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## ORDINARY COUNCIL MEETING

ORD01

**SUBJECT: PLANNING PROPOSAL - 220, 300, 350 AND 360 CHITTICK LANE, COBBITTY**

**FROM:** Director Planning & Environment

**TRIM #:** 21/266545

**PREVIOUS ITEMS:** ORD01 - Planning Proposal - 220, 300, 350 and 360 Chittick Lane, Cobbitty - Ordinary Council - 11 May 2021 6.30pm

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**PROPERTY ADDRESS** 220, 300, 350 and 360 Chittick Lane, Cobbitty  
LOT: 2 DP: 239612  
LOT: 3 DP: 239612  
LOT: 4 DP: 239612  
LOT: 5 DP: 239612

**PROPONENT** The Planning Hub

**OWNER** Mr PM O'Grady  
Ms JA O'Grady  
O'Grady Trading Pty Ltd  
Strathcab Nominees Pty Ltd

### PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for 220, 300, 350 and 360 Chittick Lane, Cobbitty. The report recommends that Council not support the draft Planning Proposal for the reasons outlined in the report.

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

### BACKGROUND

In September 2020, a draft Planning Proposal was lodged by The Planning Hub (the proponent) who are acting on behalf of the landowners.

The draft Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010) to facilitate the delivery of up to 800 residential lots of varying sizes that would accommodate a population of approximately 2,300 people, a neighbourhood centre and public open space. To achieve this, the proposal seeks to:

- Rezone the site from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation; and
- Amend the minimum lot size from 40ha to 600m<sup>2</sup> in the R2 zone, 700m<sup>2</sup>, 900m<sup>2</sup>, 1,500m<sup>2</sup> and 2,000m<sup>2</sup> in the E4 zone, and 1,500m<sup>2</sup> and 2,000m<sup>2</sup> in the R5 zone to facilitate up to 800 residential lots.

On 16 March 2021, the Camden Local Planning Panel (Panel) reviewed the draft proposal and considered it does not demonstrate strategic or site-specific planning merit. The Panel's recommendations are discussed later in this report and are provided as an **attachment** to this report.

In summary, Council officers do not support the proposal because the site lies outside the South West Growth Area (SWGA) and is within the Metropolitan Rural Area (MRA). Furthermore, there is uncertainty regarding the future design and timing of the proposed Outer Sydney Orbital (OSO) as well as uncertainty regarding the provision of adequate infrastructure and services to support urban development on the site.

Councillors were briefed on the draft Planning Proposal on 10 November 2020, 23 March and 20 April 2021.

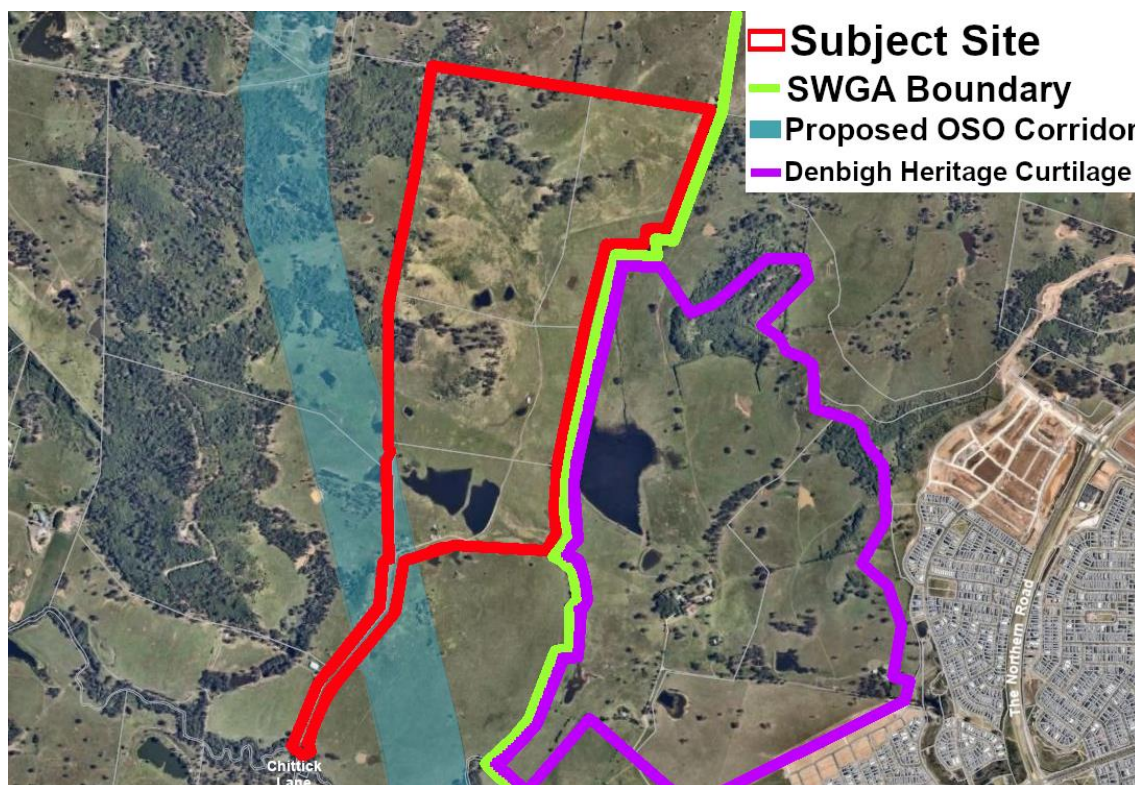
On 11 May 2021, Council considered a report on the draft Planning Proposal and resolved to defer consideration of the proposal to allow for a Councillor briefing. A Councillor site inspection was undertaken on 1 June 2021 followed by a Councillor briefing on 8 June 2021.

### Site Context

The site, known as 'Tidapa', is irregular in shape as shown in **Figure 1** and has a total area of approximately 146.52ha. It comprises of four lots that are currently used for cattle farming. The land has been historically cleared for grazing and includes a rural dwelling (with associated outbuildings) and existing farm dams.

The site contains areas of high and moderate ecological value, including the critically endangered Cumberland Plain Woodland (CPW). The site's landscape character is gently undulating in parts however with steep gradients in the north and central parts of the site. Flood affected land associated with Cobbitty Creek traverses the south eastern part of the site. The proposed OSO corridor traverses the south-western boundary of the site.

The location of the site and proposed OSO corridor is shown in **Figure 1** below.



**Figure 1: Site Context Map**

## Locality Context

The site is located outside the SWGA, west of the Oran Park Precinct boundary. As such, the site sits within the MRA. Access to the site is from Chittick Lane, Cobbitty. Cobbitty Village is located 3km to the south west of the site.

Surrounding land is zoned RU1 Primary Production under the Camden LEP 2010. Directly east of the site lies the state heritage listed Denbigh estate. Denbigh's heritage curtilage acts as buffer between rural lands to the west and urban lands to the east.

Under the Oran Park Indicative Layout Plan (ILP), the closest housing would be approximately 80m from the site's north eastern boundary. However, most of the housing in Oran Park would be set back at least 1,250m from the site's boundary. The South Creek West Precinct boundary adjoins the site at the north-eastern corner.

South Creek West, a precinct within the SWGA, adjoins the north-eastern corner of the site.

A map of the site's locality context is shown in **Figure 2** below.



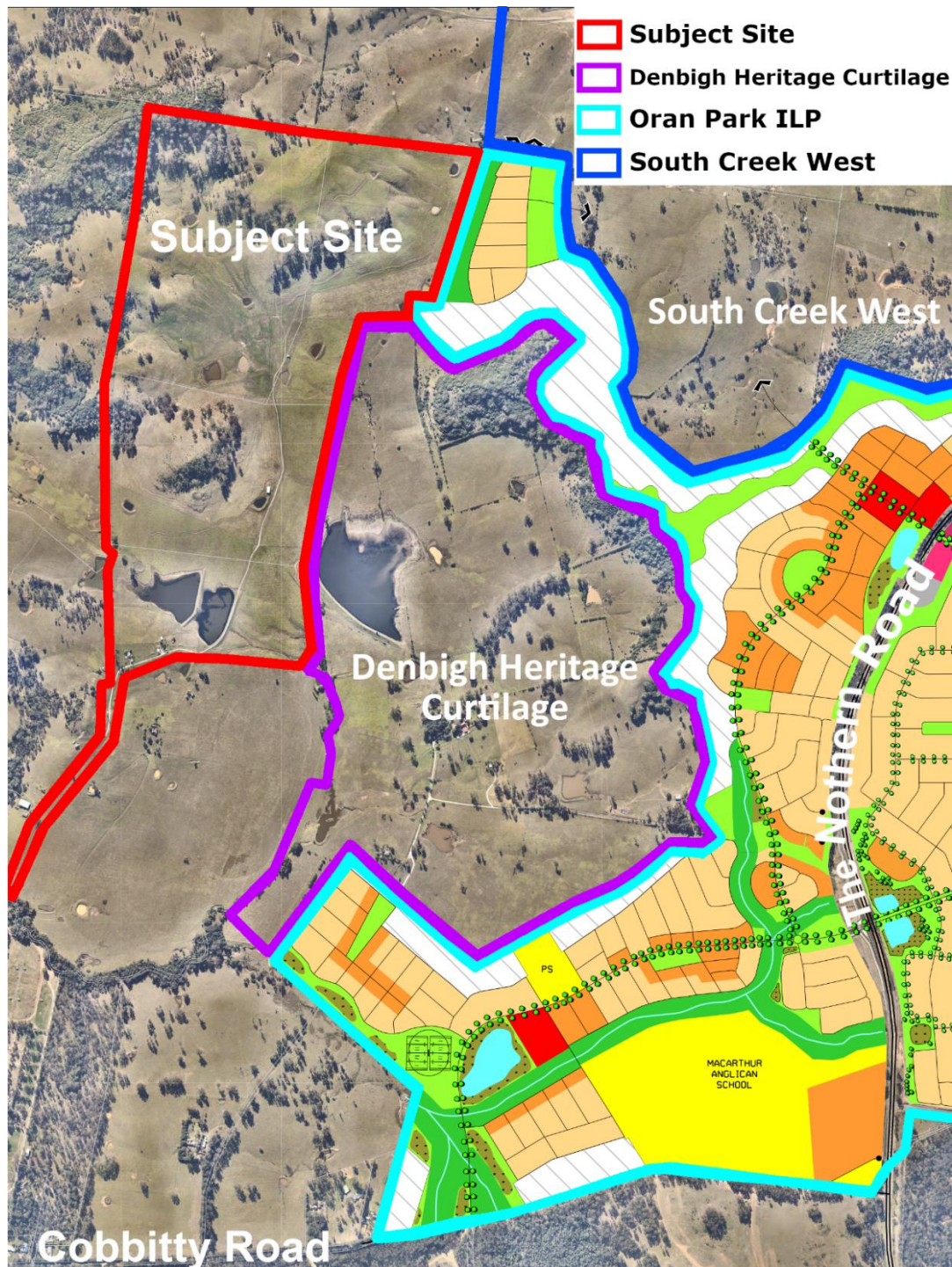


Figure 2: Locality context map

## MAIN REPORT

### Summary of Proposal

The draft Planning Proposal seeks to facilitate the delivery of a new master planned residential community, including provision of a neighbourhood centre and open space. The development proposes between 700 to 800 residential lots of varying lot sizes that would support a total population of approximately 2,300 people.

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## Proposal's Vision

The draft Planning Proposal includes the following objectives:

- Transition – a residential neighbourhood that provides a clear transition from urban development to the east of the site to rural lands to the west of the site;
- Natural and Cultural Environment – a residential neighbourhood that positively responds to the natural and cultural characteristics of the site; and
- Accessibility and Amenity – a well-designed and accessible residential neighbourhood that provides an appropriate connection to the surrounding locality, access to community facilities, services and public open space.

## Proposed Structure Plan

The proposed structure plan is provided at **Figure 3** and summarised below.

### *Eastern parts of the site*

The smallest residential lots (600m<sup>2</sup>) are proposed to be zoned R2 Low Density Residential and are located within the lower-lying, eastern portion of the site. Landscaping is proposed to minimise the visual impact on the surrounding area, noting the proximity of the site's eastern boundary to the Denbigh heritage curtilage.

The proposed 'village hub' (to be zoned B2 Local Centre) is located near the site's eastern boundary, along the proposed north south collector road and in proximity to open space proposed to be zoned RE1 Public Recreation.

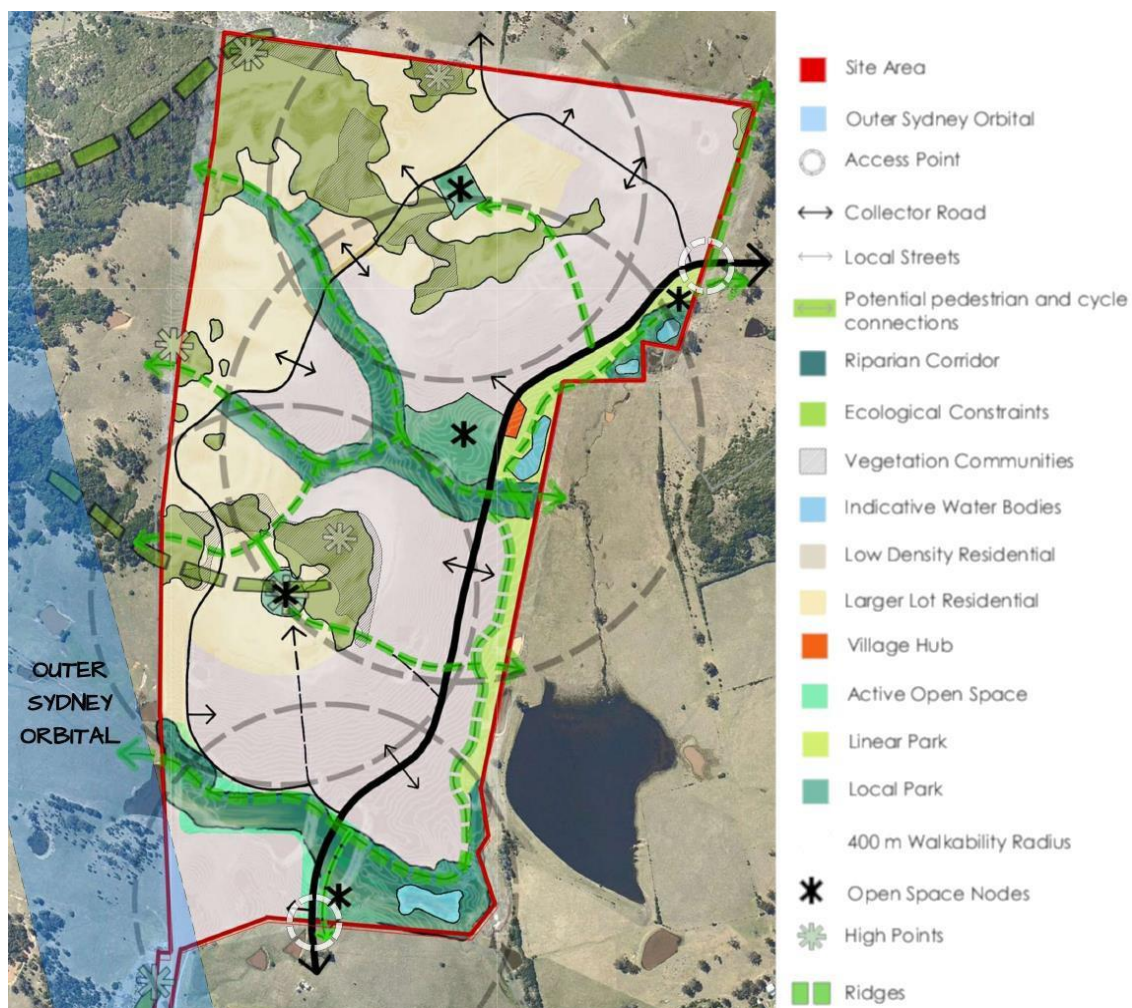
### *Central and western parts of the site*

The remainder of the residential lots in the central and western parts of the site range from 700m<sup>2</sup> to 2,000m<sup>2</sup>. These lots are proposed to be zoned a combination of R5 Large Lot Residential and E4 Environmental Living. Areas of ecological sensitivity are proposed to be retained and zoned E2 Environmental Conservation and E4 Environmental Living. The proposal emphasises the integration of development into the site's natural landscape to reduce its visual prominence from Denbigh.

One north-south collector road is proposed to facilitate access to the local street network within the site. This road would provide an internal connection from Chittick Lane that currently provides access to the site. The proposed structure plan suggests this north-south collector road will ultimately link up with the future road network serving the broader SWGA.

The proposal also seeks to retain and revegetate riparian corridors traversing the land in an east-west direction. A potential north-south active transport route ('Greenway Link') is proposed to traverse the site's eastern boundary and be zoned RE1 Public Recreation. Nodes of open space are planned to be located along the riparian corridors and areas of existing vegetation.





**Figure 3: Proposed Structure Plan**

### Community benefits as outlined by the proposal

The draft Planning Proposal argues its strategic and site-specific planning merit is demonstrated under the following key themes:

- Provides for a logical extension of urban development to the proposed OSO;
- Reduces rural land fragmentation and land use conflicts;
- Provides additional residential land for the housing needs of the community; and
- Incorporates the site's significant environmental and cultural features.

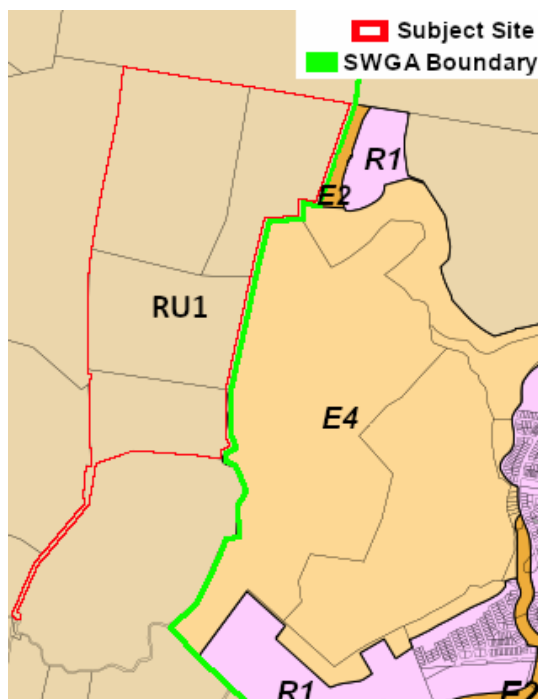
The proposal states its community benefits include pedestrian and cyclist links, riparian corridors, open space and retail uses.

## Zoning and Permissibility

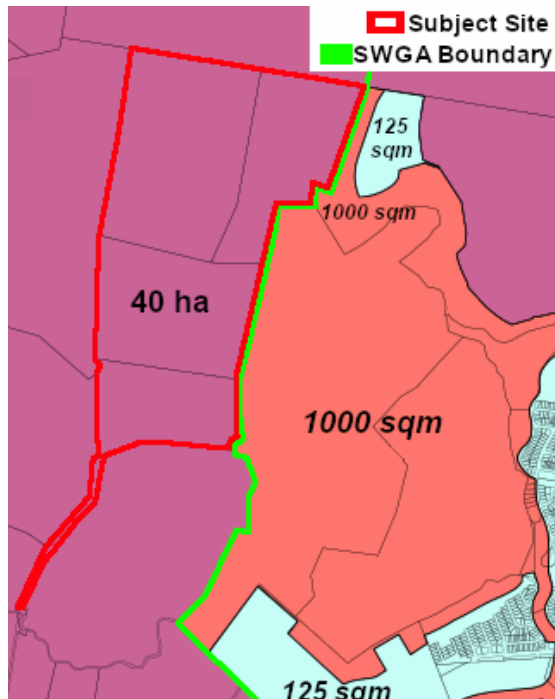
The site is zoned RU1 Primary Production and has a minimum lot size of 40ha under Camden LEP 2010. A comparison between the existing and proposed zoning and lot sizes is provided in **Table 1**. Existing and proposed Camden LEP 2010 zoning and lot size maps are shown in **Figures 4 to 7**.

	Existing	Proposed
<b>Zoning (LZN)</b>	RU1 Primary Production	R2 Low Density Residential E4 Environmental Living R5 Large Lot Residential E2 Environmental Conservation RE1 Public Recreation B2 Local Centre
<b>Lot Size (LSZ)</b>	40ha	R2 General Residential - 600m <sup>2</sup> E4 Environmental Living – 700, 900, 1,500, and 2,000m <sup>2</sup> R5 Large Lot Residential – 1,500 and 2,000m <sup>2</sup>
<b>Height</b>	9.5m	9.5m (No change)

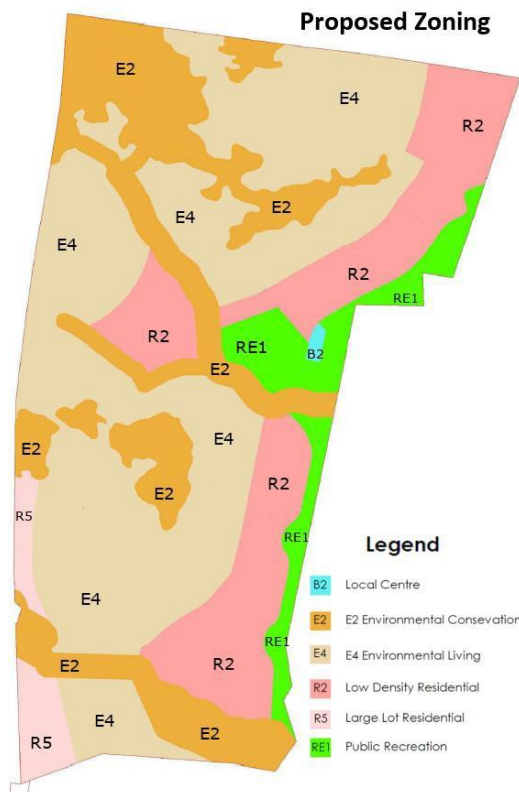
**Table 1: Existing and Proposed LEP Provisions**



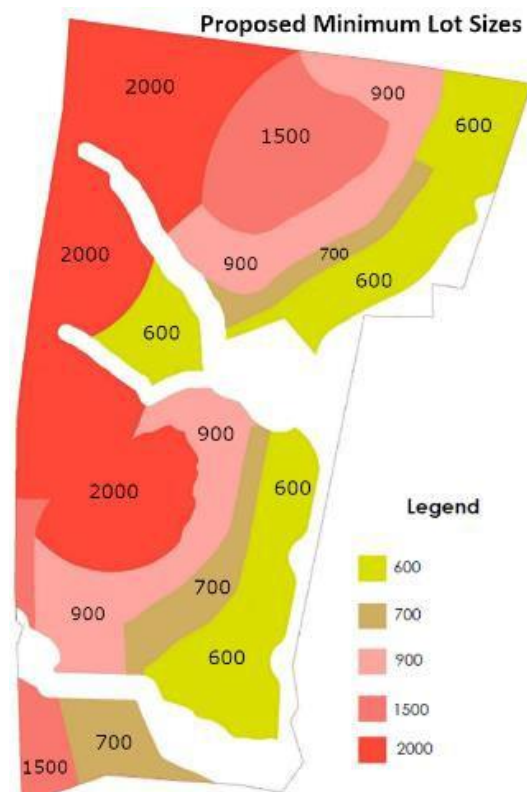
**Figure 4: Existing Zoning**



**Figure 5: Existing Minimum Lot Size**



**Figure 6: Proposed Zoning**



**Figure 7: Proposed Minimum Lot Size**

## **Specialist Studies**

As outlined in **Table 2**, the following specialist studies have been submitted with the draft Planning Proposal and are provided under **separate cover** to this report.

<b>Specialist Study</b>	<b>Author</b>	<b>Date</b>
Greenway Strategy	McGregor Coxall	July 2020
Rural Lands Scoping Report	GHD	June 2020
Ecological Constraints Analysis	Cumberland Ecology	September 2020
Bushfire Constraints Report	ABPP	August 2020
Aboriginal Due Diligence Assessment	Artefact	July 2020
Heritage Impact Statement	Weir Phillips Heritage	August 2020
Services and Infrastructure Delivery Strategy	AT&L	July 2020
Traffic and Transport Assessment	JMT Consulting	September 2020
Housing Market Analysis	Hill PDA	August 2020
Social and Community Infrastructure Assessment	Hill PDA	August 2020

**Table 2: Submitted Specialist Studies**

A summary of the findings of the specialist studies and Council officer comment is provided as an **attachment** to this report.

## **Key Issues**

Council officers have assessed the draft Planning Proposal. Key issues arising from the officers' assessment are discussed below:



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## Strategic Planning Merit

The proposal purports to demonstrate strategic planning merit as it seeks to respond to changing local circumstances. The proponent states these changes have not been recognised by the existing SWGA controls which are based on Government policy from 2004.

The proposal suggests the site forms the most logical location for a new urban boundary in the locality because it is located adjacent to the proposed OSO corridor. As a result, it proposes the site provides an appropriate transition from development located to its east to rural lands to its west.

The proponent notes Council's March 2017 submission to the Draft South West District Plan commented the development of the proposed OSO has the potential to provide a visible, defensible boundary to Sydney's outer western city limit which would define and contain Sydney's urban growth. The proposal also notes that the Aerotropolis Land Use and Infrastructure Implementation Plan has extended the urban boundary to the proposed OSO in that locality.

Although currently zoned RU1 Primary Production, the proposal considers the site is no longer viable for agricultural use due to the encroachment of urban development in the SWGA and the proposed OSO would further sever the site from the surrounding rural lands. In this regard, the proposal seeks to eliminate rural land use conflicts with the existing site and neighbouring residential development.

The proponent believes that Council is best placed to resolve the adverse impacts on the site that are a consequence of the NSW Government's decision to establish the SWGA.

### Officer comment

The site forms part of the MRA under the Greater Sydney Region Plan (Region Plan) and Western City District Plan (District Plan) and is outside the SWGA.

Council officer's assessment of the proposal against key strategic documents is provided as an **attachment** to this report. In summary, the proposal does not align with the strategic objectives of the Region and District Plans, Council's Local Strategic Planning Statement (LSPS), Community Strategic Plan (CSP), Rural Lands Strategy (RLS) and draft Local Housing Strategy (draft LHS). These strategic documents create a policy setting that is consistent in its approach to managing urban development within the SWGA and protecting and enhancing the values of the MRA.

At the time of the draft South West District Plan's exhibition, the proposed OSO corridor had not been identified. Council's December 2017 submission to the draft Western City District Plan, which replaced the draft South West District Plan, supported the GSC's approach of managing the MRA by limiting urban development to land within the urban area. In addition, Council's May 2018 submission to Transport for NSW's (TfNSW) draft OSO corridor did not support the exhibited surface (at-grade) OSO corridor alignment due to the adverse impact it would have upon the Camden LGA.

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### *Undermine delivery of the South West Growth Area*

The Region and District Plans seek to limit urban development to within urban areas (including Growth Areas). Camden's LSPS and draft LHS also note that land required to meet housing demand should be located within the SWGA. The SWGA remains largely undeveloped, and therefore has significant capacity (approximately 65,000 dwellings according to the draft LHS) to meet Camden's housing targets, without the need to rezone and develop land in the MRA as the proposal intends.

Establishing a new development 'front' may undermine the delivery of the SWGA, by redirecting development outside its boundary and absorbing infrastructure capacity planned to service it. A new development 'front' with its additional roads, drainage and open space would place additional, unnecessary pressure on Council resources and infrastructure.

### *Not consistent with the values of the Metropolitan Rural Area*

The Region Plan identifies that urban development is not consistent with the values of the MRA. An objective of the Region Plan is that the environmental, social and economic values of the MRA are protected and enhanced.

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

The draft proposal does not demonstrate how the MRA's values would be protected and enhanced as per the strategic objectives set out in the Region and District Plans and Council's LSPS. Most importantly, urban development is incompatible with the values of the MRA.

In addition, the broad intent of Council's RLS is to protect rural lands outside the SWGA (discussed further below). Council officers consider the proposal is inconsistent with the RLS. An assessment of the proposal against the RLS is provided as part of the assessment against strategic merit **attachment** to this report.

### *Proposed Outer Sydney Orbital and potential impact*

The proposed OSO corridor, its alignment, acquisition and construction are yet to be confirmed by the NSW Government. As such, it is not possible to assess the potential impacts of the proposed OSO on the proposal (and vice-versa).

It is considered there is no strategic justification for urban development to be located outside of the SWGA and take up rural zoned land. On this basis, Council officers consider the proposal lacks strategic planning merit required to proceed to Gateway Determination.

### *Housing Diversity*

The LSPS and draft LHS note there will be a growing population of smaller and ageing households that will require higher density and more diverse housing to meet their needs. The proposal, which is envisaged to contain largely single dwellings, does not contribute to increasing housing diversity. However, it is noted that Camden LEP 2010 permits dual occupancy development on lots greater than 600m<sup>2</sup> in the R2 and R5 zones, which has the potential to increase housing density across the site. In addition, it is noted existing controls in the SWGA already facilitate large lot housing.

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## **Rural Lands Strategy - Proposal is inconsistent**

The proponent considers the proposal is consistent with the RLS because residential development in the SWGA is incompatible with the subject site's agricultural use. The proposal's Rural Lands Scoping Report (provided under **separate cover** to this report) found the site's current use for beef cattle grazing is unviable in its present form. The proposal notes the proposed OSO will further sever the site from surrounding rural lands and the site's environmental, cultural, and scenic values would be retained.

### Officer comment

The RLS is intended to guide Council's decision making on rural land, with the broad intent being to protect rural lands outside the SWGA.

The RLS provides criteria to assist in the assessment of planning proposals for rezoning rural land outside of the SWGA. Assessment criteria 1 requires that proposals be consistent with state and local strategic plans. All local plans and strategies need to be consistent with the District and Region Plans to offer a 'line of sight' from all levels of strategic documents. This helps ensure consistency of planning outcomes.

This report has outlined the proposal is inconsistent with the objectives of key strategic documents. The RLS requires Planning Proposals to represent a logical extension to existing urban areas. Whilst it is acknowledged the site adjoins the SWGA boundary and land zoned for urban development, the site is largely separated from urban development in the SWGA by Denbigh. The site is isolated from existing and planned urban development. The Denbigh heritage curtilage provides a transition between the SWGA and the MRA.

In relation to farm viability, it is acknowledged that farming within the Sydney Basin has several challenges. The RLS contains a planning principle to 'Enhance Camden's Rural Economy' which notes the opportunities that may result from development of the Western Sydney Airport, including closer proximity to domestic and international markets that could support certain agricultural sectors.

It is considered important to protect Camden's valued scenic and cultural landscapes that create a distinct setting for neighbouring urban communities. Council officers consider the proposal would contribute to the cumulative impact on the loss of rural land over time that is inconsistent with Council's RLS.

### **Lacks Site Specific Planning Merit**

The proponent considers the site offers a unique opportunity to provide a well-designed community near the SWGA that focuses on the locality's cultural and environmental values.

According to the proposal, riparian corridors and the majority of vegetated areas are proposed to be conserved with an E2 Environmental Conservation zone, and the impact to Cobbitty's cultural landscapes are to be managed by careful planning. Furthermore, services would be provided through land reserved for commercial uses (neighbourhood centre) and the opportunity for community uses, including a school.



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## Officer comment

### *Infrastructure and Servicing Capacity*

The proposal has poor connectivity to infrastructure due to its isolated location. It is noted that social infrastructure in the SWGA has not been planned to accommodate development outside its boundary. Existing community facilities (hall, community centre and library) are all located more than 2km from the site. The proposal does not provide active open space (such as a multisport court) which would be required given its isolation.

The proposal would place pressure on existing services, including school facilities. It is likely a new primary school would be required to support the proposal's population. No planning has been undertaken for an additional school as Schools Infrastructure NSW assumes the MRA would have low population growth.

The proposal has not adequately demonstrated the servicing capacity required for future development. The site is removed from existing utility networks and servicing the site may not be commercially viable for Sydney Water and Endeavor Energy as significant upgrades would be required.

Furthermore, infrastructure and servicing capacity are crucial to supporting continued delivery of housing in the SWGA. Future development in the SWGA is generally supported by associated infrastructure upgrades and assurance from service providers on the delivery of utilities. Correspondingly, there are no plans to increase infrastructure and servicing capacity outside the SWGA.

### *Ecological Impact*

The proposal seeks to rezone threatened ecological communities and riparian corridors E2 Environmental Conservation, which is considered appropriate and may result in improved environmental outcomes compared to the existing rural zoning.

Smaller patches of high value vegetation are proposed to be zoned residential E4 Environmental Living. The application of this zone may lead to cumulative impacts on vegetation that results in a reduction in its quality over time. Based on the proposed structure plan, it is expected that native vegetation with high or moderate ecological value would be removed or modified, leading to a reduction in vegetation quality.

It is also possible that removal of this vegetation would result in a cumulative negative impact on significant areas of CPW west of the site that is identified as a draft Strategic Conservation Area under the draft Cumberland Plain Conservation Plan prepared by the Department of Planning, Industry and Environment (DPIE).

Council officers support the protection of the high and moderate ecological values of the site at the planning proposal stage, rather than relying on the Development Application (DA) process. Should the proposal proceed, information on the long-term management / ownership of E2 zoned land is required that addresses Council's Dedication of Constrained Lands Policy.

### *Nearby Land Use Impact*

The site contains bushfire prone vegetation and the proposal would rezone bushfire prone land for urban purposes. The proposal would also negatively impact the adjacent state listed Denbigh Heritage Curtilage as outlined below.

### **Visual and Heritage Impact**

The proposal states it does not adversely impact on the existing rural views and vistas and curtilage of Denbigh.

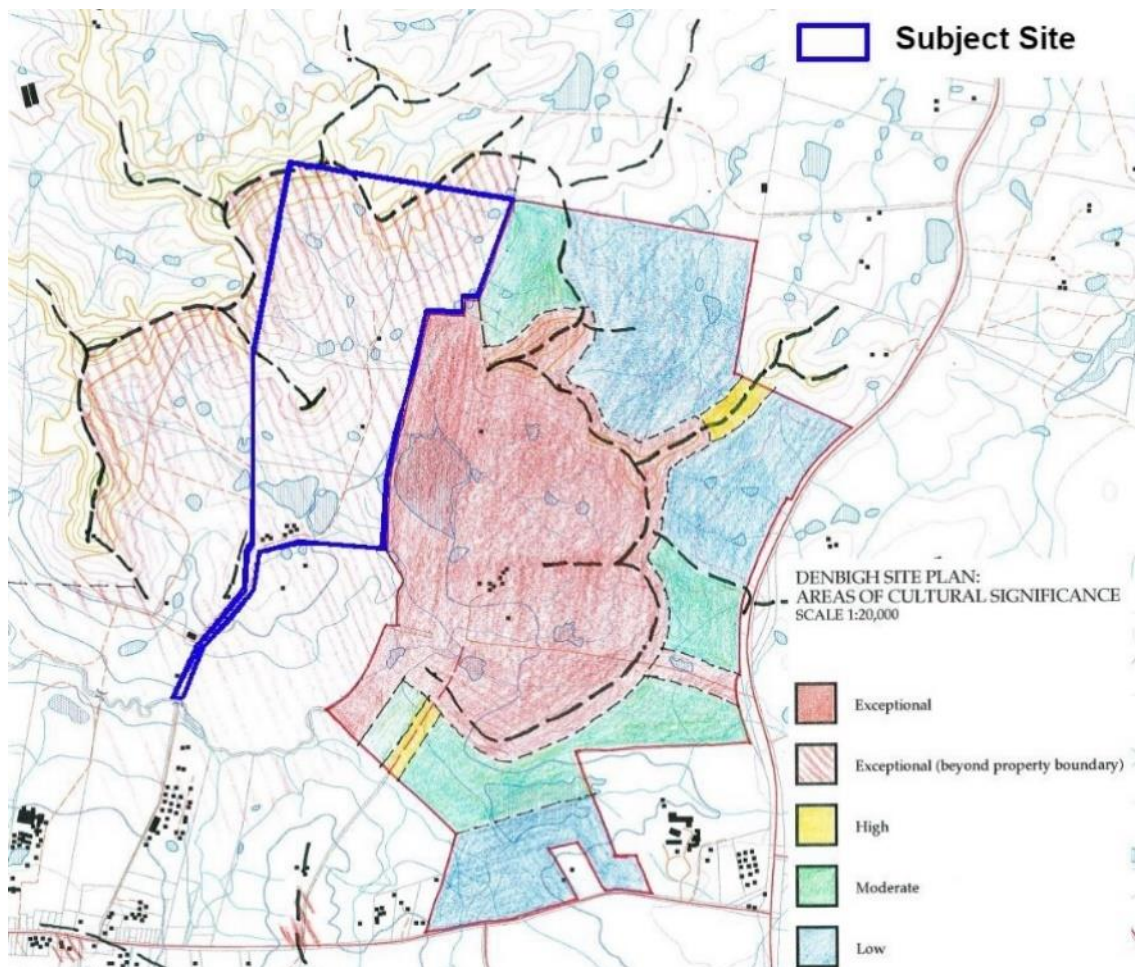
The proposal seeks to offer a 'green backdrop' to Denbigh by developing the intermediate section between the valley and the ridges of the area to the north west of Denbigh. The proponent notes the visual and physical curtilage of Denbigh is significantly larger than similar historic homesteads in the SWGA.

The proponent points out that unlike surrounding developments, the proposal offers a large lot subdivision which facilitates increased vegetation opportunities on individual lots. The proponent considers that visual impact can be further addressed at the DA stage through appropriate design of development.

### Officer comment

The proposal is considered to have an unacceptable impact on Denbigh's heritage qualities and setting.

Denbigh's heritage statement of significance identifies that it retains its historic views across Cobbitty valley to the escarpment. According to Heritage NSW, these views represent exceptional cultural significance as a rare, intact colonial landscape. The preservation of these view lines is of key importance, as they are fundamental to the historical interpretation of Denbigh as a state heritage item. The Denbigh Conservation Management Plan also identifies the subject site as containing areas of exceptional aesthetic value and cultural significance shown in **Figure 8**.



**Figure 8: Areas of Cultural Significance to Denbigh**  
(Source: Denbigh Conservation Management Plan)

A R2 Low Density Residential zone is proposed for parts of the site. Under a R2 zone, dwellings can be approved as complying development under the State Environmental Planning Policy (Exempt and Complying Development) 2008 (Codes SEPP). Council has no control over Complying Development standards, as such site-specific controls on building design, material and colours could not be enforced.

In addition, it is noted that Camden LEP 2010 permits dual occupancy development on lots greater than 600m<sup>2</sup> in the R2 and R5 zone. Should the proposal proceed, land identified as R2 and R5 with a 600m<sup>2</sup> minimum lot size could be developed for dual occupancies increasing the overall density and visual impact of the proposal.

The proposal fails to demonstrate how the social values of the MRA, such as the heritage significance of Denbigh, will be maintained and enhanced.

### Traffic Impact

The proposal proposes a north-south collector road that would facilitate connections to The Northern Road through a future road network serving Oran Park and South Creek West precincts. According to the proposal, there is also the potential for the proposed OSO to incorporate an interchange at Cobbitty Road which would further improve accessibility.



## Officer comment

### *Reliance on external road network connections*

Two proposed external road connections (as shown in **Figure 10**) are relied upon to provide direct access to the site:

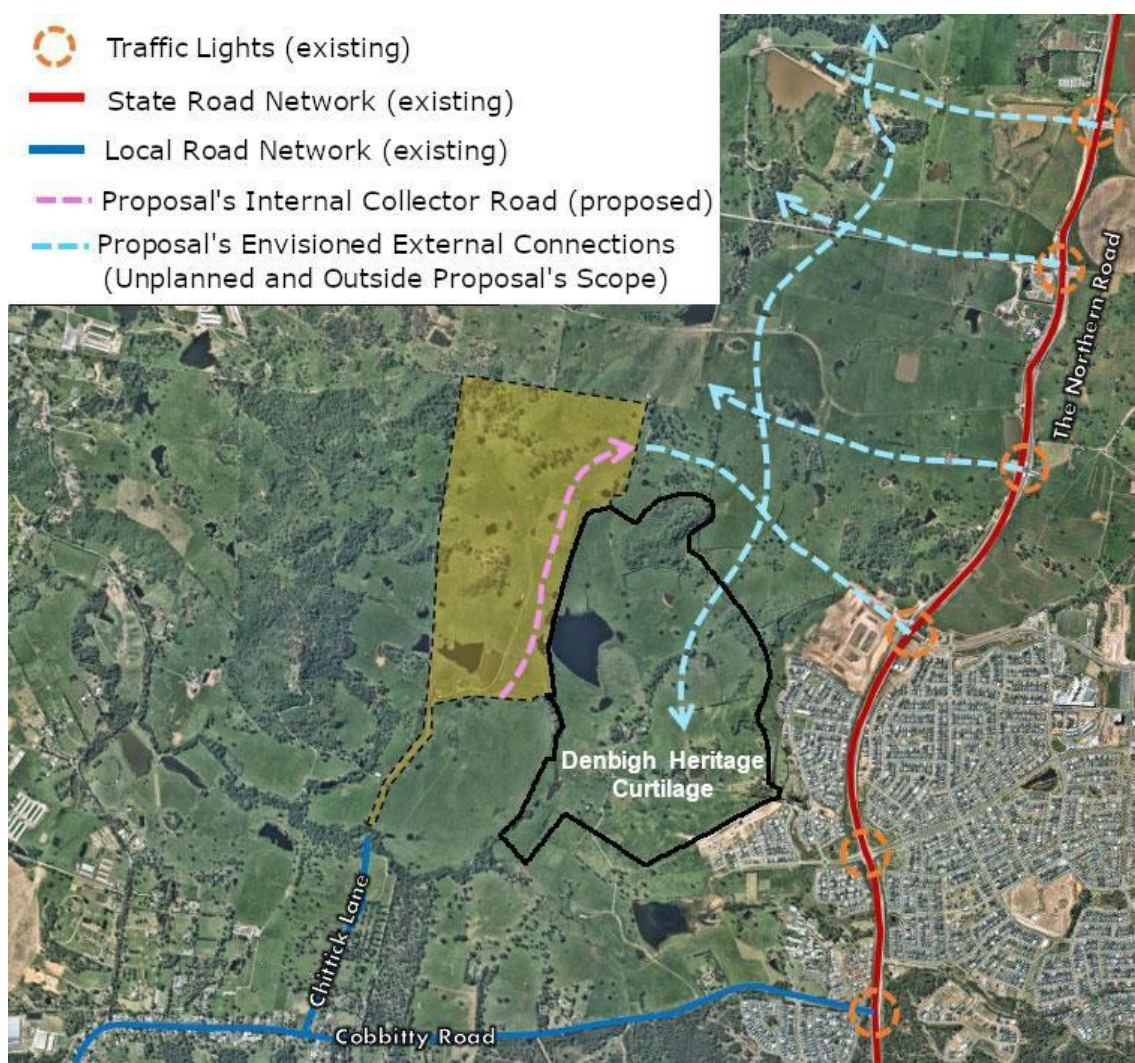
- An external northern connection to the north east, which traverses through the future South Creek West precinct (currently rural land) connecting to an intersection on The Northern Road; and
- A southern external road connection to the south through adjoining rural land.

Neither of the adjacent land parcels form part of the proposal and no planning for these external road connections has been undertaken by Council.

The proposal assumes vehicle circulation from the site would be facilitated via future external road connections throughout the broader SWGA area, including the South Creek West and Lowes Creek Maryland Precincts. However, the master planning and traffic impact modelling for these precincts would not have included traffic generation beyond the SWGA boundary (including the subject site), as significant traffic generation is generally not expected from within the MRA.

The Oran Park ILP does not identify a road extension to the site's north-east boundary that would facilitate the northern connection to the proposed spine road. It appears the proposed connection would cross through Oran Park's riparian corridor (zoned E2 Environmental Conservation). The proposal's Traffic and Transport Assessment (Assessment) also shows the potential for a 'future external road connection' traversing Denbigh.

Overall, it is considered the proposal cannot rely on an unplanned external road network. Additionally, it is unclear if landowners on the adjacent properties have been consulted. Should the proposal proceed, consultation would need to be undertaken with these landowners.



**Figure 10: Proposed Road Network**  
(Source: Proposal's Transport Assessment, with amendment to illustrate Denbigh heritage curtilage)

#### *Existing access via Cobbitty Lane*

Existing access via Chittick Lane is of a rural character and does not meet Council's collector road standards. This route is long, narrow and partially flood affected. It is also not possible to assess the impacts of the proposed OSO on the access route. Alternate means of access would need to be in place to support traffic flow and emergency services, including a minimum of two separate external road connections in the early stages of development. It is unclear how the site can facilitate this.

The proposal states a potential interchange as part of the proposed OSO at Cobbitty Road would improve transport accessibility for future residents of the site. Council's submission to TfNSW about the proposed OSO (May 2018) questioned the merit of potential connections to the OSO, including the proposed Cobbitty Road connection. Council's submission raises concern the increase in traffic associated with the interchange is likely to adversely affect the rural setting in Cobbitty and the potential for an adverse outcome upon Council's remaining agricultural lands.

### *Potential traffic impact to surrounding area*

The Planning Proposal does not identify the full extent of potential traffic impacts the proposal may have on the surrounding areas of Oran Park and Cobbitty, including its impact on residential amenity of existing and future residents.

### **Supporting the proposal would set a precedent**

According to the proposal, the subject site represents a unique case and would not result in a precedent for further urban development, as the proposed OSO would serve to define the western extent of urban development.

### Officer comment

There are approximately 1,400ha of rural zoned land located between the SWGA and the proposed OSO corridor (within the Camden LGA). If the proposal were supported, it may set a precedent for the development of other rural lands located between the SWGA and the proposed OSO.

Council officers do not support the proposal's assessment that it responds to a unique set of site-specific circumstances. Land to the north and south of the site are impacted by the same conditions of the SWGA boundary and the proposed OSO corridor.

### **Assessment against Key Strategic Documents**

The proponent's assessment of the proposal against key strategic documents is outlined in the draft Planning Proposal which is provided as an **attachment** to this report. A summary of the proponent's conclusions, and Council officer's response, is outlined under the key issues of this report.

Council officer's assessment of the proposal against key strategic documents is provided as an **attachment** to this report. In summary, the proposal is inconsistent with the:

- Greater Sydney Region Plan;
- Western City District Plan;
- Local Strategic Planning Statement;
- Community Strategic Plan;
- Rural Lands Strategy; and
- Draft Local Housing Strategy.

### **Camden Local Planning Panel**

On 16 March 2021, the Camden Local Planning Panel considered the draft Planning Proposal. The Panel considered that the proposal does not demonstrate strategic planning merit or site-specific merit to proceed to Gateway Determination.

The Panel considered it would be unwise at this stage to allow further fragmentation of rural lands given that:

- The land the subject of the Planning Proposal lies outside the boundaries of the defined urban growth area and this growth area is capable of accommodating the housing required within the Camden local government area for the foreseeable future;



- There is uncertainty regarding the future design and functionality of the proposed Outer Sydney Orbital, as it relates to the land; and
- There is uncertainty regarding the provision of infrastructure and services to the land in order to accommodate urban development.

In addition, the Panel considered that the Planning Proposal has not demonstrated that the land is capable of achieving adequate connectivity to the established and planned urban area.

A copy of the Panel's meeting minutes is provided as an **attachment** to this report.

### **Initial Notification**

Initial notification of the draft Planning Proposal has not been undertaken.

Should the proposal be supported and receive a favourable Gateway Determination from DPIE, the draft Planning Proposal will be placed on public exhibition for comment in accordance with the conditions of the Gateway Determination.

### **Assessment of Planning Merit**

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

It is considered the proposal does not demonstrate strategic planning merit and site-specific planning merit to proceed to Gateway Determination for the following reasons:

- The proposal is inconsistent with the 'line of sight' of key strategic documents that:
  - Direct future urban growth to be contained within the South West Growth Area (SWGA); and
  - Seek to retain rural land within the Metropolitan Rural Area (MRA) to protect and enhance the environmental, social and economic values of land in the MRA;
- The proposal would contribute to the cumulative impact on the loss of rural zoned land over time that is inconsistent with Council's Rural Land Strategy (RLS);
- The NSW Government is yet to commit to the proposed Outer Sydney Orbital (OSO) corridor alignment, its acquisition and construction. It is not possible to assess the potential impacts the proposed OSO would have on the proposal (and vice-versa);
- The proposal could set a precedent for future development of rural land located between the SWGA and the proposed OSO corridor;
- Council's draft Local Housing Strategy (LHS) clarifies that the SWGA is well-placed to cater for future housing supply. The proposal's housing supply contribution is not required for Camden to meet current and future housing supply needs;
- The proposal would have an unacceptable visual impact on Denbigh and the significant Cobbitty cultural landscape. The proposal fails to demonstrate how the social values of the MRA will be maintained and enhanced;
- The proposal would have unacceptable traffic impacts on existing and future residents in the area, including Oran Park and Cobbitty, that has not been planned to cater for traffic from the subject site;

- The proposal would represent an additional development 'front' that would place additional demands on Council resources. This could serve to undermine the successful delivery of the SWGA;
- The proposal may take up infrastructure capacity that has been planned to cater for the SWGA. The proposal could act to divert SWGA infrastructure resources that are needed to support the successful delivery of the SWGA;
- The proposal would have an adverse impact on threatened ecological communities, including Cumberland Plain Woodland; and
- It is forecast that there will be a growing population of smaller households and ageing households who will require higher density housing forms to meet their needs. The proposal does not adequately contribute to Council's goal of increasing housing diversity.

### **Next steps**

Should Council not support the draft Planning Proposal, the proponent will be notified of Council's decision.

The proponent may request a Rezoning Review by writing to the DPIE. A rezoning review request is assessed by the Sydney Region Planning Panel and involves consultation with Council and the proponent. Councillors will be advised should a request for rezoning review be lodged with DPIE.

Should the draft Planning Proposal be supported, the following specialist studies are recommended to be undertaken:

- Retail Impact Assessment;
- Visual Impact Assessment;
- Flood Risk Assessment;
- Water Cycle Management Strategy;
- Potential Land Contamination Assessment;
- Land Capability Assessment;
- Acoustic Assessment;
- A detailed Indicative Layout Plan;
- An updated Ecological Constraints Analysis;
- An updated Heritage Impact Statement that includes an assessment against the Denbigh Conservation Management Plan;
- An updated Aboriginal Due Diligence Assessment;
- An updated Traffic and Transport Assessment that considers the (unplanned) external road connections needed to facilitate the proposal; and
- A draft Development Contributions Plan.

### **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 by rezoning approximately 146.52ha of RU1 Primary Production zoned land to R2 Low Density Residential, R5 Large Lot Residential, E4 Environmental Living, E2 Environmental Conservation, B2 Local Centre and RE1 Public Recreation.

The proposal further seeks to amend the minimum lot size from 40ha to 600m<sup>2</sup> in the R2 zone, 700m<sup>2</sup>, 900m<sup>2</sup>, 1,500m<sup>2</sup> and 2,000m<sup>2</sup> in the E4 zone, and 1,500m<sup>2</sup> and 2,000m<sup>2</sup> in the R5 zone to facilitate the delivery of up to 800 residential lots that would accommodate a population of 2,300 people (approximately).

Council officers have assessed the draft proposal and consider that it does not demonstrate strategic or site-specific planning merit to proceed to Gateway Determination, for the reasons outlined in the report.

### **RECOMMENDED**

#### **That Council:**

- i. refuse the draft Planning Proposal for Lots 2,3,4 and 5 DP 239612, 220, 300, 350 and 360 Chittick Lane, Cobbitty, for the reasons outlined in the report; and**
- ii. notify the proponent of Council's decision.**

#### **ATTACHMENTS**

1. Planning Proposal - Chittick Lane, Cobbitty
2. CLPP resolution 16 March 2021
3. Tidapa Assessment of Specialist Studies
4. Tidapa Assessment against Key Strategic Documents
5. Tidapa Technical Studies
6. 3D Perspective of Proposal - Cobbitty

### **Ordinary Council**

Resolution: Moved Councillor Campbell, Seconded Councillor Farrow that Council:

- i. refuse the draft Planning Proposal for Lots 2,3,4 and 5 DP 239612, 220, 300, 350 and 360 Chittick Lane, Cobbitty, for the reasons outlined in the report; and**
- ii. notify the proponent of Council's decision.**

ORD85/21 THE MOTION ON BEING PUT WAS **CARRIED**



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