

Rezoning Review Briefing Report – RR-2024-3 (PP 2023-2479)

Belmore Road Precinct (South Creek West Sub Precinct 2) (3,300 of homes and 509 jobs)

Element	Description	
Date of request	19 February 2024 (Adequate on 14 March 2023)	
Department ref. no	RR-2024-3	
LGA	Camden	
LEP to be amended	State Environmental Planning Policy (Precincts – Western Parkland City) 2021	
Address	The Northern Road, Bringelly	
Reason for review	<input type="checkbox"/> Council notified the proponent it will not support the proposed amendment	<input checked="" type="checkbox"/> Camden Council failed to indicate support for the proposal within 90/115 days, or failed to submit the proposal after indicating its support
Has council nominated PPA role	As council officers are continuing to address the planning proposal, Council has not nominated itself to be the Planning Proposal Authority (PPA) at this time.	
Consultation	<p>To date, completed consultation by Council and CKDI (the Proponent) includes:</p> <ul style="list-style-type: none">• Notification of key stakeholders (landowners adjoining, nearby and within the precinct, broader community, and State agencies) of the initial planning package lodged with Council• Notification and facilitation of visioning workshop by an independent consultant in May 2020• Pre-lodgement meeting between Proponent and Camden Council March 2021• Drop-in sessions conducted by Council staff, initial documentation uploaded to Council's website and councillors briefed on initial package.• Public notification from 22 August - 3 October 2022• Meeting held with SINSW on 20 December 2022 regarding in-principle support of the current location of the future educational establishment.• Updated Indicative Layout Plan (ILP) was reviewed by the Local Planning Panel on 18 July 2023	

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	<ul style="list-style-type: none">• Proponent consultation with utilities and service providers in preparation of the Infrastructure Servicing Strategy (Attachment BQ)• Ongoing consultation with Registered Aboriginal Parties, as identified in the Preliminary Aboriginal Cultural Heritage Assessment (Attachment BJ)
Brief overview of the timeframe/progress of the planning proposal	<ul style="list-style-type: none">• On 2 November 2019 the Belmore Road Precinct was released for rezoning as part of the South Creek West Land Release Area by the Minister for Planning.• On 14 April 2021 the full planning proposal package was submitted to Camden Council to amend the Western Parkland City Precinct SEPP.• The proposal was exhibited between 22 August and 3 October 2022• On 18 July 2023 the planning proposal was considered by the Camden Local Planning Panel (LPP). The LPP advised Council that the planning proposal should be forwarded to the Minister for Gateway Determination subject to conditions.• In October 2023 the proponent updated the existing planning proposal. The updated proposal is the subject of this rezoning review.
Department contact:	Claire Ferguson Claire.ferguson@dpie.nsw.gov.au (02) 9995 8544

Planning Proposal

Table 1. Overview of planning proposal

Element	Description																																							
Site Area	<p>190 hectares (62 lots)</p> <p><i>Note: the planning proposal document refers to 55 lots</i></p>																																							
Site Description	<p>The proposal applies to the Belmore Road Precinct (Sub-Precinct 2), which forms part of the South Creek West Land Release Area (Figure 1). The sub-precinct is located within Bringelly at the western portion of the Camden LGA.</p> <p>The site is bounded by Greendale Road to the north, The Northern Road to the east, the rezoned Lowes Creek Maryland Precinct to the south, and Sub-Precinct 1 of the South Creek West Release Area, to the west.</p> <p>The site is currently zoned part RU1 Primary Production, part RU4 Primary Production Small Lots and part E1 Local Centre. Figure 2 illustrates. The site at present comprises rural and agricultural land uses.</p> <p>The site is comprised of the following lots:</p> <table><tr><td>4/7/DP2650</td><td>6/7/DP2650</td><td>41/DP805926</td></tr><tr><td>3/7/DP2650</td><td>7/7/DP2650</td><td>3/8/DP2650</td></tr><tr><td>51/DP746911</td><td>8/7/DP2650</td><td>100/DP826948</td></tr><tr><td>52/DP746911</td><td>9/7/DP2650</td><td>500/DP1219184</td></tr><tr><td>1/DP1111775</td><td>8/8/DP2650</td><td>501/DP1219184</td></tr><tr><td>1/DP936272</td><td>7/8/DP2650</td><td>90/DP864637</td></tr><tr><td>22/DP531414</td><td>6/8/DP2650</td><td>10/8/DP2650</td></tr><tr><td>21/DP531414</td><td>5/8/DP2650</td><td>11/8/DP2650</td></tr><tr><td>5/7/DP2650</td><td>42/DP805926</td><td>12/8/DP2650</td></tr><tr><td>1/DP612995</td><td>22/DP810113</td><td>21/DP810113</td></tr><tr><td>B/DP414758</td><td>96/DP864637</td><td>2/DP1216926</td></tr><tr><td>91/DP864637</td><td>97/DP864637</td><td>3/DP1216926</td></tr><tr><td>92/DP864637</td><td>98/DP864637</td><td>4/DP1216926</td></tr></table>	4/7/DP2650	6/7/DP2650	41/DP805926	3/7/DP2650	7/7/DP2650	3/8/DP2650	51/DP746911	8/7/DP2650	100/DP826948	52/DP746911	9/7/DP2650	500/DP1219184	1/DP1111775	8/8/DP2650	501/DP1219184	1/DP936272	7/8/DP2650	90/DP864637	22/DP531414	6/8/DP2650	10/8/DP2650	21/DP531414	5/8/DP2650	11/8/DP2650	5/7/DP2650	42/DP805926	12/8/DP2650	1/DP612995	22/DP810113	21/DP810113	B/DP414758	96/DP864637	2/DP1216926	91/DP864637	97/DP864637	3/DP1216926	92/DP864637	98/DP864637	4/DP1216926
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94/DP864637	6/9/DP2650	19/DP1216926
95/DP864637	1/DP1216926	18/DP1216926
17/DP1216926	16/DP1216926	15/DP1216926
7/DP1216926	10/DP614494	11/DP700210
6/DP1216926	1/DP733115	2/DP1280952
2/DP1280952	17/DP1222679	14/DP1222679
18/DP1222679	4/DP173593	15/DP1222679

Proposal summary

The proposal seeks to rezone the land for urban purposes to facilitate:

- 3,271 dwellings;
- a local centre;
- a primary school;
- employment land; and,
- open space.

The proposal seeks to achieve this through rezoning the land to a mix of the following:

- B1 Neighbourhood Centre (E1 Local Centre).
- B6 Enterprise Corridor (E3 Productivity Support).
- C2 Environmental Conservation.
- C4 Environmental Living.
- RE1 Public Recreation.
- R2 Low Density Residential.
- R3 Medium Density Residential.

Figure 3 provides a zoning map.

In addition, the proposal includes:

- introduction of dwelling density bands for residential uses across the precinct
- FSR provisions for the local centre;
- height controls,
- an Additional Permitted Use (APU) for 'residential accommodation' within the local centre with ground floor retail,
- a local provision requiring minimum affordable housing provisions for any residential development in Medium Density Band 2 and;

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- a local provision relating to managing the urban heat effect.

The planning proposal and supporting documents are attached as:
Attachment A2 and Attachments BA to BU.

Relevant State and Local Planning Policies, Instruments

- State Environmental Planning Policy (Precincts – Western Parkland City) 2021
- Greater Sydney Region Plan: A Metropolis of Three Cities (2018)
- Western Parkland City District Plan
- Camden Local Environmental Plan 2010
- Cumberland Plain Conservation Plan
- Camden Local Strategic Planning Statement 2020
- Connecting Camden - Community Strategic Plan 2022-2036

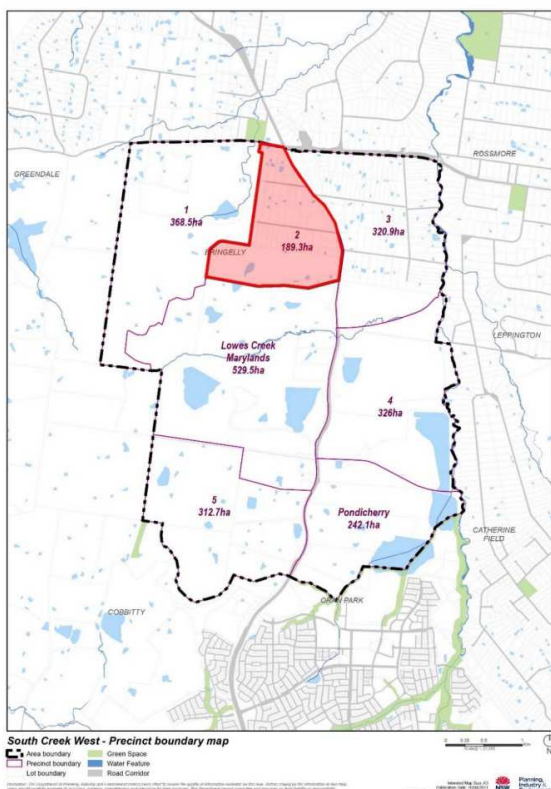


Figure 1. Subject site (source: NSW Planning/Nearmap/Inspire Planning)

The planning proposal seeks to amend the Western Parklands City SEPP 2021 by including the site within the SEPP and removing the site from Camden Local Environmental Plan 2010 (CLEP), as follows.

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Table 2. Current and proposed controls

Control	Current (Camden LEP 2010)	Proposed (Western Parkland City SEPP)
Zone	RU1 Primary Production RU4 Primary Production Small Lots E1 Local Centre	E1 Local Centre E3 Productivity Support C2 Environmental Conservation C4 Environmental Living RE1 Public Recreation R2 Low Density Residential R3 Medium Density Residential
Maximum height of the building	9.5m	9.5m (low density housing) 12m (south-west neighbourhood centre and medium density housing) 16m (neighbourhood centre / mixed-use developments)
Floor space ratio	N/A	2:1 (neighbourhood centres)
Minimum lot size	No MLS (E1 Local Centre) 2 ha (RU4 Primary Production Small Lots) 40 ha (remainder of the site)	Nil
Residential Density	9.5m	Environmental Living – Maximum 10 dwelling per hectare Low Density Band 1 – 10 to 20 dwellings per hectare Low Density Band 2 – 20 to 25 dwellings per hectare Medium Density Band 1 – 25 to 35 dwellings per hectare Medium Density Band 2 – 35 to 60 dwellings per hectare
Number of dwellings	<60	Approximately 3,300 (estimate of 3,371 applied to Community Needs Assessment)
Number of jobs	N/A	5,800 full-time equivalent jobs (including 3,000 direct jobs)

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

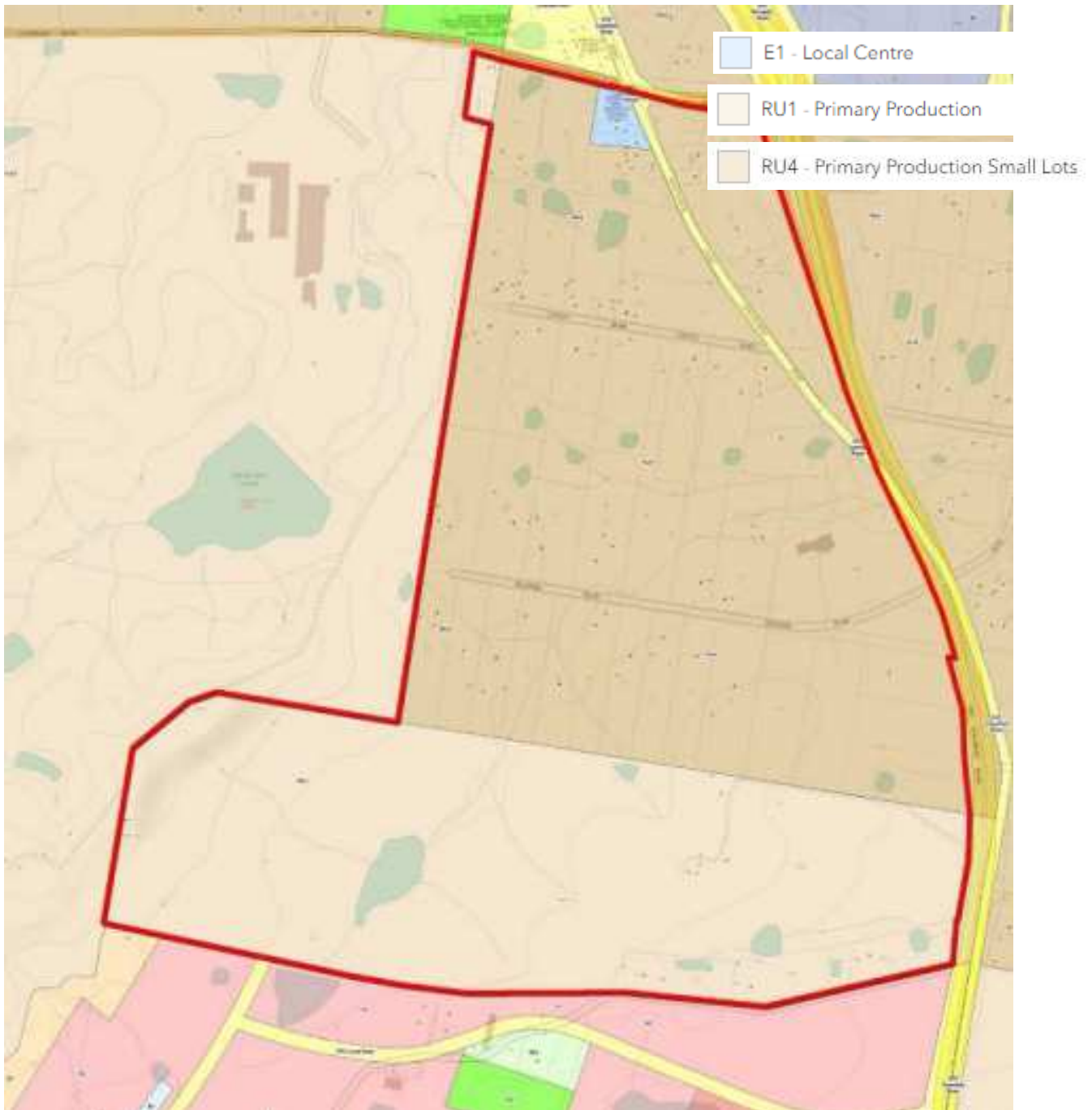
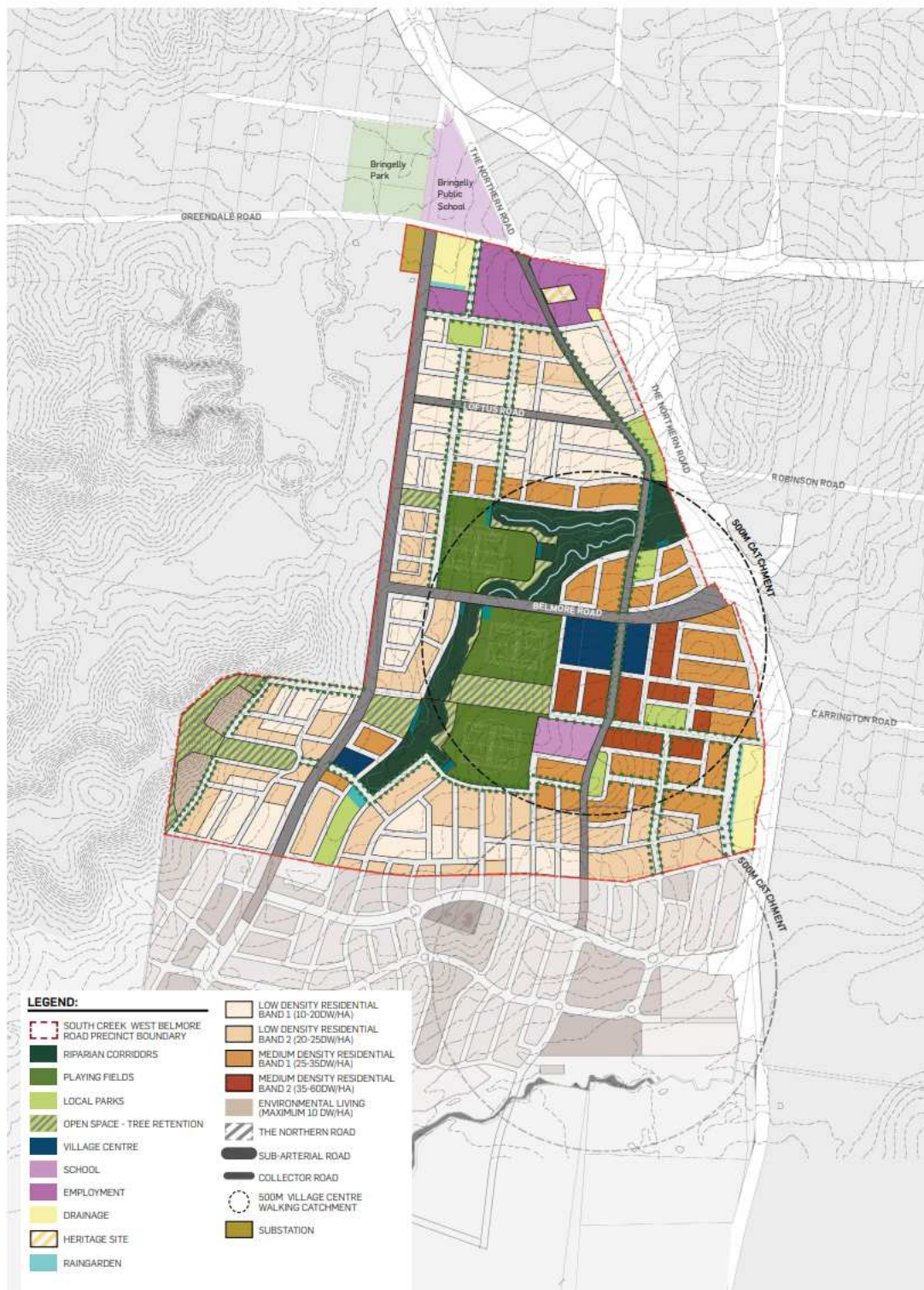


Figure 2. Current zoning - CLEP 2010 (source: NSW Planning/Inspire Planning)

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SOUTH CREEK WEST - BELMORE ROAD PRECINCT
REVISED FINAL ILP

DATE: 25-08-2023
JOB NO: P0030401
DWG NO: -
REV: H

1:10,000 @ A3

Figure 3: Indicative Layout Plan (ILP) – Attachment BA (source: Urbis)

Key Issues

Issue 1: Strategic Planning Framework

Council view

Council officers have been actively considering a draft Planning Proposal for the Precinct since its lodgement on 14 April 2021. Several revisions of the draft Planning Proposal have been submitted to council officers in response to requests for further information. The most recent was received on 27 October 2023, which is subject to the rezoning review application. Council has provided the proponent with a list of outstanding matters to be addressed.

The original planning proposal was reviewed by the Camden Local Planning Panel (LPP) on the 18 July 2023. The LPP considered the proposal to demonstrate both strategic and site-specific merit.

Proponent view

The proponent, in their rezoning review request (**Attachment A1**) noted that the precinct was identified as suitable for urban development in the publication of the Growth Centres SEPP in 2006, now SEPP (Precincts – Western Parkland City) 2021. The site was biodiversity certified in December 2007 and released for rezoning as part of the South West Creek Land Release Area by the Planning Minister in 2019.

CKDI asserts that the planning proposal is consistent with and supports a range of strategic planning outcomes. The key proposal features, which support strategic merit, are summarised as follows:

- the planning proposal contributes to the 30-minute city vision due to its proximity to Western Sydney Airport and Aerotropolis, Western Economic Corridor, Leppington and Narellan Strategic Centre, Campbelltown Macarthur and being within the South West Growth Area (SWGA);
- provides a range of housing choices,
- delivers open space and recreation; and
- generates employment.

Site-specific Issues

Issue 2: Ridgeline land

Council view

The western portion of the precinct within the proponent's landholding contains some land which is steeply sloping. A ridgeline forms the boundary with adjoining land to the west. The current draft Planning Proposal proposes residential and public open space uses in this area (refer to **Figure 4** below).

While insufficient geotechnical detail about this area has been provided by the proponent to date, Council officers have been advised by the proponent that additional geotechnical investigations are currently being undertaken to inform proposed land uses. The result of the additional geotechnical investigation will be provided to council.

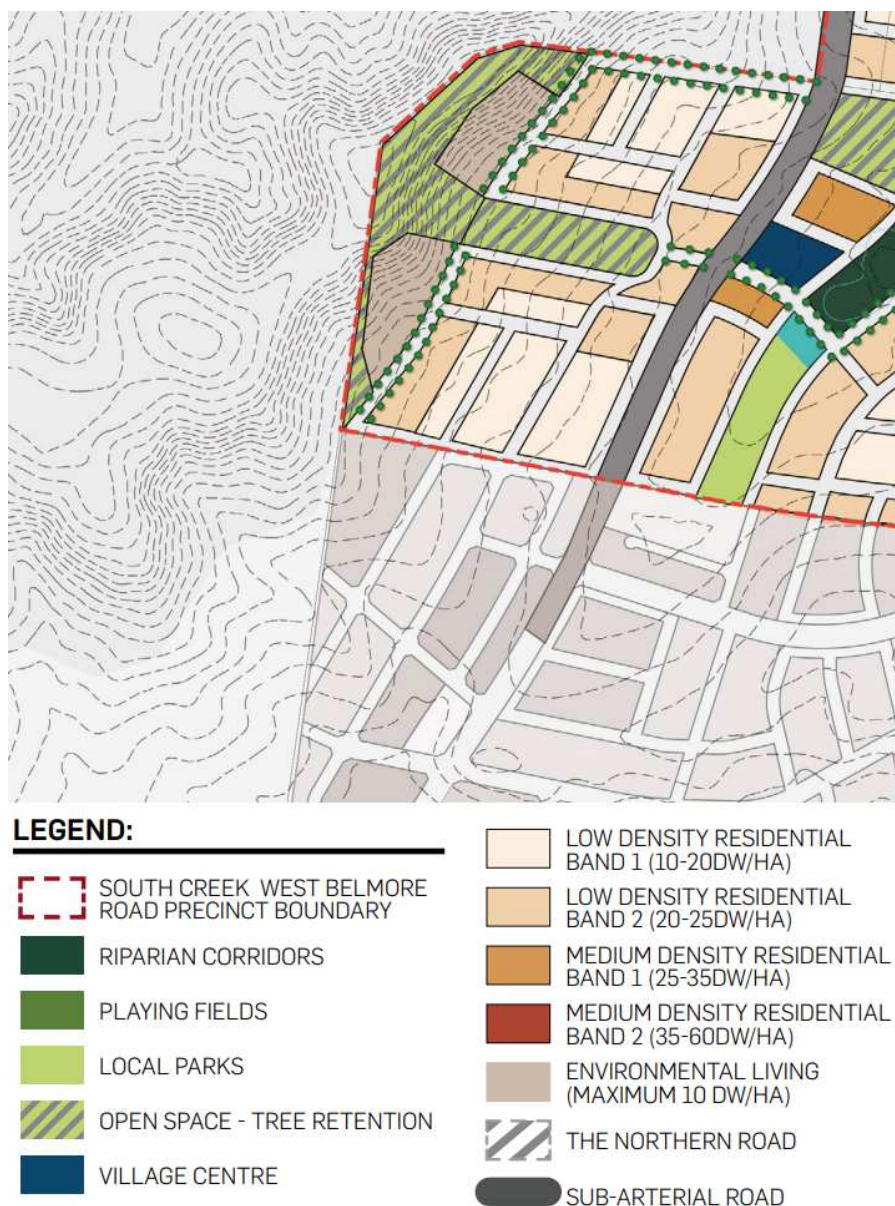


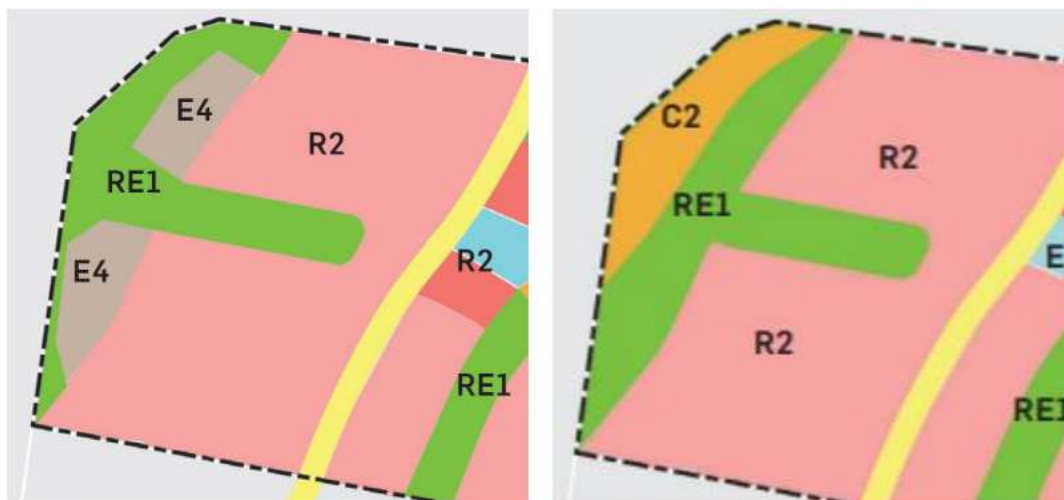
Figure 4: Excerpt of ILP showing the ridgeline area to the west of the site (source: Urbis)

Proponent view

- The draft ILP has been amended since Council's initial notification in August 2022 which introduces environment living uses to the ridgeline
- Preliminary Geotechnical information has been provided - see **Attachment BH** (Preliminary Geotechnical and Salinity Assessment revision 2) dated 25 September 2023.
- The proponent notes that the original scheme had the entirety of the ridgeline identified as open space.
- An alternative scheme (see **Figure 5**), proposed by the proponent, noted that the ridgeline would likely form part of a larger regional network of open space and introduced a stronger north-south connection connections into the Belmore Road Precinct.

- A E2/C2 zone for the western portion of the ridge was also considered where high retention vegetation was identified in the Biodiversity Report (**Attachment BM**).
- Responding to comments, the alternate scheme saw the proposed zoning change to extend the RE1 area to the top of the ridge and the introduction of environmental zones (C4/E4).
- The proponent contends that the ridgeline land should be dedicated and retained in public ownership, given the significance of the ridgeline and the overall benefits for the Belmore Road Precinct and local community.

Figure 22 Ridgeline Park zoning



Picture 3 Proposed Zoning

Picture 4 Alternative Zoning

Source: Urbis

Figure 5: Alternative option for ridgeline zoning (source: Urbis)

Issue 3: Independent master-planner review

Council view

In early 2023, Council officers appointed APP Group as a masterplanning consultant to undertake an independent review of the draft Planning Proposal package. From this review, the following matters remain outstanding:

- a Biodiversity Certification Consistency Report has not been submitted with the draft Planning Proposal;
- ILP matters, including the approach to the ridgeline area as previously mentioned;
- planning proposal report matters including required SEPP clauses, mapping amendments and land zoning;
- outstanding agency comments from Council's initial notification; and
- minor updates to some technical studies and the planning proposal report to ensure consistency and reflect up-to-date information.

Proponent view

- The Biodiversity Assessment (**Attachment BM**) outlines recommendations for consistency with the Biodiversity Certification Order (section 5.1). It is noted the precinct contains a total of 33.87 ha of native vegetation that meets the definition of

AHCVV (Additional High Conservation Value Vegetation) and 24.98 ha of previously mapped ENV (Existing Native Vegetation). It was recommended that to achieve consistency, riparian zones be improved throughout the precinct.

- The proponent has responded to this recommendation by stating in its strategic consistency table (Table 12 of the planning proposal – **Attachment A2**) the draft ILP has sought to protect areas of ENV through proposed environmental conservation, recreation, and infrastructure zones, as a way of demonstrating consistency with the Biodiversity certification considerations within the SWGA Structure Plan.
- The proponent has also outlined Precincts SEPP clause amendments in the Explanation of Provisions section of the planning proposal (Section 9.2).
- Mapping amendments including land zoning are noted in section 9.2 of planning proposal, and shown in Figures 25-31, in addition to inclusion in Part C of the Urban Design Report (**Attachment BB**), figures 54-60.

Issue 4: Other Assessment Matters

Council view

There are other matters outstanding from Council officer's assessment, which include:

- Consistency between reports.
- Outstanding ILP matters to be addressed from Council officer referrals:
 - Heritage: Council consider the heritage report as inadequate (heritage item is in private ownership however the report recommends community use),
 - Acquisition issues: a draft SEPP clause needs to be included to enable acquisition of C2 land; and
 - Noise attenuation: acoustic matters need to be resolved for the Wentworth Road investigation area.

Proponent view

- The proponent provided a Noise and Vibration Impact Assessment to DPHI on 4 April 2024.
- Traffic modelling included data pertaining to 'Wentworth Rd and The Northern Road Int 1'. Buffering of acoustic impacts from The Northern Road to the Wentworth Road investigation area have been addressed in the September 2023 update of the Landscape Master Plan (Appendix BD). Landscape buffers have been proposed for the edge of the Wentworth Road investigation area and between The Northern Road and residential land uses (see '1' and '6' in Figure 6, following).



Figure 6: Excerpt of Landscape and open spaces opportunities map from Landscape Masterplan – Attachment BD (source: Urbis)

Issue 5: Additional Landowner Engagement

Council view

Prior to reporting the draft planning proposal to Council for its consideration, council officers intend to engage with all landowners within the Precinct to inform these owners of the proposal. Whilst the proponent owns the large land holdings to the south of the Precinct, the northern portion of the Precinct consists of approximately 59 smaller lots.

The purpose of this engagement is to ensure all landowners are informed of the draft proposal, noting a formal exhibition process will occur if a favourable Gateway Determination

is issued. Council officers have prepared a Communications and Engagement Plan which provides guidance for engaging with these landowners.

At the conclusion of the landowner engagement and Council officer assessment, Council officers intend to brief Councillors on the draft proposal prior to seeking Council's adoption of the proposal.

On 12 April 2024 Council provided DPHI its draft Communications Plan for engagement of landowners. The implementation of the plan will be subject to the outcome of the Panel's deliberations.

Proponent view

A Communications and Engagement Plan developed in conjunction with the proponent was provided by Council on 12 April 2024. The engagement plan anticipated landowner engagement to occur in late April, with necessary reporting concluding in approximately July 2024. It is noted the timeframes were dependent on the proponent addressing outstanding assessment items.

Issue 6: Wastewater Servicing

Council view

Council has advised the proponent to contact Sydney Water regarding sewer capacity.

Proponent view

The site, and surrounding area, is not currently serviced by the Sydney Water sewer network. Existing rural properties in the area utilise on-site septic systems for sewage collection and disposal. Recent development within Oran Park, Harrington Park and Turner Road, located to the south of the Belmore Road Precinct, are serviced by the Sydney Water sewer network. Based on ongoing discussions with Council and Sydney Water, the Precinct will be serviced by the Upper South Creek Advanced Water Recycling Centre (AWRC) in Kemps Creek, which is planned to be delivered in 2026.

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Attachments

Attachment A1 – A2 – Rezoning Review Request (A1) and Planning proposal (A2)

Attachment BA - BU – Planning proposal supporting attachments

Attachment C1 - C2 – Council's comments, and Camden LPP meeting minutes and officer recommendations

A handwritten signature in black ink, appearing to be 'Terry Doran'.

10/5/24

Terry Doran

Manager, Local Planning

A handwritten signature in black ink, appearing to be 'Felicity No'.

14/5/24

Felicity No

Director, Local Planning (Central, West & South)

Assessment officer

Claire Ferguson

Planning Officer, Local Planning,

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