

DATE OF DETERMINATION	16 December 2025
DATE OF PANEL DECISION	16 December 2025
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto, Sue Francis, Michael Mantei
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 December 2025.

MATTER DETERMINED

PPSSWC-448 - Camden - DA/2024/458/1 - 773 and 877 The Northern Road, Bringelly - Construction of a staged development, involving Torrens Title subdivision to create 246 residential lots, 13 super-lots and three (3) residue lots, construction of 30 dwellings houses, six (6) semi-detached dwellings, 53 attached dwellings and one (1) studio dwelling, strata subdivision, road construction, construction of a basin and associated site works.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

Application to vary a development standard:

The DA site currently comprises two lots including a T-bone shaped central Lot 1 DP 218779 (**Lot 1**) measuring around 9.51 hectares. A State listed heritage item stands on that Lot 1.

Clause 4.1 (Minimum subdivision lot size) included in Appendix 5 of the Western Parkland City SEPP (**WPC SEPP**), imposes the following development standard:

“(3) The size of any lot resulting from any such subdivision of land to which this section applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.”

The Lot Size Map under the relevantly includes a minimum lot size of 30 hectares for part of the site, as shaded purple in the map reproduced below. That Map is overlaid with the present cadastral boundaries of the DA site, from which it can be seen that Lot 1 is entirely caught by the 30-hectare minimum lot size. The consequence is that any resubdivision of the site would breach the minimum lot size development standard contained in clause 4.1(3).

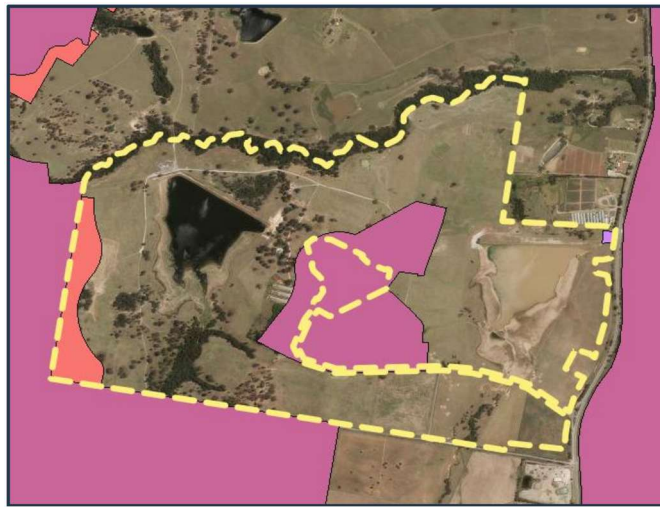


Figure 1 - lot size map overlaid with cadastral boundaries

The Resubdivision included in this DA would reduce the size of the allotment with current Torrens reference Lot 1 DP 218779 from 9.55 hectares to 7.3 hectares, as shown in the following plan for the proposed Resubdivision where the new area of Lot 1 is marked in red:



The reduction however results principally from the deletion of the access way, and the curtilage around the heritage item within the lot is largely unchanged. The road layout will accord with the arrangement provided for in the applicable ILP, and it is planned that when the redevelopment of the precinct is complete there will be greenspace and a riparian corridor adjacent to the heritage item lot.

Accordingly, there will be no significant adverse environmental or heritage effect due to the departure from the development standard. The objectives of Clause 4.1 are not offended.

It is on that basis as discussed in the Council assessment report, and following consideration of a written request from the Applicant, made under cl 4.6 (2) Appendix 5 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Western Parkland City SEPP), that the Panel is satisfied that the Applicant has demonstrated that:

- a) compliance with cl. 4.6 (2) (minimum subdivision lot size) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

REASONS FOR THE DECISION

The panel has determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*, for the reasons set out in the Council assessment report including the following:

- a) As part of the planned urbanisation of the Lowes Creek Maryland Precinct within the South West Growth Area, the proposed residential subdivision and integrated housing development will contribute to satisfying the high demand for residential housing in metropolitan Sydney.
- b) The site is presently substantially cleared and adequate services will be provided.
- c) The applicable planning instruments are addressed and satisfied.
- d) While the site is mapped as bush fire prone and flood affected, those risks have been assessed to be sufficiently resolved.
- e) The Detailed Site Investigation (Contamination) Report submitted for the bulk earthworks application (DA/2024/465/1) has been assessed by Council to sufficiently provide for remediation of the site at that stage of development to be suitable for residential use.
- f) The Maryland homestead, a state heritage item located around 400 metres to the north is respected and will not be significantly impacted by the proposed housing, taking into account the inevitable effects of urbanisation within the precinct.
- g) The Panel has determined to uphold the Clause 4.6 variation to minimum subdivision lot size for the reasons outlined above.
- h) As such the proposed development is in the public interest.

The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report excepting only that the Panel resolved to adopt one additional condition to address the proximity of the resource recovery facility located approximately 350 metres to the east.

While that facility is licensed by the EPA, and can be expected to be regulated by the EPA to avoid offensive odour to nearby residences, the Panel has resolved to include the following additional condition:

“No occupation certificate is to be issued for the dwellings approved by this development consent until the certifying authority has been provided with a written confirmation from an appropriately qualified environmental engineer that the waste facility operating to the east fronting the Northern Road has either ceased operation or will operate so as not to cause offensive odour to the approved dwellings having regard to any applicable EPA guidelines and Australian Standards.”

CONSIDERATION OF COMMUNITY VIEWS

A detailed report was submitted by Michael Brown Planning Strategies, on behalf of the owner of 689 The Northern Road particularly addressing the issue of access to that cattle grazing property from the Northern Road by way of a private right of way. Similar submissions have been made in relation to other DA proposals within the Precinct to which those issues may be more relevant. However there is nothing associated with this DA which the Panel sees as unreasonably impacting on access to the neighbouring land.

Other issues raised include:

- Interface issues between the subdivision and the farm
- Stormwater and flooding from the upstream farm not properly considered

Those matters have been adequately addressed in the Council assessment report.

PANEL MEMBERS



Justin Doyle (Chair)



Louise Camenzuli



David Kitto



Michael Mantei

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-448 - Camden - DA/2024/458/1
2	PROPOSED DEVELOPMENT	Construction of a staged development, involving Torrens Title subdivision to create 246 residential lots, 13 super-lots and three (3) residue lots, construction of 30 dwellings houses, six (6) semi-detached dwellings, 53 attached dwellings and one (1) studio dwelling, strata subdivision, road construction, construction of a basin and associated site works.
3	STREET ADDRESS	773 and 877 The Northern Road, Bringelly
4	APPLICANT/OWNER	Applicant: Maryland Homestead Pty Ltd and Nonorrah Farm Pty Ltd Owner: Maryland Pastoral
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Precincts – Western Parkland City) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Camden Local Environmental Plan 2010 - Draft environmental planning instruments: Nil - Development control plans: - Camden Development Control Plan 2019 - Camden Growth Centre Precincts Development Control Plan 2012 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 2 December 2025 - Clause 4.6 variation request: Minimum subdivision lot size - Written submissions during public exhibition: 1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 16 December 2024 <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto, Sue Francis, Michael Mantei <u>Council assessment staff</u>: Jamie Erken, Ryan Pritchard, Jessica Mesiti, Jordan Soldo <u>Applicant representatives</u>: Mairead Hawes, Trevor Jensen, David Hili
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report