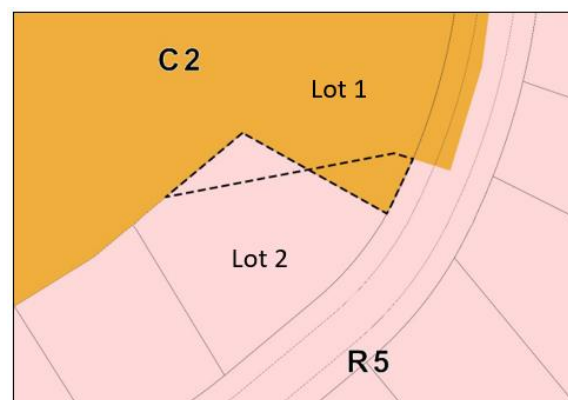
The site has been envisioned and designed as an equestrian themed large-lot residential subdivision. The proposal aims to protect this vision by preventing further subdivision of the site to maintain a consistent large residential lot setting.

### 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**.

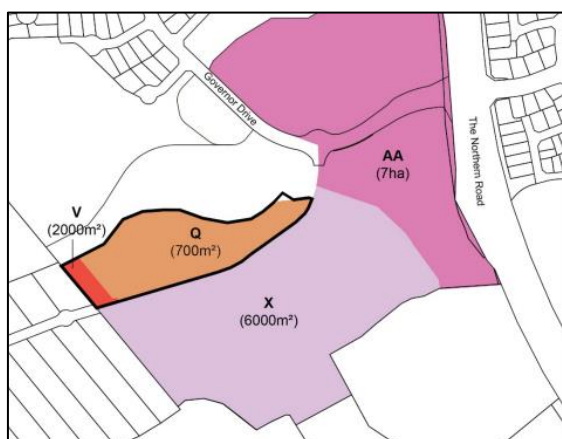


**Figure 3: Existing Zoning**

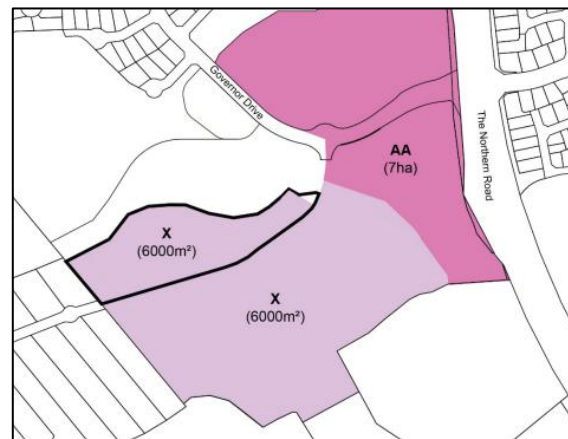


**Figure 4: Proposed Zoning**

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.

#### *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 Orielson 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



**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.

| 10 May 2022