

REZONING REVIEW RECORD OF DECISION

STRATEGIC PLANNING PANEL of the
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	13 February 2025
DATE OF DECISION	29 January 2025
PANEL MEMBERS	Stephen Murray (Acting Chair), Cinnamon Dunsford, Greg Woodhams, Michael File and Grant Christmas
APOLOGIES	None
DECLARATIONS OF INTEREST	Justin Doyle declared a conflict of interest as one of the Landowners for the site is a client of his firm.

REZONING REVIEW

RR-2024-33 – Camden LGA – PP-2021-7146

Multiple lots along The Northern Road, Bringelly/Cobbitty (As described in Schedule 1).

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported.
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal.
- ☒ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel recommends that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and subject to changes site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has:
 - ☐ not demonstrated strategic merit
 - ☐ demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure, and heard extensively from Camden Council and the proponent: Urbis, Inspire Planning, Always Consultancy and BHL Group (collectively the proponent).

Strategic Merit

The Panel agreed that the planning proposal had Strategic Merit given that:

- The planning proposal is consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include A Metropolis of Three Cities: Greater Sydney Region Plan, Western City District Plan, Building Momentum State Infrastructure Strategy 2018-2038, The Future Transport Strategy, Camden Local Environmental Plan 2010, Camden Local Strategic Planning Statement 2020, Camden Local Housing Strategy 2021, Camden Centres and Employment Lands Strategy 2022, Western Sydney Aerotropolis Plan, South West Growth Area Structure Plan 2022, Connecting with Country Framework, Draft Greener Places Design Guide, Camden Centres and Employment Land Strategy, Western Parkland City Blueprint and the relevant State Environmental Planning Policies (SEPP).
- Delivering housing supply is a priority issue for Sydney for all levels of Government.
- The provision of additional housing that supports housing diversity in this location has strategic merit.

Site Specific Merit

The Panel agreed that the planning proposal should be able to achieve Site Specific Merit subject to revisions addressing site constraints noting that:

- The Panel was concerned with the proposed lot size and potential development outcomes in the zone adjacent to the ridgeline and water storage facility. It was noted that Camden Council has engaged an independent third party to undertake a peer review of the geotechnical issues associated with the ridgeline adjacent to the water storage facility. The outcomes of the peer review will assist in determining the development potential of land surrounding the ridgeline adjacent to the water storage facility.
- DCCEEW has previously raised concerns in regard to the proposed stormwater arrangements and further input is required to determine if the proposal is satisfactory for gateway determination.

Panel recommendations

The Panel recommends that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address the following:

- The outcomes of the Camden Council peer review of the geotechnical studies of the ridgeline around the water storage facility. This peer review is to be provided by Council to the panel by 28 February 2025. This will assist the Panel to determine appropriate development options (lot size) for the proposed C4 zone.
- The outcomes of further consultation with DCCEEW on the proposed arrangements for stormwater. The Panel requests that the Planning Proposal Authority team undertake consultation with DCCEEW on behalf of the Panel.

In addition, the Panel recommends that should a gateway determination be issued:

- Suitable arrangements for the provision of funding for local infrastructure are to be put in place prior to finalisation of the plan
- A draft DCP be exhibited concurrently with the planning proposal

The Panel requires confirmation from the proponent that they agree to:

- a) revise the planning proposal to be consistent with the Panel's recommendations; and
- b) subsequently provide a revised planning proposal to address the Panel's concerns.

Planning Panels Team

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The proponent has up to two weeks from the date of this determination to confirm whether they agree to revise their planning proposal to be consistent with the Panel's recommendations. Should the proponent not agree to revise their proposal, then the Panel will reconvene to determine that the planning proposal does not have site specific merit and will not be submitted for a Gateway determination.

Should the proponent agree to revise their planning proposal to address the Panel's concerns, then the proponent has up to a further four months to provide the revised planning proposal, including supporting reports, studies and an updated ILP (if required) to the Panel.

The Panel will reconvene following the receipt of the revised Planning Proposal to assess and determine whether the Proposal has met the Panel's recommendations and has demonstrated site specific merit and is suitable for submitting to a Gateway determination.

Camden Council has been given the opportunity to accept the role of Planning Proposal Authority (PPA) for this planning proposal, however Council has declined the PPA role. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

PANEL MEMBERS	
 Stephen Murray (Acting Chair)	 Cinnamon Dunsford
 Greg Woodhams	 Michael File
 Grant Christmas	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2024-33 – Camden LGA – PP-2021-7146 The subject site is legally comprised of the following six lots: The Northern Road, Cobbitty Lot 1 DP 1273487 705 The Northern Road, Bringelly Lot 2 DP 1216380 657 The Northern Road, Bringelly Lot 4 DP 1216380 689 The Northern Road, Bringelly Part of Lot 3 DP1216380 421D The Northern Road, Cobbitty Lot 500 DP 1231858 621 The Northern Road, Cobbitty Lot 4 DP 1273487
2	LEP TO BE AMENDED	Camden Local Environmental Plan 2010 & State Environmental Planning Policy (Precincts—Western Parkland City) 2021
3	PROPOSED INSTRUMENT	The proposal seeks to: <ul style="list-style-type: none"> • Amend Clause 1.3 of Appendix 5 and the Land Application Map incorporate part of Cobbitty Sub-Precinct 5; • Amend Clause 2.2 of Appendix 5 and Land Zoning Map to reflect the land uses proposed - Part E1 Local Centre, part MU1 Mixed Use, part C2 Environmental Conservation, part C4 Environmental Living, part R2 Low Density Residential, part R3 Medium Density Residential and part RE1 Public Recreation; • Amend Clause 4.1B of Appendix 5 and Density Map to include the Residential Density Controls – Density Band 10-20: Zones C4 and R2, Density Band 20-25: Zone R2 and Density Band 25-35: Zone R3; • Amend Clause 4.3 of Appendix 5 and Height of Building Map to include the proposed Height of Building controls consistent with the Draft Indicative Layout Plan – Part 9m, part 12m and part 18m; • Amend Clause 4.1AB of Appendix 5 and Minimum Lot Size Map to include a minimum lot size control of 1000m² for the proposed C4 Environmental Living zone; and • Amendments to Riparian Protection Area Map (RPA_003), the Land Reservation Acquisition Map (LRA_003) and the Native Vegetation Protection Map (NVP_003) are all proposed to incorporate the subject site into the Western Parkland City SEPP.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation • Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, January 2025 • Slide presentations from DPHI, Camden Council and the proponent.
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 10:12am – 11:14am, 29 January 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Cinnamon Dunsford, Greg Woodhams, Michael File and Grant Christmas ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Lara Levy (nee Goldstein) and Adam Williams. ○ Key issues discussed:

		<ul style="list-style-type: none"> • Land ownership and site boundaries • Surrounding land use • Ridgeline issues: vegetation, geotechnical, aesthetics, etc. • Lot sizing, residential density and zoning • Drainage issues • Connecting to Country and indigenous consultation • Planning agreement mechanisms • Powerline easement <ul style="list-style-type: none"> • Briefing with Department of Planning, Housing and Infrastructure (DPHI): 1:01pm – 1:46pm, 29 January 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Cinnamon Dunsford, Greg Woodhams, Michael File and Grant Christmas ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Terry Doran, Lara Levy (nee Goldstein), Adam Williams and Taylah Fenning ○ Key issues discussed: <ul style="list-style-type: none"> • Proposal progression and history • Riparian areas, drainage locations, maintenance and zoning • Ridgeline issues, geotechnical reports and potential zoning • Planning Agreement delivery • Briefing with Camden Council: 1:46pm – 2:37pm, 29 January 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Cinnamon Dunsford, Greg Woodhams, Michael File and Grant Christmas ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Jasper Allenby, Terry Doran, Lara Levy (nee Goldstein), Adam Williams and Taylah Fenning ○ Council representatives in attendance: Murray Wilson, Barry Millwood, Josh Pownell, Caroline Puntillo and Nicole Aiken ○ Key issues discussed: <ul style="list-style-type: none"> • Camden LGA growth areas • Geotechnical peer review • Drainage basins design and impacts on proposal • Contributions Plan • Powerline easement • Oduor impacts • Briefing with the Proponent (Inspire Planning, Urbis, Always Consultancy and BHL Group): 2:46pm – 3:38pm, 29 January 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen Murray (Acting Chair), Cinnamon Dunsford, Greg Woodhams, Michael File and Grant Christmas
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