

Council Reference: PP/2021/8/1
Record Number: 24/693983

14 November 2024

The Secretary
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Murray Jay

Dear Murray,

**RE: RESPONSE TO REQUEST FOR A REZONING REVIEW – SOUTH CREEK WEST
PRECINCT 5 (Part) (RR-2024-33)**

I refer to your correspondence dated 25 October 2024 regarding the request for a rezoning review for South Creek West Precinct 5 (Part). Please refer below to responses that provide further information as requested.

Council Report and Resolution

Council endorsed the draft Planning Proposal on 11 June 2024. Council resolved to forward the proposal to the Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination, subject to receipt of a satisfactory letter of offer to enter into a planning agreement and satisfactory progression of the investigation areas and outstanding matters, as outlined in the Council report and minutes (provided in **Attachment 1**).

Documentation Review

The documents provided in the link sent to Council by DPHI on 28 October 2024, are **not** the up-to-date versions of all the technical documents that were considered by Council at its meeting of 11 June 2024. On 30 October 2024, Council officers emailed a OneDrive link to DPHI officers, which provided copies of the up-to-date versions of the technical studies that accompanied the report to Council.

Outstanding Issues

As stated above, there are several outstanding and unresolved issues (outlined in further detail in **Attachment 2**) that preclude the finalisation of the estimated development yield, the draft ILP and SEPP mapping layers. The outstanding issues include:

- Ridgeline Development Potential and Geotechnical Peer Review
- Riparian Corridor and Online Basins
- Water Cycle Management Strategy (Flooding Impacts)
- North-South Collector Road

- Active Open Space Design
- Planning Agreement / Contributions Plan
- Draft Development Control Plan

Exhibition of the draft planning proposal in its current form is likely to result in substantial post-exhibition changes being required to avoid adverse impacts on adjoining and nearby land.

Until the development potential of the ridgeline area (which has been identified as having intermediate and major slope stability constraints) and the location of detention basins has been determined, it is difficult to estimate the final expected development yield. This in turn makes it difficult to identify the quantum of land required for open space.

In addition, on-site measures needed to mitigate downstream flooding (consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005), cannot be determined until there is certainty about the development layout.

Planning Proposal Authority

Council officers believe that DPHI is best equipped to resolve and progress the draft Planning Proposal, given the outstanding issues require input, resolution and agreement from State agencies to accept non-compliance issues.

Next Steps

Council officers support the draft Planning Proposal progressing, as Council has previously endorsed the draft Planning Proposal to proceed to Gateway (subject to resolution of outstanding issues).

However, we would request that DPHI resolve outstanding issues prior to public exhibition. This will help to ensure:

- the impacts of the development are known and made fully available to the assessing authorities, relevant state agencies and the general public;
- the final development yield is known;
- the draft proposal satisfies the District and Regional planning strategies; and
- appropriate planning for the provision of local infrastructure can be incorporated into either a planning agreement or a contributions plan.

Council officers are committed to working collaboratively with DPHI to ensure the outstanding issues are resolved and to ensure the proposed development delivers housing and an improved urban environment for the future residents of this precinct.

Council officers would also welcome the opportunity to discuss outstanding issues prior to the rezoning briefing occurring.



Should you have any questions or require further information, please contact Murray Wilson, Executive Strategic Planner on (02) 4654 7755 or alternatively via email at murray.wilson@camden.nsw.gov.au.

Yours sincerely,

Josh Pownell
MANAGER STRATEGIC PLANNING



Attachment 1 – Council Report and Minutes from 11 June 2024

ORD02

**SUBJECT: PRE PUBLIC EXHIBITION - DRAFT SOUTH CREEK WEST PRECINCT 5
(PART) PLANNING PROPOSAL**
FROM: Director Planning and Environment
EDMS #: 24/209312

PROPERTY ADDRESS 705 The Northern Road, Bringelly
657 The Northern Road, Bringelly
421D The Northern Road, Cobbitty
641 The Northern Road, Cobbitty
641A The Northern Road, Cobbitty
Part of 689 The Northern Road Bringelly

PROPONENT BHL Group Pty Ltd

OWNERS Mrs R Pisciueneri & Mr SC Galluzzo
Roberts Jones Investments 500 Pty Ltd
621B Northern Road Pty Ltd & 621Z Northern Road Pty Ltd

Landowners not actively involved in this planning proposal
Frank Lopresti Investments Pty Ltd
Sydney Water Corporation

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for land at Cobbitty and Bringelly, known as South Creek West Precinct 5 (Part) and referred to in this report as Precinct 5 (Part).

The report recommends Council endorse the draft Planning Proposal for submission to the NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination, and to be placed on public exhibition subject to a favorable Gateway Determination and the resolution of outstanding matters discussed within this report.

The draft Planning Proposal and associated studies are provided as **attachments** to this report. The draft Planning Proposal is supported by a draft Development Control Plan (draft DCP) which is also provided as an **attachment**.

Councillors have been briefed on the draft Planning Proposal on several occasions including 27 February 2024 and 21 May 2024.

BACKGROUND

The South Creek West Precinct forms part of the broader South West Growth Area (SWGA). In November 2017, the South Creek West Precinct was released for precinct planning by the then NSW Department of Planning and Environment (DPE) (now DPHI).

In November 2019, the NSW Minister for Planning announced a new approach to precinct planning. Under the new approach, the South Creek West Precinct was identified under the 'collaborative planning' pathway, allowing precinct planning to be progressed via a Planning Proposal lodged with Council.

In December 2021, a draft Planning Proposal was lodged with Council by Urbis on behalf of the proponent (BHL Group). In summary, the draft Planning Proposal seeks to rezone Precinct 5 (Part) from RU1 Primary Production under *Camden Local Environmental Plan 2010* to a variety of urban zones under the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* (Precincts SEPP). Further details on the proposed zones are provided later in this report.

CONTEXT

The SWGA incorporates 14 precincts (11 within the Camden LGA) and is expected to provide 105,000 dwellings by 2041. The SWGA (Camden LGA) is shown in **Figure 1**.

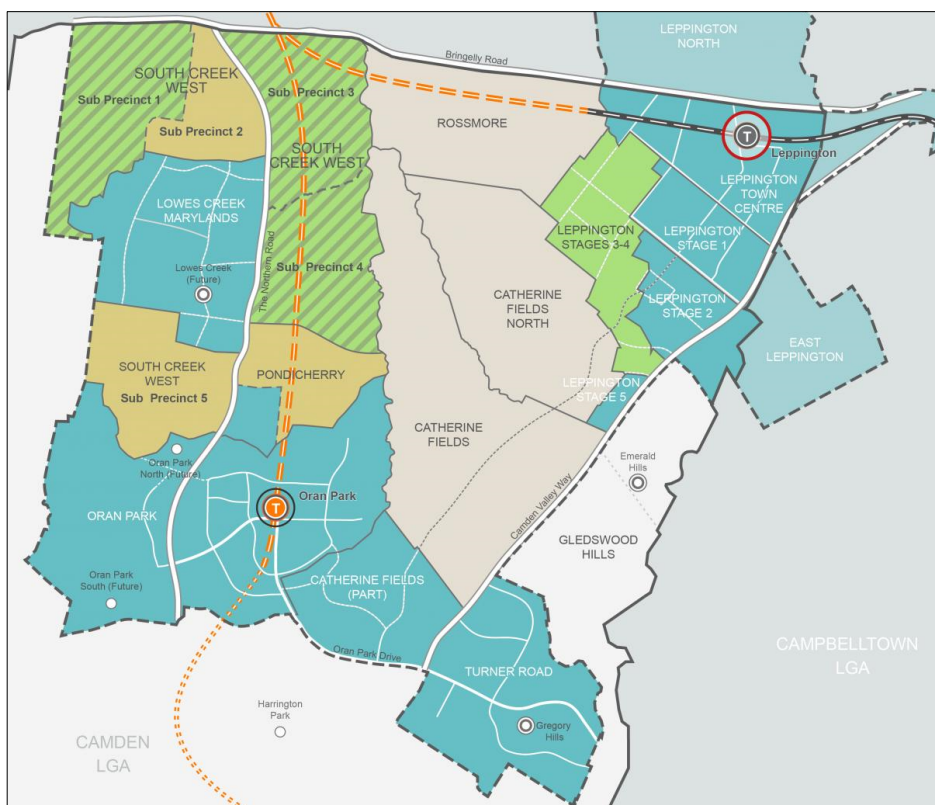


Figure 1: South West Growth Area Precincts (Camden LGA)

The South Creek West Precinct (SCW Precinct) consists of five sub-precincts with a combined area of over 1,500 hectares. It is located at the western edge of the SWGA. Sub Precinct 5 (Precinct 5) is located west of The Northern Road, as shown in **Figure 2**. It is located to the south of the rezoned precinct of Lowes Creek Maryland and north of Oran Park precinct.

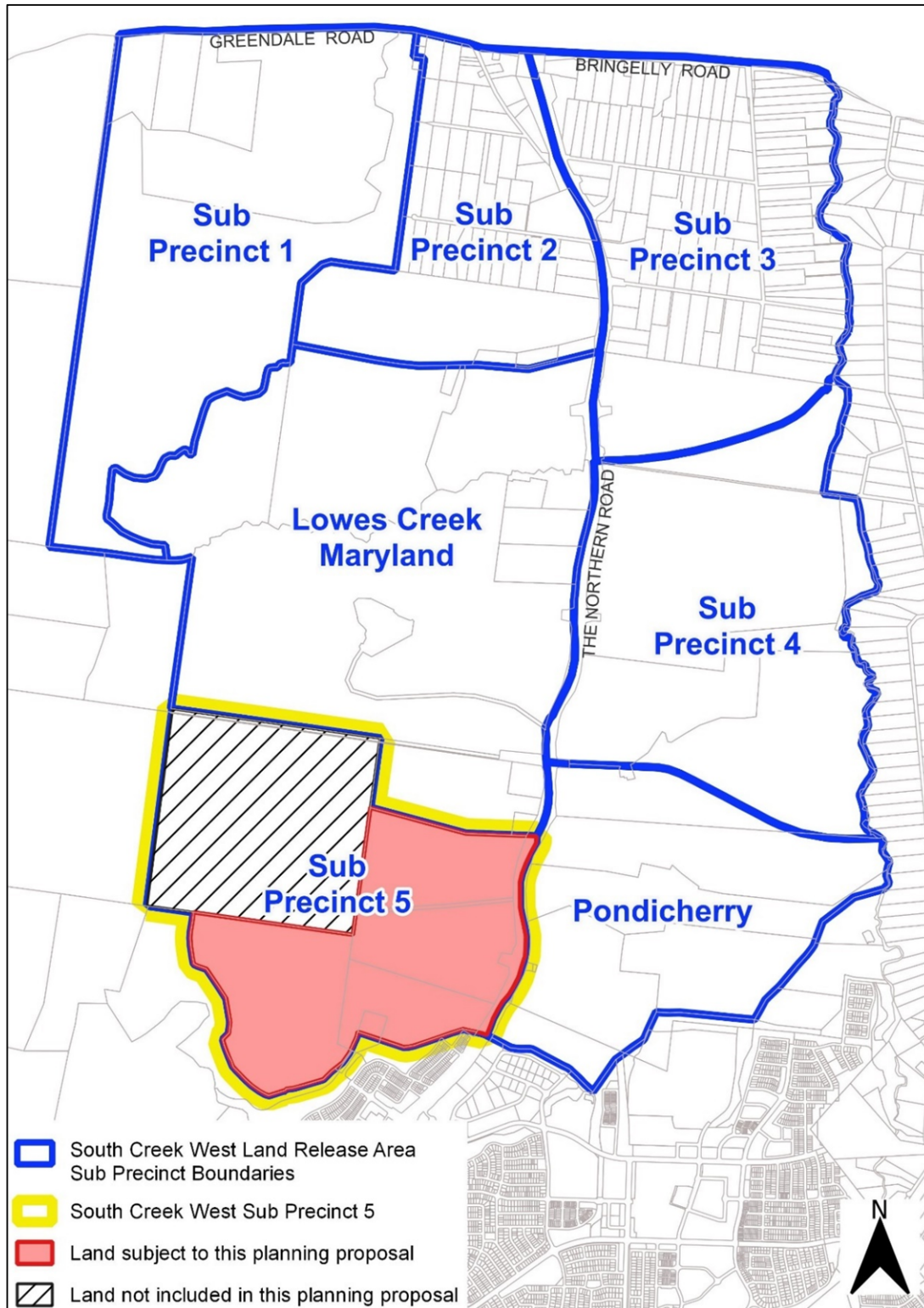


Figure 2: Site Context - South Creek West Precinct

Precinct 5 comprises six landholdings, with a total area of 312.7 hectares as shown in **Figure 2**. The majority of Precinct 5 consists of rural land, used for agriculture (**Figure 3**). It includes an existing dwelling house and several farm dams. The southern side of Precinct 5 includes a vegetated ridge. Some of the vegetation is Cumberland Plain

Woodland with the remainder being African Olive trees (a noxious weed). Two Sydney Water reservoirs that are nearing completion are located on the top of the ridge.

There is a recently constructed service station and fast-food restaurant adjacent to The Northern Road at the proposed entrance road into Precinct 5. A TransGrid electricity transmission line traverses the site in an east west direction. There are no public roads within Precinct 5.

As it is located within the SWGA, the land is biodiversity certified under the *Biodiversity Conservation Act 2016*, however protection of native vegetation should be achieved wherever possible.



Figure 3: Aerial Map of subject site

Initial area of Planning Proposal

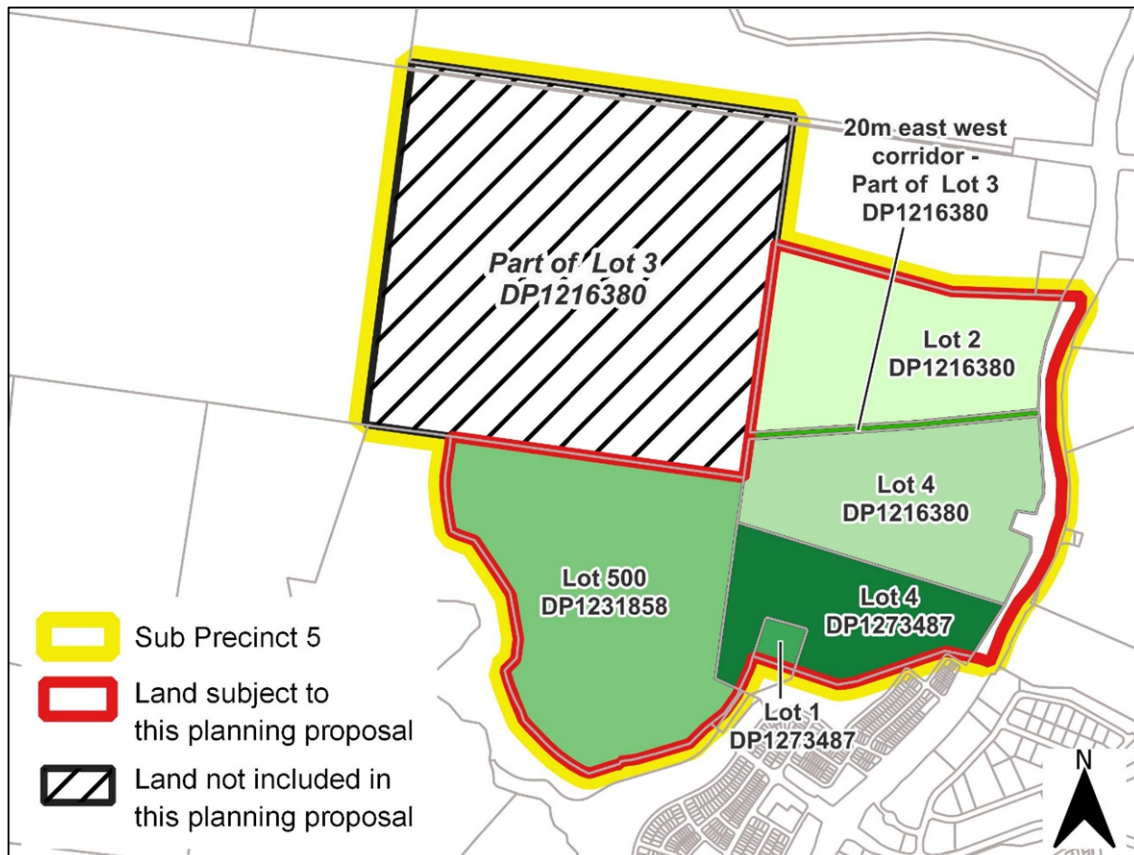


Figure 4: Lots subject to the draft Planning Proposal

Originally, the draft Planning Proposal incorporated all of Precinct 5. However, the landowner of Lot 3 DP 1216380 requested their land be excluded from the proposal. The current draft Planning Proposal applies to part of Precinct 5, covering an area of 174 hectares, as highlighted red in **Figure 4**.

Technical Studies

The proposal is accompanied by a suite of technical studies that inform the preparation of various aspects of the draft ILP and draft Planning Proposal. Some of these technical studies have been updated following initial consultation with State agencies and assessment by Council officers, and subsequent changes to the draft ILP have been made.

If the draft Planning Proposal is endorsed by Council, the technical studies will need to be reviewed and updated to ensure they are consistent with the current draft Planning Proposal. Copies of the technical studies are included as an **attachment** to this report.

Independent Review

The preparation and assessment of the draft Planning Proposal is a large and complex project. To assist with the assessment, Council engaged an independent review of the draft Planning Proposal (known as a masterplanner review). The independent review undertook a review of the neighbourhood centre, provided comments on some of the

State agency responses, and suggested amendments to the draft DCP to accompany the proposed rezoning.

The masterplanner review concluded that the amended draft Planning Proposal (and its ILP) are of sufficient planning merit for Council to forward to the DPHI for Gateway Determination, public exhibition and agency consultation. This is generally consistent with the Council officer's assessment.

A copy of the review report is provided as an **attachment**.

Initial Notification

Initial consultation was undertaken with surrounding landowners, as well as state and utility agencies in mid 2022. The draft Planning Proposal was placed on Council's YourVoice (community engagement platform). The YourVoice page had 275 viewings of the draft Planning Proposal.

Five submissions were received from the community and 13 from agencies. A summary of responses to community and State agency comments on the draft Planning Proposal are provided as **attachments** to this report. The matters raised in submissions have been considered by Council officers in the assessment of the draft Planning Proposal package. Changes have been made to the draft Planning Proposal and ILP since initial notification and some of the changes made have addressed matters raised in submissions. It is also noted that some of the other matters raised are no longer applicable as a consequence of revisions the draft Planning Proposal and ILP.

Subject to Council endorsement of the draft Planning Proposal, resolution of the outstanding matters and receipt of a favourable Gateway Determination, Council will formally consult with state agencies and place the draft Planning Proposal on public exhibition.

MAIN REPORT

The draft Planning Proposal aims to rezone the land for urban development including 2,312 dwellings (approx.) and a population of 7,075 (approx.). The precinct includes a neighbourhood centre, playing fields, public primary school (K-6), and neighbourhood shops.

These facilities will be surrounded by medium density residential and mixed-use development. The precinct will also provide lower density housing, open space, riparian corridors, pedestrian footpaths and cycleways.

Camden Local Planning Panel

The draft Planning Proposal was reported to the Camden Local Planning Panel (CLPP) on 21 February 2023. The CLPP supported the recommendations from Council officers and made a number of recommendations. The draft Planning Proposal has evolved since the CLPP meeting, including the removal of the ridgeline parks from the Oran Park Contributions Plan, which has superseded some of the recommendations of the CLPP.

A copy of the relevant extract from the CLPP minutes, and a summary of the Panel's advice with Council officers' responses, are provided as **attachments** to this report.

Draft Indicative Layout Plan

The current version of the draft ILP is shown in **Figure 5**. The vision for the ILP is underpinned by the following design and planning principles:

- A neighbourhood centre and primary school to establish a community focal point;
- A mix of housing types, with medium density housing located around the local centre and major open space amenity;
- Integration with the adjoining Arcadian Hills and Oran Park areas to the south and the future Lowes Creek Maryland Precinct to the north;
- Utilisation of creek lines to provide a green link and smaller green links throughout the precinct;
- Retention of existing significant vegetation as natural bushland or riparian corridors;
- Improved water quality, water flow and the health of riparian corridors;
- Manage and retain views;
- Provide links between the Oran Park Precinct and Lowes Creek Maryland Precinct, creating a meaningful urban road network;
- Utilise landscaping and topography on the southern boundary to manage noise; and
- Promote pedestrian and cycle linkages.

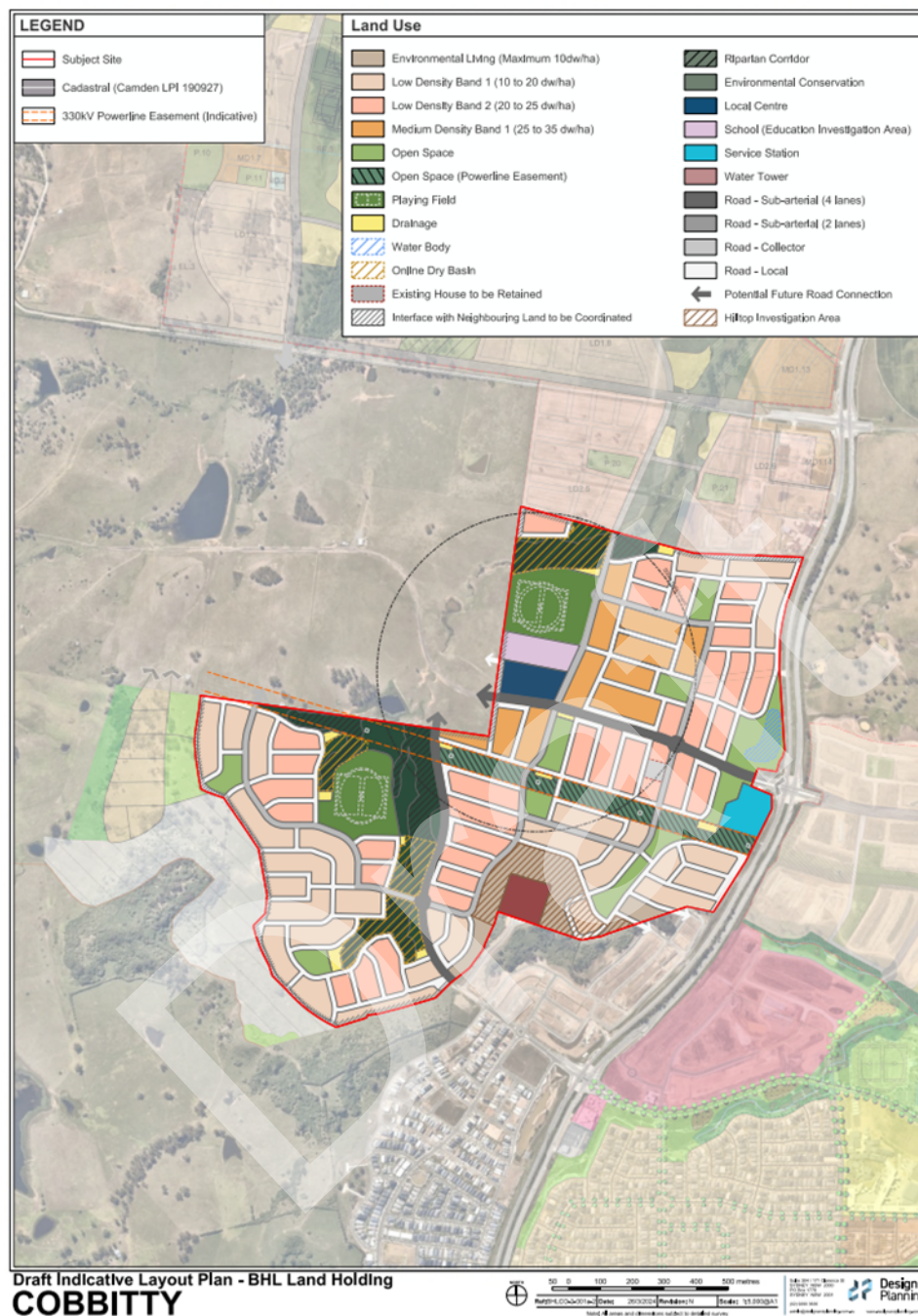


Figure 5: Precinct 5 (Part) - Draft Indicative Layout Plan (Revision N)

Zoning and Permissibility

The draft Planning Proposal will rezone the land under the Precincts SEPP. The draft zoning map is shown in **Figure 6**.

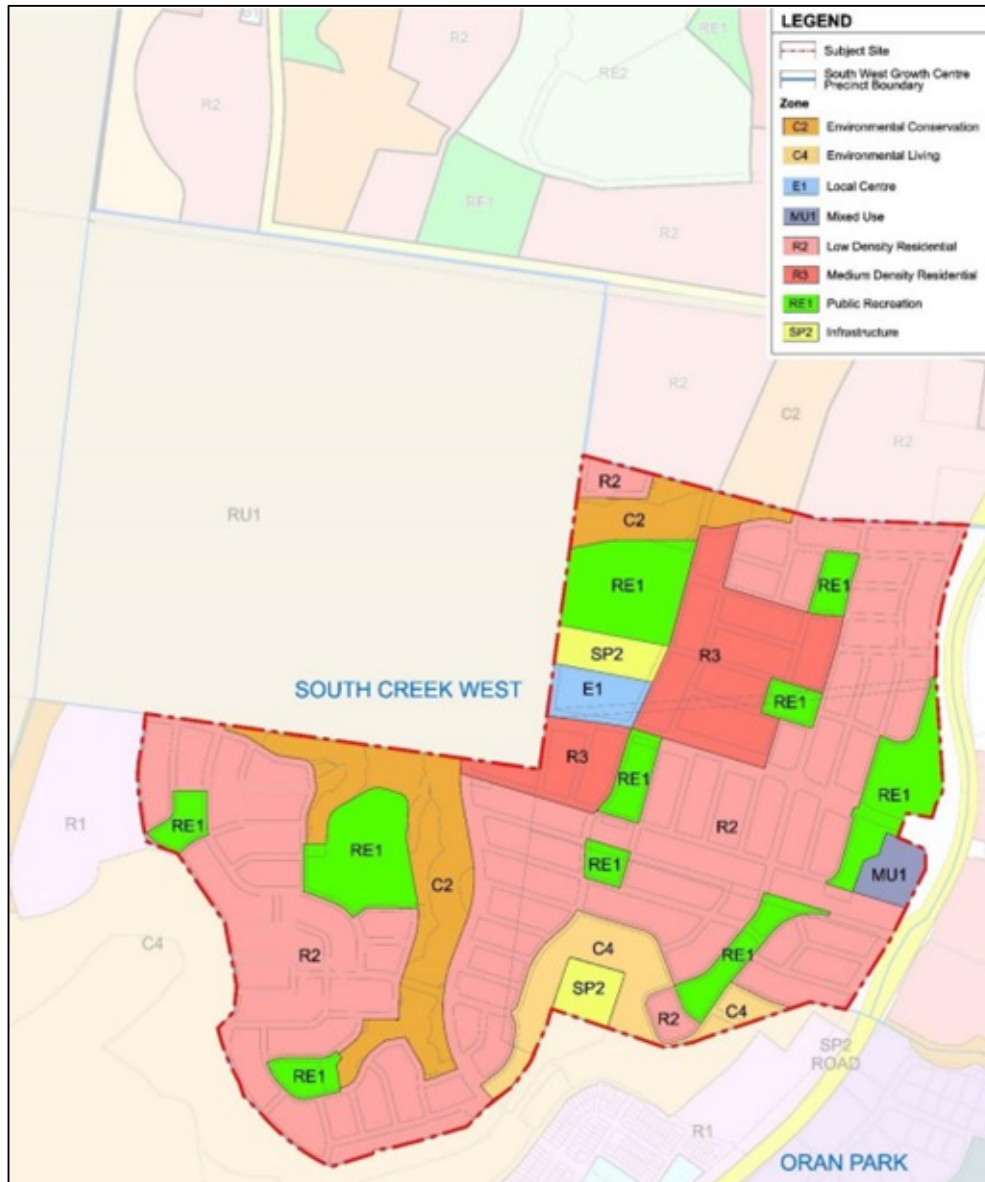


Figure 6: Proposed Zoning Map

The proposed amendments involve a series of maps as shown in **Table 1**.

Table 1: SEPP (Precincts – Western Parkland City) 2021 Map Amendments	
Map Layer	Description of map
Land application	Amends the overall SEPP map to include Precinct 5 (Part).
Land zoning	Allocates the land use zones.
Lot size	Identifies the possible minimum lot size around the ridgeline (pending the Investigation Area – Ridgeline/Landslip): <ul style="list-style-type: none"> 1,000 m²

Table 1: SEPP (Precincts – Western Parkland City) 2021 Map Amendments

Map Layer	Description of map
Residential density	Identifies the minimum and maximum permissible dwelling density.
Height of buildings	Identifies the maximum height of buildings in the business and residential zones: <ul style="list-style-type: none"> • 9m: land in the R2 and B4 zones • 12m: land in the R3 zone • 18m: land in B1 Neighbourhood Centre zone.
Land reservation acquisition	Identifies the land to be acquired for a public purpose: <ul style="list-style-type: none"> • Schools Infrastructure NSW to be acquisition authority for the proposed primary school. • Council to be the acquisition authority for the sub arterial roads, riparian and open space areas. (Funded by a Contributions Plan or Planning Agreement).
Native vegetation protection	Identifies the sites of native vegetation protection.
Riparian protection area	Identifies areas of future native vegetation planting.
Land Use Zones	Identifies where the following zones apply:
• B1 Neighbourhood	Applies to the proposed neighbourhood retail centre.
• B4 Mixed Use	Applies to the existing service centre at the entrance to the precinct at The Northern Road.
• C2 Environmental Conservation	Applies to the riparian corridors.
• C4 Environmental Living	May apply to the ridge land area in private ownership.
• R2 Low Density Residential	Applies to the lower density residential areas.
• R3 Medium Density Residential	Applies to the medium density residential areas adjoining the neighbourhood retail centre.
• RE1 Public Recreation	Applies to the proposed parks.
• SP2 Infrastructure	Applies to the proposed school and water reservoirs.

Population, Dwelling Types and Yield

The draft Planning Proposal will provide approximately 2,312 dwellings via a mix of housing densities, as outlined in **Table 2**.

Precinct 5 (Part) is expected to consist of 71% low density (lot sizes ranging from 300m² - 430m²), 27% medium density and 2% larger lots (minimum 1,000m²). Low density primarily comprise single or double storey detached dwellings. Medium density includes rear and front-loaded attached dwellings (terraces), manor homes and studios.

Table 2: Dwellings, Household Size and Population

	Env. Living	Low Density Band 1	Low Density Band 2	Medium Density	Neighbourhood Centre	Totals
Density Band (dw/Ha)	10	10-20	20-25	25-35	N/A	N/A
Av. Lot Sizes (m²)	1,141	427	309	229	N/A	N/A
NDA* (Ha)	5.55	40.94	41.46	16.12	N/A	104.07
Dwellings	55	695	947	515	100	2,312
% of Dwellings	2%	30%	41%	23%	4%	100%
Population	198	2,294	2,841	1,494	230	7,056

*NDA means Net Developable Area

Investigation Areas and Outstanding Matters

The preparation and assessment of the draft Planning Proposal is complex, with several matters taking time to resolve. Some technical matters still require resolution to progress the draft Planning Proposal. These include the assessment of the ridgeline land, riparian areas and floodplain management.

Water cycle management will need to be informed by the final proposed development layout/footprint, and it is therefore considered logical to delay further modelling until such time as that layout has progressed.

The independent review supports undertaking further investigation of the outstanding issues while the draft Planning Proposal is progressed to DPHI for a Gateway Determination. It is expected that the investigation areas and outstanding matters will need to be resolved prior to submission for a Gateway Determination, or prior to public exhibition.

The scope of investigation areas and outstanding matters is as follows:

Investigation Area 1 – Ridgeline Land

The ridgeline area in the southern part of the land requires further geotechnical assessment (area within blue highlighted areas as shown in **Figure 7**). There is a need to determine the stability of the ridgeline in the southern portion of the site. The proponent is proposing large lot (low density) residential development on this land. It is noted that the extent of the investigation area may increase depending on the outcome of the geotechnical assessment.



Figure 7 – Investigation Area No.1

The proponent has requested that parts of the investigation area be zoned C4 Environmental Living with a minimum lot size of 1,000m². However, the minimum lot size cannot be determined until the outcome of the investigation area.

Once the further investigation has been completed, land use zoning and planning controls specific to the locality will be finalised to include matters such as minimum lot sizes, limits on the location of dwellings and specific construction requirements (if needed). These controls will complement the draft general development controls for Ridgelines and Steep Land, which were endorsed by Council on 14 May 2024 for the purpose of public exhibition.

Provided the impact of the changes and controls does not require a substantial amendment to the draft ILP, the information will be provided to DPHI as part of the supporting documentation for the submission seeking a Gateway Determination.

Investigation Area 2 - Detention Basins in Riparian Corridor

As part of the Water Cycle Management Strategy, several detention basins are proposed within the precinct. This includes several farm dams, some of which may be retained and reconfigured as detention basins. The Water Cycle Management Strategy provides indicative designs for each basin to show that the required amount of floodwater can be contained in a safe manner.

During the initial agency consultation, NSW Environment and Heritage Group (EHG) - now Department of Climate Change, Energy, Environment and Water (DCCEEW) -

raised concern with the location of online basins within the site. Council officers support these concerns. As such, an alternative design for the location of two basins (as shown in **Figure 8**) may be required to achieve an acceptable solution.

Provided the outcome of this matter does not require a substantial amendment to the draft ILP, the information will be provided to DPHI as part of the supporting documentation for the submission seeking a Gateway Determination.



Figure 8 – Investigation Area No. 2

Outstanding Matter - Floodplain Management

In April 2024, the proponent lodged an updated Water Cycle Management Strategy. However, the information provided to date has not fully satisfied Council's flooding and stormwater management requirements. To ensure these matters are addressed, an updated Water Cycle Management Strategy with all associated modelling is required to be submitted and endorsed by Council officers prior to formal State agency consultation and before public exhibition. The Strategy will need to comply with the following:

- *Environmental Planning and Assessment Act 1979*, Section 9.1, 4.1 Flooding;
- Flood Risk Management Manual;
- National Guidelines (AIDR);
- Camden Local Environmental Plan Section 5.21;
- Council's Floodplain Risk Management Policy;
- Regional Flood Model User Guidelines; and
- Growth Centre DCP for flooding and stormwater management.

If the draft Planning Proposal is endorsed, it is recommended that pre-gateway consultation be undertaken with relevant State agencies to resolve the investigation areas. This will enable the final water cycle design to be completed. The draft Planning Proposal may then need to be amended to reflect the final water cycle design and mitigate the impacts of future development enabled by this proposal.

It is noted that the ridgeline investigation area and the riparian corridor investigation area, (including the design of basins) will need to be finalised and agreed to before the final design of the storm water management system can be formally designed, assessed and finalised. The location and design of the basins will require both Council officer and State agency support.

Key Assessment Considerations

Neighbourhood Centre / School

When originally lodged, the draft Planning Proposal included a primary school site on the land to the west (Lot 3 in DP 1216380). As that land was subsequently excluded from the draft Planning Proposal, Schools Infrastructure NSW (SINSW) requested the primary school site be relocated to its current proposed location (shown in **Figure 9**).



Figure 9 – Neighbourhood Centre, School and Playing Fields (Concept design)

Officer comment

The proposed school, neighbourhood centre and one of the playing fields are co-located and adjacent to the east west sub arterial road. These facilities will be convenient to future bus services and the central focus of the precinct. The design of the locality around the school has received in-principle support from SINSW officers.

Officer Comment:

The proposed primary school site has an area of 2 hectares. The size of the school is consistent with current SINSW Guidelines, which require a minimum site area of 1.5 hectares for primary schools with 1000 students in urban areas.

Council officers will continue to engage with SINSW officers about the size and timing of the delivery of schools to accommodate our growth, including the need to plan for future high school sites. SINSW will be formally consulted as part of the State Government agency consultation.

In relation to other future planned schools in the locality, schools catering for K-12 are proposed in the Lowes Creek Maryland (public) and Pondicherry precincts (private).

Open space / Recreation

The amount of open space proposed in the draft Planning Proposal meets Council's open space requirements, as shown in the **Table 3**.

The draft Planning Proposal includes:

- Four rectangular sports pitches in combination with two oval pitches;
- Six multipurpose courts;
- Three small playgrounds;
- Three large playgrounds;
- One youth play area;
- Fitness stations;
- BBQ / Picnic shelters;
- Trail and boardwalk networks; and
- Off leash dog parks (subject to approvals).

The proposed provision of open space is as follows:

Table 3: Open Space Requirements		
Type	Area required (Ha)	Area proposed (Ha)
Active open space		10.6309
Passive open space		9.3356
Total		19.9665

In addition to above, the land under the existing transmission line easement (5.5 hectares) has the potential to provide an open space function, although landscaping and provision of facilities will be limited within this area. There is also 16.8 hectares of riparian land, some of which will be adjacent to open space. The land within the transmission line and riparian corridor is not included in the open space calculations.

Officer comment

The amount of open space proposed in the draft Planning Proposal meets Council's requirements however some areas require further design refinement.

Vegetation / Biodiversity

Precinct 5 (Part) has remnant vegetation in isolated pockets, including around the ridge line area. There is also a substantial amount of African Olive trees (a noxious weed) around the ridgeline. As mentioned earlier in this report, the sub precinct is “bio-certified”, which means that the provisions of the *Biodiversity Conservation Act* do not apply to the land.

The draft ILP and draft Planning Proposal retain areas of high value biodiversity in good condition through the zoning of the central riparian corridor for Environmental Conservation. Vegetation has also been retained, where possible, in areas identified as local parks to avoid unnecessary impacts to potential threatened ecological communities. Overall, the draft Planning Proposal seeks to protect:

- 2.81 hectares of additional high conservation value vegetation;
- 8.56 hectares of Cumberland Plain Woodland; and
- 0.18 hectares of River-flat Eucalypt Forest

Officer comment

The proposed retention of the vegetation is supported by Council officers. It is noted that upon further assessment of the ridgeline area, there may be further opportunities for the retention of vegetation on the ridgeline.

A Biodiversity Consistency Report will be required prior to Gateway Determination and further consultation will be undertaken with Department of Climate Change, Energy, Environment and Water (DCCEE).

Traffic, Transport and Accessibility

Precinct 5 (Part) will be linked to surrounding areas by the following roads:

- An east west sub arterial road (similar in design to Dick Johnson Drive) linking to the Northern Road and into the Pondicherry Precinct;
- A two lane sub arterial road and local streets linking to the south; and
- A future north south arterial road, collector road and local roads linking north to the Lowes Creek Maryland precinct.

The proposed neighbourhood centre is located centrally in Precinct 5 (Part), adjacent to the intersection of the east west sub arterial road and the north south collector road. Future bus routes are likely to pass the neighbourhood centre, improving its accessibility. There will be a network of bike paths within the precinct that link to the adjoining precincts to the north and south and east to those precincts east of The Northern Road.

The South Creek West Precinct is the western limit of future urban development in the SWGA.

Officer comment

The draft Planning Proposal is supported to progress to the next stage of assessment, which would include further consultation with Transport for NSW.

Design with Country / Heritage / Landscape Masterplan

A Preliminary Aboriginal Heritage Assessment (dated 2022), a Designing with Country Report and Connecting with Country Opportunities Analysis (dated March 2024) have been provided as part of the suite of technical studies (provided as **attachments** to this report). These reports are preliminary and note that further investigation and consultation with Registered Aboriginal Parties (RAPs) will be required through the assessment of the draft Planning Proposal.

Officer Comment

The concept of designing with Country has recently been introduced into the planning proposal process by the NSW Government. This includes an understanding of how the land sits within a broader cultural landscape that contains Aboriginal artefacts and cultural sites such as former gathering places, ceremonial sites on hills, scar trees and previous living places.

This draft Planning Proposal was lodged with Council prior to the NSW Government introducing the requirement for an early-stage site analysis to inform Design with Country. Therefore, this matter has not been specifically addressed from the outset. However, the proposed location of the riparian corridor and the intention to retain views to ridgelines does address some Design with Country criteria.

There are no items of non-indigenous heritage located within Precinct 5 (Part). A draft Landscape Masterplan has been prepared to support the draft Planning Proposal and is provided as part of the suite of technical studies (provided as an **attachment** to this report). Amendments and updates to this Masterplan will be required prior to the draft Planning Proposal proceeding to public exhibition.

Camden Growth Centre Precincts DCP Amendment

The proposed planning controls under the SEPP amendment will be supported by an amendment to the Camden Growth Centre Precincts DCP. A copy of the proposed DCP Amendment is provided as an **attachment** to this report. The amendment will extend the application of the DCP (and its general provisions) to include Precinct 5 (Part).

The Camden Growth Centre Precincts DCP has schedules that apply to different precincts in the SWGA. These schedules are based on the location, context and ILP of each precinct.

It is proposed that there be an additional schedule (Schedule 8) added to the DCP, which will apply specifically to Precinct 5 (Part). The provisions will include the following elements, each with a corresponding map:

- A more detailed vision for the precinct (part);
- DCP Map - based on the ILP and providing details on the street network, cycleway links, types of open space;
- Street design widths and network specific to the precinct (part), including provisions to minimise urban heat through increased street tree planting;
- Design with Country – to be considered in the design of major buildings;
- Open space and recreation network;
- Indigenous and European Heritage;
- Noise and Odour;

- Geotechnical, Salinity and Contamination matters;
- Bushfire, Biodiversity and Riparian matters;
- Neighbourhood Centre and shopping street design;
- Development adjacent to the southern ridgeline (future addition to the draft DCP when the Ridgeline Investigation Area is resolved); and
- Future access to adjoining land.

Assessment against Key Strategic Planning Documents

The draft Planning Proposal has been assessed against key strategic plans, including:

- Greater Sydney Region Plan;
- Western City District Plan;
- South West Growth Area Structure Plan and Guidelines;
- Camden Community Strategic Plan;
- Camden Local Strategic Planning Statement;
- Camden Local Housing Strategy;
- Camden Centres and Employment Land Strategy;
- State Environmental Planning Policies;
- Section 9.1 Ministerial Directions; and
- Camden Green and Blue Grid vision.

The proposal is generally consistent with the objectives of these key strategic documents, with a detailed assessment provided within the independent review report **attachment**.

Assessment of Strategic Planning Merit

It is considered that the draft Planning Proposal demonstrates sufficient strategic planning merit to proceed to Gateway Determination and public exhibition subject to the satisfactory resolution of the outstanding assessment matters discussed previously in this report.

The draft Planning Proposal is considered to have strategic merit as it:

- Enables the development of land for future urban development including residential, open space, a riparian corridor, a neighbourhood centre and a future primary school;
- Supports increased housing diversity by providing a mixture of dwelling typologies. The draft Planning Proposal would contribute to Camden's 6-10 year housing target and respond to the needs of Camden's growing community;
- Provides for social infrastructure including a public K-6 school and a neighbourhood centre;
- Supports the delivery of open space through the provision of multiple local parks and two double playing fields and hard courts;
- Has been demonstrated that the land is suitable for residential development based on specialist studies, with measures in place to address relevant site conditions (subject to the resolution of the geotechnical assessment of the ridgeline area); and
- Is land that would have access to service infrastructure, based on consultation with service providers.

Next Steps

Infrastructure Contributions / Planning Agreement

It is important that infrastructure for the precinct be provided in a form that adequately serves future residents. The Proponent has commenced discussions with Council officers regarding a Planning Agreement (PA).

A satisfactory letter of offer for a Planning Agreement is required to be submitted to Council prior to submission of the Draft Planning Proposal Package to DPHI for a Gateway Determination. There will be a Councillor briefing on the Planning Agreement prior to a report to Council on the matter.

Submission of the draft Planning Proposal for Gateway Determination

Subject to Council endorsement, the draft Planning Proposal will be submitted to DPHI seeking a Gateway Determination. Subject to a favourable Gateway Determination, resolution of the investigation areas and outstanding assessment matters, and compliance with any Gateway conditions, the draft Planning Proposal package will be placed on public exhibition.

It is noted that the draft ILP and associated documents may need to be refined and updated as the outstanding and other matters are progressed.

Proposed Public Exhibition

Subject to Council endorsement of the draft Planning Proposal a favourable Gateway Determination and resolution of outstanding matters, the draft Planning Proposal and draft DCP will be placed on public exhibition. Ideally, the draft PA will be exhibited concurrently.

The public exhibition of the various documents will be in accordance with the Camden Community Participation Plan 2021 (CPP). **Table 4** (below) list the community communication and engagement methods that are proposed.

Table 4: Community communication and engagement methods

Phase	Communication	Engagement
Phase 1 Public Exhibition	<ul style="list-style-type: none"> Media release Notification letters Economic Development E-news Mayoral message Social media 	<ul style="list-style-type: none"> Your Voice Camden project page Subscriber notification of exhibition Document displays Notify preliminary engagement participants
Phase 2 Post Exhibition	<ul style="list-style-type: none"> Councillor briefing / Council report (if required) Media release Acknowledge submissions Economic Development E-news 	<ul style="list-style-type: none"> Your Voice Camden project page updates Clarify submissions where required

State agencies will be provided with the draft suite of documents and invited to make a submission on the draft Planning Proposal package. This will include the various technical studies, as updated following the refinement of the draft Planning Proposal.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council.

CONCLUSION

The draft Planning Proposal seeks to amend the SEPP (Precincts – Western Parkland City) 2021 to rezone Precinct 5 (Part) from a rural zone to facilitate urban development. The proposal will facilitate the delivery of approximately 2,312 dwellings, a K-6 school, a neighbourhood shopping centre, public open space, playing fields, riparian corridors, and pedestrian footpaths and cycleways.

Council officers have assessed the draft Planning Proposal and consider the proposal demonstrates sufficient planning merit to proceed to the next stages including Gateway Determination, subject to resolution of the investigation areas and outstanding matters and issues outlined in this report.

These include the resolution of matters associated with ridgelines, location of detention basins, floodplain management and infrastructure contributions. In addition, Council officers will continue to engage with SINSW regarding the planning, size and timing for the delivery of new schools in our growth precincts.

The Planning Proposal will be reported to Council for further consideration following public exhibition and resolution of the outstanding matters.

RECOMMENDED

That Council:

- i. endorse the Planning Proposal for land at:**
 - 705 The Northern Road, Bringelly (Lot 2 in DP 1216380);
 - 657 The Northern Road, Bringelly (Lot 4 in DP 1216380);
 - 421D The Northern Road, Cobbitty (Lot 500 in DP 1231858);
 - 641 The Northern Road Cobbitty (Lot 4 in DP 1273487);
 - 641A The Northern Road Cobbitty (Lot 1 in DP 1273487; and
 - 689 the Northern Road, Bringelly (part of Lot 3 of DP 1216380)

to be forwarded to the Department of Planning, Housing and Infrastructure for Gateway Determination (subject to receipt of a satisfactory letter of offer to enter into a Planning Agreement and satisfactory progression of the investigation areas and outstanding matters, as outlined in this report);
- ii. endorse Schedule 8 of the Camden Growth Centre Precincts Development Control Plan (including as amended) for Precinct 5 (Part) for the purposes of public exhibition;**
- iii. forward the Camden Growth Centre Precincts Development Control Plan (including as amended) to the Secretary of the Department of Planning, Housing and Infrastructure at the same time it is placed on public exhibition in accordance with the Instrument of Delegation issued by the Secretary of the Department of Planning, Housing and Infrastructure on 19 January 2015;**
- iv. delegate authority to the General Manager to make any amendments (prior to public exhibition) to the Planning Proposal, supporting documents and draft development control plan, to reflect outcomes of the investigation areas and any other outstanding matters (as outlined in this report);**
- v. subject to receiving a favourable response from the Department of Planning, Housing and Infrastructure, proceed to public exhibition for the Planning Proposal, in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and**
- vi. receive a post-exhibition report advising of the outcomes of public exhibition.**

ATTACHMENTS

1. SCW 5 - BHL Planning Proposal Report - May 2024
2. SCW 5 - Draft Development Control Plan (DCP)
3. SCW 5 - Masterplanner Summary Report
4. SCW 5 - Initial Notification Submissions Summary Table
5. SCW 5 - Initial Notification NSW Government Agency Submissions Response Table
6. SCW 5 - CLPP Minutes and Officer Recommendations 21 February 2023
7. SCW 5 - Local Planning Panel Response

8. SCW 5 - Outline of Technical Studies
9. Technical Studies SCW Precinct 5 - under separate cover

Ordinary Council Resolution

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

- i. endorse the Planning Proposal for land at:
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 - 657 The Northern Road, Bringelly (Lot 4 in DP 1216380);
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- v. subject to receiving a favourable response from the Department of Planning, Housing and Infrastructure, proceed to public exhibition for the Planning Proposal, in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and
- vi. receive a post-exhibition report advising of the outcomes of public exhibition.

ORD75/24 THE MOTION ON BEING PUT WAS **CARRIED**

Attachment 2 – Outstanding and Emerging Issues

1. DETAILED EXPLANATION OF OUTSTANDING ISSUES

1.1 Ridgeline Development Potential and Geotechnical Peer Review

Council officers are progressing a peer review of the geotechnical studies for the unstable land on the ridgeline (shown as Investigation Area 1 in **Figure 1**). This review will inform potential development options for the affected land.

The peer review will enable a final estimate of development potential to be determined for the proposed land. The finalisation of the peer review will also enable the Floodplain Management Strategy, Riparian Basin Review, draft ILP and SEPP maps to be finalised.

The peer review is likely to require some subsequent work to inform the preparation of planning controls to ensure that the (yet to be determined) preferred development scenario is achieved.

Council officers recommend that DPHI does not determine the intended land use for the ridgeline land (including unstable land) until the peer review has been completed and an appropriate planning outcome is achieved for the ridgeline land.

The estimated date for the completion of the peer review is late December / January 2025.

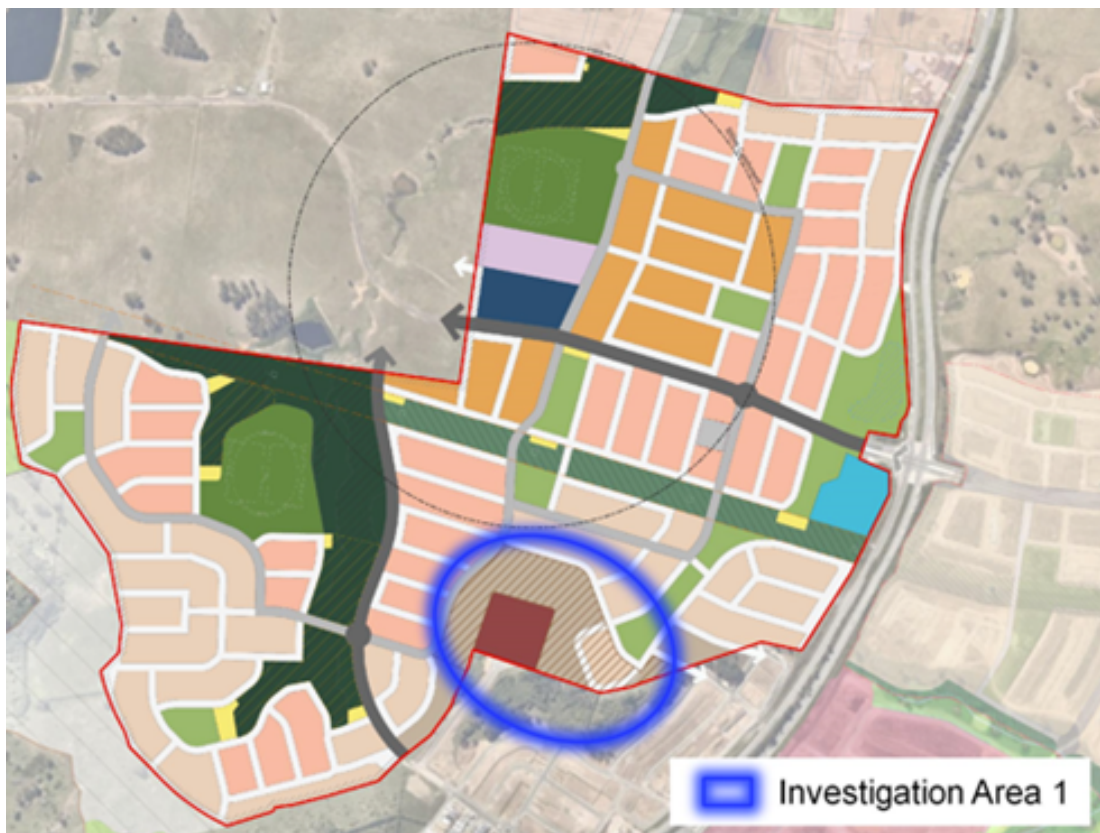


Figure 1 – Investigation Area 1 (Extract from Council report 11 June 2024)

1.2 Riparian Corridor and Online Basins

As part of the Water Cycle Management Strategy, several detention basins are proposed within the proposal area. The Water Cycle Management Strategy provides indicative designs for each basin to show that the required amount of floodwater can be contained.

It is noted that the proposed detention basin strategy does not comply with [Controlled activities – Guidelines for riparian corridors on waterfront land](#) (the Guidelines).

During the initial agency consultation (June 2022), the Environment and Heritage Group, (now Department of Climate Change, Energy, Environment and Water (DCCEEW)), recommended that the proposed detention basins should be located outside of the proposed C2 Zone / riparian corridors. DCCEEW also stated:

“The proposed detention management strategy requires further consideration as the risks of their failure and their structural adequacy needs consideration according to Dam Safety NSW requirements.”

Council officers support a detention basin strategy that complies with the Guidelines. The matter of online basins is in addition to the matter of flooding, which is further discussed in this submission.

The ILP (as considered by Council on 11 June 2024) also included an online basin within the fourth order stream category (, which is a change from the draft ILP DCCEEW initially reviewed. It is recommended that DCCEEW (and other relevant state agencies) are further consulted to ensure they have an opportunity to comment on the proponent's revised detention basin strategy. Council officers support the concerns raised by DCCEEW regarding the detention basins.

A report has recently been received (11 October 2024) from the proponent seeking to provide justification for non-compliance with the guidelines. Further flood mitigation investigations are also required to inform the location and capacity of flood detention measures.

Council's internal subject matter experts have reviewed the proponent's merit assessment justification (provided to Council on 11 October 2024) and continue to have concerns with the design of the proposed detention basins.

Accordingly, an alternative design for the location of two basins (areas as shown highlighted in red in **Figure 2**) may be required to achieve an acceptable solution.

Council officers welcome the opportunity to work with DPHI to resolve this issue.



Figure 2 – Investigation Area 2, showing proposed online basins (Extract from Council report 11 June 2024)

1.3 Water Cycle Management Strategy (Flooding Impacts)

In April 2024, the proponent lodged an updated Water Cycle Management Strategy. However, the information provided did not fully satisfy Council's flooding and stormwater management requirements.

To ensure these matters are addressed, an updated Water Cycle Management Strategy with all associated modelling is required to be submitted and endorsed by Council officers prior to formal State agency consultation and prior to formal public exhibition.

The Strategy will need to comply with the following:

- 9.1 Direction - 4.1 Flooding;
- Flood Risk Management Manual;
- National Guidelines (AIDR);
- Council's Floodplain Risk Management Policy;
- Regional Flood Model User Guidelines; and
- Growth Centre DCP for flooding and stormwater management.



In October 2024, the proponent submitted an updated Water Cycle Management Strategy (without the required modelling). The latest Water Cycle Management Strategy has not yet been reviewed.

It is considered that the Water Cycle Management Strategy (including assessment of the modelling) cannot be finalised until the outcomes for the ridgeline land and design of the detention basins are known. The draft Planning Proposal and draft ILP may then need to be amended to reflect the final water cycle design and mitigate the impacts of future development enabled by this proposal. This will enable the final water cycle design to be completed.

The proposed model will also need to be sent to Council to allow Council officers to undertake a peer review.

1.4 North South (Collector) Road

As noted above, the draft Planning Proposal does not currently comply with the riparian guidelines and proposes online (dry) basins within a Category 3 and 4 stream.

The proposed basin within the Category 4 stream creates a damming effect on the western edge of the north south collector road (as shown in **Figure 3 and 4**). This could create unreasonable risk to Council and the community.

The NSW Floodplain Development Manual and Council's Flood Risk Management Policy discourage designs that increase flood risk. Damming floodwaters in this way, especially with inadequate outlets, could result in higher flood levels and velocity during heavy rainfall events, which poses safety hazards and increases the likelihood of overtopping, erosion, and embankment failure.

Council engineering standards mandate that structures provide adequate freeboard above the 1% AEP flood level, typically 500mm or more, to reduce risks of overtopping during flood events. Inadequate freeboard, combined with a small culvert outlet, would fail to meet these standards, exacerbating blockage risks and creating a potential flood hazard.

Council officers welcome the opportunity to work with DPHI to resolve this issue.

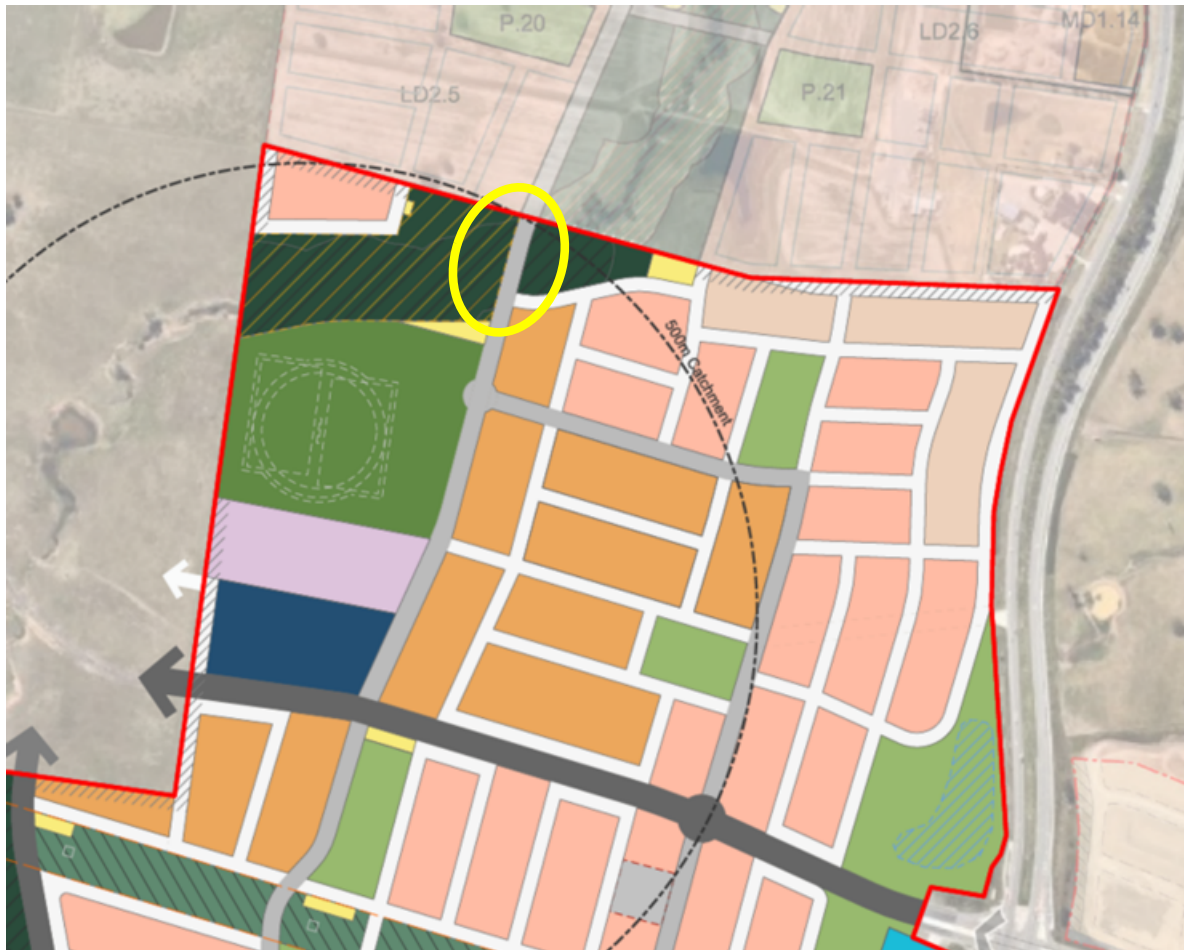


Figure 3 – shows the area where the damming effect occurs (yellow oval)

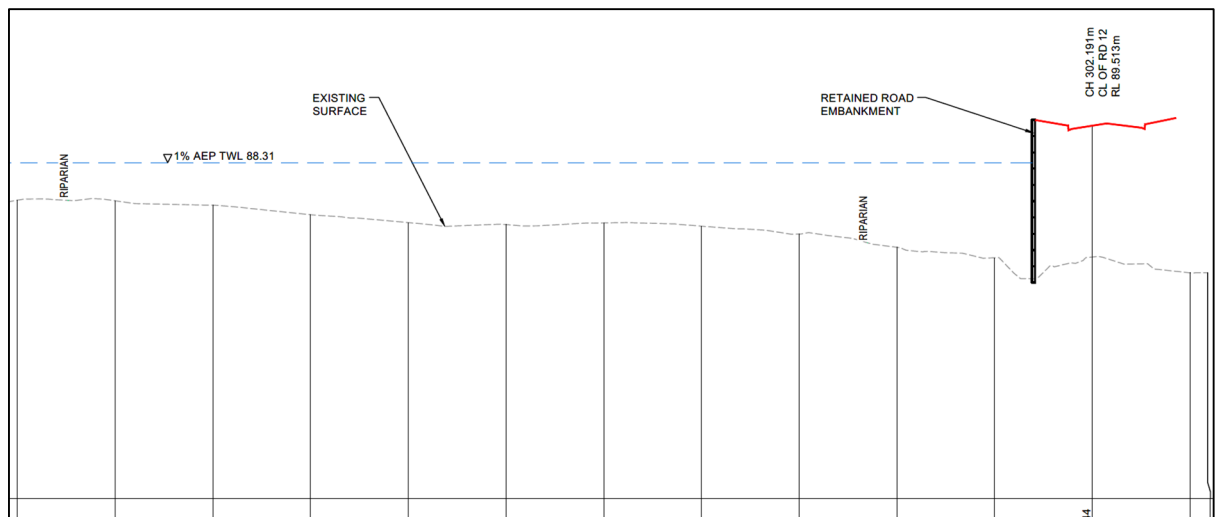


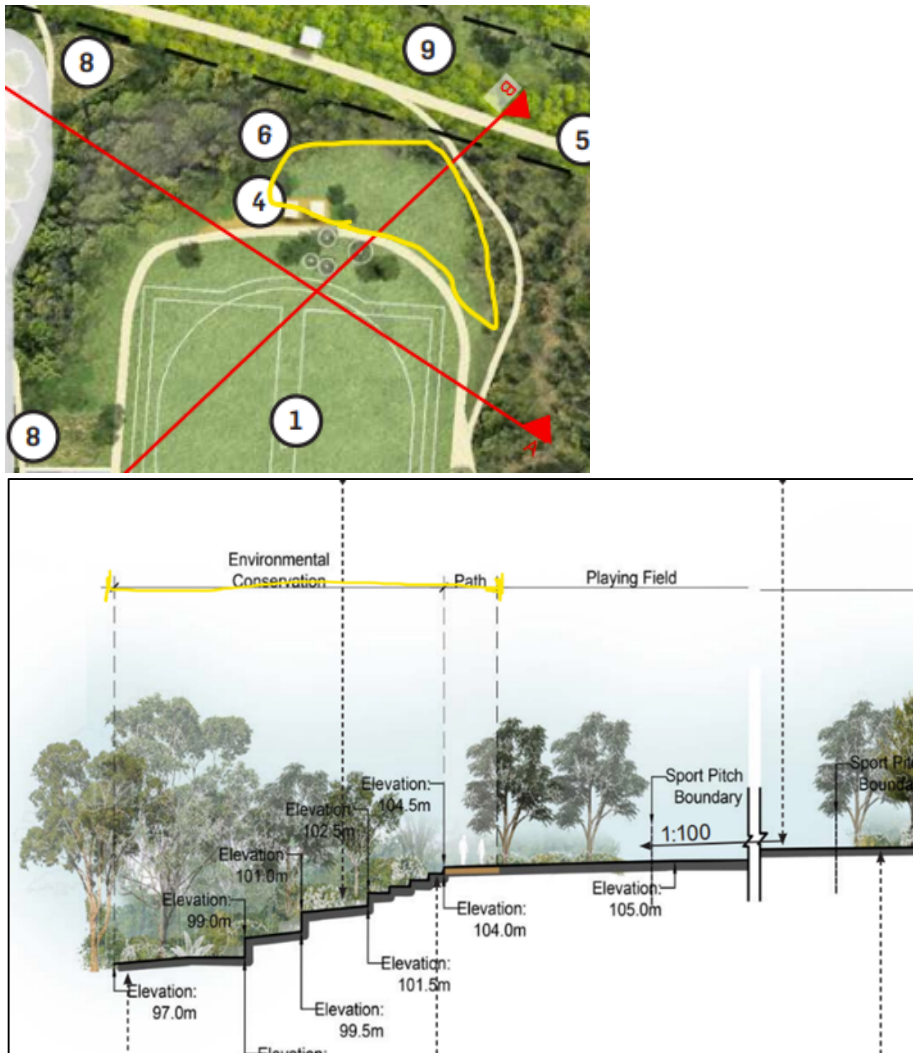
Figure 4 – shows the cross section of the damming effect - extract SCW5 Water Cycle Management Report (September 2024)

1.5 Active Open Space Design

The quantum amount of open space proposed in the draft Planning Proposal meets Council's requirements. However, some areas require further refinement to ensure the open space complies with Council's Spaces and Places Strategy 2020. The area shown in **Figure 5** (outlined in yellow) was added to the draft ILP to the north of Active Open Space 2 because of the need for the proponent to meet their minimum open space requirements. However, the land that was added is encumbered by a secondary function being environmental conservation (refer to **Figure 6**).

It was agreed with the proponent, prior to the Council report being prepared, that further consideration of the open space within this area would be required. The Landscape Master Plan - May 2024 (pages 49 and 52) notes that further refinement is required on this matter.

Council officers welcome the opportunity to work with DPHI to resolve this issue.



Figures 5 and 6 – Additional open space provided not in accordance with Council policy

1.6 Planning Agreement/Contributions Plan

As previously mentioned, Council resolved to endorse the draft Planning Proposal to be forwarded to the Department of Planning, Housing and Infrastructure for Gateway Determination. However, the above is subject to receipt of a satisfactory letter of offer to enter into a Planning Agreement and satisfactory progression of the investigation areas and outstanding matters.

To date, a satisfactory letter of offer to enter into a Planning Agreement remains an outstanding issue.

1.7 Draft Development Control Plan

A draft Development Control Plan (DCP) has been submitted by the proponent. With some amendments, the draft DCP formed part of the document suite supporting the report to Council. The draft DCP, when finalised, will guide development in the part precinct once rezoning takes place.

A future addition to the DCP is intended to guide development around the ridgeline area. However, until the peer review of the geotechnical reports has been undertaken to inform the future preferred development on ridgeline land, the additions to the DCP cannot be prepared.

2. POST COUNCIL REPORT SUBMITTED TECHNICAL STUDIES

2.1 Connecting with Country

A Walk on Country was undertaken on Wednesday 28 August 2024 with local Registered Aboriginal Parties. The purpose of the walk was to discuss the important aspects of Connecting with Country within the part precinct to inform its planning in accordance with "A Guide to the South West Growth Area".

A report has been submitted by the proponent providing research on how Connecting with Country relates to the draft planning proposal.

DPHI will need to consider the proponent's report in the context of "A Guide to the South West Growth Area" and "Connecting with Country" by the Government Architect NSW.

Refer to the Connecting with Country report dated 1 October 2024.

2.2 Viewline Assessment of the Ridge Line

A viewline assessment has been undertaken by the proponent, based on instructions from Council officers about locations where view lines should be assessed. The purpose of the assessment is to gain an understanding of the importance of the ridgeline within and adjacent to land subject to the draft planning proposal.

DPHI will need to consider this assessment in the context of "A Guide to the South West Growth Area".

Refer to the Landscape Character and Visual Impact Assessment dated 29 September 2024.

2.3 Stage 2 Traffic and Transport Report

An updated report was received by Council officers on 27 August 2024. This report has been considered by Council's traffic engineers. The major concerns raised are:

- The report does not provide impacts on two proposed roundabouts and their impact on the State and Regional Road network. This information was forwarded to the proponent.
- Bus routes and bus stop locations need to be considered.
- The report will need to be considered by Transport for NSW.

Refer to the relevant technical studies associated with traffic and transport.

3. EMERGING ISSUES

3.1 Odour issues with the South West Growth Area (SWGA)

Council officers refer to a submission made in relation to the draft Planning Proposal for the Pondicherry Precinct. The submission relates to an existing resource recovery facility situated within the rezoned Lowes Creek Maryland precinct. This submission and its supporting information identify the potential for significant odour impacts on surrounding SWGA precincts, including South Creek West Precinct 5.

The NSW Environment Protection Authority (EPA) has also requested that Council consider impacts from existing odour emitting operations and potential transitional arrangements to mitigate land use conflict.

It is recommended that further consultation be undertaken with Council and the EPA to ensure the impacts of the resource recovery facility are considered as part of the ongoing assessment of the draft Planning Proposal.