



Planning,  
Industry &  
Environment

IRF21/17

## Gateway determination report – PP-2020-4107

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Tranche 41 (Part Pondicherry Precinct) 600C – 680  
The Northern Road, Oran Park (470 residential lots)

February 21



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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Pondicherry Part Precinct Social Infrastructure Assessment by Elton Consulting (September 2020)
Tranche 41 (Pondicherry Part Precinct) Assessment of Impact on Aboriginal Cultural Heritage by Kelleher Nightingale Consulting (April 2020)
Rezoning Traffic and Access Assessment Report by Positive Traffic (April 2020)
Report on Geotechnical Investigation by Douglas Partners (August 2017)
Report on Salinity Investigation and Salinity Management Plan by Douglas Partners (August 2017)
Report on Preliminary Site Investigation by Douglas Partners (August 2017)
Tranche 41 Rezoning, Pondicherry – Terrestrial Ecological Analysis by Eco Logical (September 2020)

Pondicherry Rezoning – Tranche 41 Preliminary Riparian Assessment by Eco Logical (September 2020)

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Bushfire Constraints and Opportunities Assessment for Rezoning at 680 The Northern Road, Oran Park by Eco Logical (September 2020)

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Infrastructure Servicing Report by Calibre Consulting (February 2020)

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Reverse Amenity Air Quality Assessment –Pondicherry Tranche 41 by Astute Environmental Consulting (September 2020)

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Pondicherry Tranche 41 Rezoning Noise and Vibration Assessment by WSP (March 2020)

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Oran Park Precinct Tranche 41 Stormwater Management Report by Calibre Consulting (September 2020)

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# 1 Planning Proposal

## 1.1 Overview and objectives of planning proposal

**Table 2 Planning proposal details**

<b>LGA</b>	Camden
<b>PPA</b>	NSW Department on Planning, Industry and Environment
<b>NAME</b>	Tranche 41 (Part Pondicherry Precinct) 600C – 680 The Northern Road, Oran Park (470 residential lots)
<b>NUMBER</b>	PP-2020-4107
<b>SEPP TO BE AMENDED</b>	Sydney Region Growth Centres SEPP
<b>LEP TO BE AMENDED</b>	Camden Local Environmental Plan 2010
<b>ADDRESS</b>	600C-680 The Northern Road, Oran Park
<b>DESCRIPTION</b>	Lot 50 DP 1232523, Lot 4 DP 1223563, Lot 5 DP1223563, Pt Lot 6 DP 1223563 and Lot 11 DP1229416
<b>RECEIVED</b>	22/12/2020
<b>FILE NO.</b>	IRF21/17
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

The objectives and intended outcomes are clear and adequately explain the intent of the proposal.

In summary, the objectives of the planning proposal are to:

- Amend the Land Zoning Map to rezone the site from RU1 Primary Production to R2 Low Density Residential and E2 Environmental Conservation;
- Amend the Height of Buildings Map to apply a maximum building height of 9.5m;
- Create a Residential Density Map to apply a residential density of O-15 dw/ha;
- Create a Native Vegetation Map to identify native vegetation areas within the site;
- Amend the Riparian Protection Area Map to identify riparian areas within the site, in particular the riparian area located along Catherine Creek to the south;
- Create a Land Application Map, Land Reservation Acquisition Map and Floor Space Ratio Map to identify the subject site as part of the South West Growth Centre (SWGC) and identify the precinct boundaries of Pondicherry and South Creek West;
- Amend the Heritage Map, Development Control Map, Precinct Boundary Special Areas Map and Minimum Lot Size Map to identify the subject site as part of the SWGC and to identify the precinct boundaries of Pondicherry and South Creek West; and

- Amend the Camden Growth Centres DCP to insert a proposed new schedule (Schedule 6) with site-specific controls for the subject site.

## 1.2 Explanation of provisions

The planning proposal seeks to amend the Growth Centres SEPP per the changes below:

**Table 3 Current and Proposed controls**

Control	Current	Proposed
Zone	RU1 Primary Production	R2 Low Density Residential and E2 Environmental Conservation
Maximum height of the building	N/A	9.5m
Floor space ratio	N/A	The proposal does not specify a floor space ratio. Appropriate controls are provided in the DCP to ensure appropriate massing. Further, the proposal does not include a mapped minimum lot size. The Growth Centres SEPP development standards relating to lot size are in Appendix 9 Camden Growth Centres Precinct Plan (Part 4, clause 4.1) and are unaltered by this planning proposal.
Minimum lot size	N/A	
Residential density	N/A	15 dw/ha
Number of dwellings (residential lots)	0	470

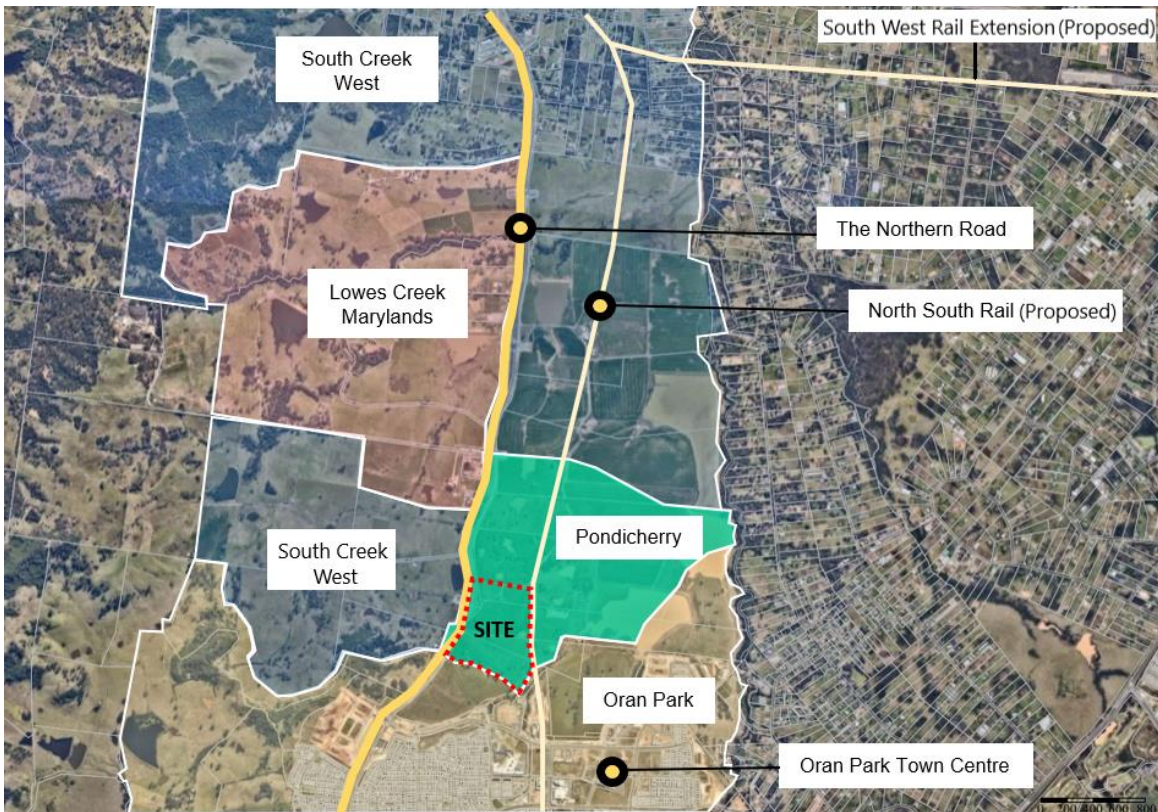
The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

A draft Development Control Plan, Schedule 6 Pondicherry (Part) Precinct has been developed for the subject site which will ultimately sit within the overarching Camden Growth Centre Precincts Development Control Plan.

## 1.3 Site description and surrounding area

### **Subject Site**

The subject site is located at 600C – 680 The Northern Road, Oran Park, with the lots legally described as Lot 50 DP 1232523, Lot 4 DP 1223563, Lot 5 DP1223563, Pt Lot 6 DP 1223563 and Lot 11 DP1229416. The subject site is located within the south west portion of the Pondicherry Precinct within the SWGA as shown in **Figure 1** (overleaf).



**Figure 1 Subject site denoted by red broken outline and labelled**

The subject site is approximately 41.28ha in area, is irregular in shape, and slopes to the south east. The site currently presents an open, pastoral landscape that is predominantly cleared of native vegetation. A 60m wide TransGrid powerline easement crosses the site in an east-west direction. An Endeavour Energy powerline easement (of variable width) follows the alignment of The Northern Road.

The surrounding land uses are comprised of future employment lands (proposed) and the Jack Brabham Reserve in Oran Park to the south. A future northern neighbourhood Centre is to the west and future residential dwellings to the north and east, as part of the broader Pondicherry Precinct. The site will be accessed via a sub-arterial road from The Northern Road (arterial road); a roundabout intersection from Dick Johnson Drive (sub-arterial road); and, a roundabout intersection from North Circuit (local road) as shown in **Figure 2**.

#### ***Locational Context within the Pondicherry Precinct***

The subject site forms part of the broader Pondicherry Precinct. It is envisaged that rezoning of the Pondicherry Precinct will facilitate approximately 2,700 dwellings to accommodate an expected population of 8,000 people. The centrepiece of Pondicherry will be a series of lakes (building on existing farm dams), which will provide recreational infrastructure connecting to the green and blue grid of the Western Sydney Parklands.

The precinct planning process for Pondicherry is underway and is being managed under a 'collaborative planning approach' that was announced by the Minister for Planning and Public Spaces in November 2019. The process is currently being led by the Department in collaboration with Council. It is anticipated that the proponent will lodge a planning proposal with Council during 2021 to commence the rezoning process. This draft plan is expected to include a district sized sports facility, school, integrated neighbourhood and community centre, and public open space.





**Figure 2 Site context**

## 1.4 Mapping

The planning proposal includes appropriate mapping illustrating the proposed changes to the Growth Centre SEPP maps.

Proposed zoning and the introduction of a height control and other controls are illustrated in Figures 3, 5, 6, 7, 8, 9 and 15 of the proposal. Other supporting maps provide for the proposed inclusion of the site within other relevant SEPP maps (refer to Figures 10 to 15).

These maps are suitable for community consultation, however, the red broken boundary outline on these maps where shown, illustrating the subject land, should be described in the legend. A condition is recommended.

## 2 Need for the planning proposal

The amendments proposed in this Planning Proposal are a result of the need to provide ongoing residential demand within the Camden locality. The proposal seeks to facilitate urban development within part of the Pondicherry Precinct located within the SWGA, which has been earmarked as an appropriate area for urban growth.

The amendments to the Growth Centres SEPP, and associated maps outlined under this Planning Proposal, are the most appropriate and best means of achieving the objectives and intended outcomes.

It is noted that planning for the remainder of the Pondicherry precinct is underway, and a planning proposal will be lodged with Council for the rezoning of the remainder of the precinct in the future.



The Department notes that the proposal is not reliant on the finalisation of studies relating to the broader Pondicherry Precinct and therefore this proposal can proceed.

## 3 Strategic assessment

### 3.1 District Plan

The site is within the Western City District. The Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability, in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table provides an assessment of the planning proposal against relevant directions and actions.

**Table 4 District Plan assessment**

District Plan Priorities	Justification
Planning Priority W1: Planning for a city supported by infrastructure	The proposal will be well serviced by existing infrastructure and will take advantage of the opportunities offered by the nearby Oran Park Town Centre and Oran Park open space facilities. Tranche 41 is also supported by an existing arterial road (The Northern Road) with regional access to the Aerotropolis, Campbelltown and Narellan.
Planning Priority W2 - Working through collaboration	The subject land is part of the broader Pondicherry Precinct. The Precinct is being managed under a 'collaborative planning approach' currently being led by the DPIE in collaboration with Council.
Planning Priority W3– Providing services and social infrastructure to meet people's changing needs	The proposal will facilitate additional open space and housing to meet the needs of the growing community in the Camden LGA. The future population of Tranche 41 will also have access to additional social infrastructure planned for the broader Pondicherry Precinct, which may include a K-6 school, integrated neighbourhood and community centre and additional public open space.
Planning Priority W4- Fostering healthy, creative, culturally rich and socially connected communities	The proposal seeks to encourage healthy communities that are socially connected through the provision of cycleways and shared paths that connect to the broader pedestrian/cycle network.
Planning Priority W5- Providing housing supply, choice and affordability, with access to jobs and services	The proposal seeks to provide housing near Oran Park, the Aerotropolis, and Narellan. Development will facilitate residential development to support local and regional commercial centres. The close proximity to existing and developing urban centres will provide residents with access to a range of jobs and services.

District Plan Priorities	Justification
Planning Priority W6– Creating and renewing great places and local centres, and respecting the District’s heritage	Associated with the proposal, consideration has been given to the conservation of Aboriginal cultural heritage that will be facilitated through provisions within the draft DCP.
Planning Priority W7 - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	The proposal ensures that surrounding roads, active transport and public transport are integrated with the proposed network of Tranche 41. This includes establishing the potential for public transport opportunities through facilitating the delivery of a bus capable sub arterial road.
Planning Priority W12 - Protecting and improving the health and enjoyment of the District’s waterways	The proposal seeks to protect and enhance the health of the nearby Catherine Creek and Anthonys Creek. An E2 Environmental Conservation zone is proposed (refer below). In addition, it is planned to have two stormwater catchments, supported by the draft DCP, which aims to implement effective stormwater management planning provisions.
Planning Priority W14- Protecting and enhancing bushland and biodiversity	The proposal seeks to preserve and enhance the riparian corridors of Catherine Creek and Anthonys Creek. These riparian corridors also include the preservation of hollow bearing trees and dead stags (i.e. dead standing trees) which are important habitats for local wildlife.
Planning Priority W15- Increasing urban tree canopy cover and deliver Green Grid connections	The proposal seeks to increase urban canopy cover through the provision of street trees throughout Tranche 41. The proposal also includes additional areas of open space which will link to the broader Camden LGA open space network.

## 3.2 Local

The proposal states that it is consistent with the local plans and endorsed strategies, as follows

**Table 5 Local strategic planning assessment**

Local Strategies	Justification
Camden Local Strategic Planning Statement (LSPS)	<p>The proposal gives effect to the Camden LSPS as follows:</p> <ul style="list-style-type: none"> <li>(a) <i>Local Priority I&amp;C- 1 – Aligning infrastructure delivery with growth.</i> The subject site of the Planning Proposal is located within the Pondicherry Precinct within the SWGA which is designated for future urban growth. The proposal is consistent with this priority as it will facilitate further expansion of infrastructure and road upgrades which will assist in the release of future precincts.</li> <li>(b) <i>Local Priority I&amp;C - 2 – Connecting Camden through integrated transport solutions.</i> The proposal is consistent with this priority by ensuring the surrounding transport network including roads, active transport and public transport is integrated into the proposed network of Tranche 41. This proposed network includes facilitating the delivery of a bus capable sub arterial road, which will promote public transport within the area. The proposed road network will link Tranche 41 to Oran Park via internal roads, as well as Narellan and the future Western Sydney Aerotropolis via The Northern Road.</li> <li>(c) <i>Local Priority I&amp;C - 3 - Planning for the Delivery of the North South Rail and South West Rail Link Extension.</i> The subject site of the Planning Proposal is located adjacent to the North South Rail corridor to the east. The draft ILP has been designed with consideration to the rail corridor and its future interface with adjoining residential development in Tranche 41.</li> <li>(d) <i>Local Priority I &amp; C - 4 - Working in Partnership to Deliver a More Liveable, Productive and Sustainable Camden.</i> The proposal is consistent with this priority as the broader Pondicherry Precinct surrounding Tranche 41 is being managed under a ‘collaborative planning approach’ currently being led by the DPIE in collaboration with Council.</li> <li>(e) <i>Local Priority Liveable 1 - Providing Housing Choice and Affordability for Camden’s Growing and Changing Population.</i> The proposal is consistent with this local priority by providing additional housing to meet the needs of the changing demographic and growing community in the Camden LGA.</li> <li>(f) <i>Local Priority Sustainable 1 - Improving the Accessibility and Connectivity of Camden’s Green &amp; Blue Grid and Delivering High Quality Open Space.</i> The proposal is consistent with this local priority by designing a well-connected development which provides integrated cycleways and shared paths that connect to the broader network in the Camden LGA.</li> <li>(g) <i>Local Priority Sustainable 2 - Protecting and enhancing the health of Camden’s waterways, and strengthening the role and prominence of the Nepean River.</i> The proposal is consistent with this local priority by ensuring that the riparian corridors of Catherine Creek and Anthony’s Creek to the south of Tranche 41 are maintained and enhanced.</li> <li>(h) <i>Local Priority Sustainable 6 - Improving Camden’s Resilience to Natural Hazards and Extreme Weather Events.</i> The proposal is consistent with this local priority by providing a well-designed stormwater management system which will address and provide resilience to future extreme weather events.</li> </ul>

	<p>The proposed stormwater management approach will ensure that stormwater run-off levels meet pre-development levels.</p>
Camden Community Strategic Plan	<p>The proposal gives effect to the Camden Community Strategic Plan by addressing:</p> <p>(a) <i>Key Direction 1 Actively Managing Camden Local Growth Area's Growth.</i></p> <p>i. <i>Strategy 1.1.1 Ensure provision of appropriate urban development for sustainable growth in the Camden LGA</i></p> <ul style="list-style-type: none"> <li>• <i>Objective 1.1 Urban Development is managed effectively</i></li> </ul> <p>The proposal is consistent with this Direction as it will facilitate the development of additional housing within the SWGA. The proposal will provide up to 470 dwellings and will be integrated with Oran Park.</p> <p>(b) <i>Key Direction 2 Healthy Urban Environment.</i></p> <p>i. <i>Strategy 2.1.1 Protect the built and natural heritage of the Camden LGA</i></p> <p>ii. <i>Strategy 2.1.3 Maintain and enhance the Camden LGA's waterways and its catchments and promote water saving initiatives</i></p> <p>iii. <i>Strategy 2.1.7 Ensure the long term assets of parks and open space is managed and maintained across the Camden LGA</i></p> <p>The proposal is consistent with this Direction as it provides opportunities to respect, acknowledge and conserve Aboriginal cultural heritage and ensure that facilitated through provisions within the draft DCP. Additionally, the proposal will strengthen and enhance the existing natural environment by retaining riparian corridors and providing connectivity to the broader open space and Blue and Green Grid network.</p>
Draft Camden Local Housing Strategy	<p>The proposal effects effect to the draft Camden Local Housing Strategy by addressing:</p> <p>(a) <i>Priority 1- Providing housing capacity and coordinating growth with infrastructure</i></p> <p>i. <i>Objective 1- Providing housing capacity and coordinating growth with infrastructure</i></p> <p>The proposal is consistent with this objective as it seeks to provide housing capacity in the Pondicherry Precinct within the SWGA. The provision of this additional housing aligns appropriately with the availability of infrastructure, building on the existing service infrastructure in nearby Oran Park.</p> <p>ii. <i>Objective 2- Precincts in the SWGA are planned and released to align with infrastructure provision</i></p> <p>The proposal is consistent with this objective as it is supported by consultation with service providers. It will also leverage off existing and future public transport opportunities (access to train and bus services) due to its proximity to Oran Park and The Northern Road.</p> <p>(b) <i>Priority 2- Delivering resilient, healthy and connected communities</i></p> <p>i. <i>Objective 4 - Neighbourhood design supports healthy and connected communities that are better placed</i></p> <p>The proposal is consistent with this objective as it delivers a neighbourhood design that will support a healthy and connected community within Tranche 41. The proposed movement network provides neighbourhood connectivity which encourages walkability to open space and riparian areas and key destinations for</p>

services and amenities such as the Oran Park Employment Area and Oran Park Town Centre.

- ii. *Objective 5 - Increase Camden LGA's green cover and urban tree canopy*

The proposal is consistent with this objective as it seeks to increase the green cover and urban tree canopy in the LGA.

- (c) *Priority 3 - Delivering the right housing in the right location*

- i. *Objective 6 - Housing density is strategically located to activate town centres, promote walkability and optimise infrastructure*

The proposal is consistent with this objective as it seeks to deliver the right housing in the right location. While the proposal primarily states it will deliver low-density detached housing, it reflects the broader Pondicherry Precinct strategy which is to locate higher density residential development around core areas of high amenity, envisioned in future planning stages of Pondicherry.

- (d) *Priority 4 - Increasing housing choice and diversity*

- i. *Objective 9- The mix of housing types matches the changing needs and preferences of the community*

The proposal is consistent with this objective as it seeks to deliver housing types that matches the various needs and preferences of the community. The proposal will deliver 470 lots with lot sizes ranging between 300m<sup>2</sup> to 600m<sup>2</sup>. This is consistent with draft housing analysis prepared for broader Pondicherry, which identifies an approximate mix of 75% standard residential (lot size >300m<sup>2</sup>) and 25% medium density residential (lot size <300m<sup>2</sup>).

### 3.3 Local planning panel (LPP) recommendation

The Camden Local Planning Panel (CLPP) was supportive of the proposal and voted 4-0 in favour of the recommendation to proceed to Gateway Determination, for the following reasons:

- The Planning Proposal has strategic and site specific merit.
- The Planning Proposal will contribute towards Camden's housing supply within the SWGA, which presents an appropriate location that could facilitate housing diversity.
- The proposal responds to the context of the SWGA, in particular the established precinct of Oran Park which is compatible with R2 Low Density Residential Development.
- The proposed R2 Low Density Residential zone which permits lot sizes ranging between 300m<sup>2</sup> to 600m<sup>2</sup> is consistent and integrates with the existing neighbouring character of Oran Park to the south.
- Future development as a result of this proposal will be adequately serviced by existing and planned infrastructure and will not generate wider environmental, social and economic impacts.
- The subject land does not contain any koala habitat.
- The Panel accepted that the Planning Proposal will need to further address contributions towards active open space, consolidation and improved connectivity of passive open space, and the sizing of proposed stormwater basins.



### 3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 6 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.2 Rural Zones	No	<p>This direction is relevant as the proposal seeks to rezone existing rural land zoned RU1 Primary Production for residential purposes.</p> <p>A proposal can be inconsistent with the Direction provided the proposal is justified by a strategy approved by the Secretary; a study that gives consideration to the objectives of the direction, or in accordance with a regional or subregional plan or strategy prepared by the Department.</p> <p>The subject site is located within the SWGA, which has been identified for the future development and delivery of new housing and associated facilities, particularly under the Growth Centres SEPP.</p> <p>In these circumstances, any inconsistency with the Direction is of minor significance and is recommended to the delegate accordingly.</p>
Direction 1.3 Mining, Petroleum Production and Extractive Industries	Yes	<p>The Planning Proposal is consistent with this Direction as the subject site is located within the SWGA and is not within an area identified for future mining or other extractive industries.</p>
Direction 2.1 Environmental Protection Zones	Yes	<p>The Planning Proposal is consistent with this Direction as the proposal seeks to retain and enhance the environmentally sensitive creek corridors located within the subject site. These corridors will be protected by a E2 Environmental Conservation Zone and includes areas identified as native vegetation retention areas on proposed Growth Centres SEPP maps. The vegetation within the corridor will be protected in accordance with the relevant development standards of the Growth Centres SEPP and Camden Growth Centres Precinct Plan.</p> <p>A Terrestrial Ecological Analysis supporting the proposal provides an assessment of the subject site's biodiversity values.</p> <p>Development impacts to native vegetation on the subject site as a result of the proposal are permitted under the Growth Centres Biodiversity Certification Order.</p>

<p>Direction 2.3 Heritage Conservation</p>	<p>Yes</p>	<p>The Planning Proposal is consistent with this Direction.</p> <p>There are no sites of Non-Aboriginal Heritage significance located within the subject site.</p> <p>The Aboriginal Heritage Assessment recommended, to mitigate impacts on Aboriginal Archaeological sites, an AHIP will be required from Heritage NSW prior to any works being undertaken on the site. An application for an AHIP will need to detail recommended actions to be taken before, during and after an activity to manage and protect any Aboriginal objects and places. The site identified with moderate archaeological significance and will also require archaeological mitigation in the form of salvage excavation prior to any impacts.</p> <p>Additionally, none of the identified Aboriginal heritage features found on site should prevent development of the Pondicherry Precinct.</p>
<p>Direction 2.6 Remediation of Contaminated Land</p>	<p>To be determined</p>	<p>The Planning Proposal addresses the Direction by indicating that the land is not within the meaning of Contaminated Land Management Act 1997.,</p> <p>The Direction applies as the proposal seeks to rezone the subject land for residential purposes, where some contamination has been identified. Supporting advice (refer to Attachment A10 – Contamination Assessment) indicates potential for contamination constraints are low, with the exception of some AECs, e.g. former market garden, which are identified as holding low to medium constraints. The advice recommends further investigation at subdivision stage.</p> <p>To satisfy the Direction, Council is required to consider this advice and be satisfied that the land is suitable of residential development in terms of the Direction.</p> <p>This has not specifically occurred (refer to Council report – Attachment A3) and a Gateway condition is recommended for Council to address the Direction during the process and prior to finalisation.</p>

Direction 3.1 Residential Zones	Yes	<p>The Direction is relevant as significant residential development is proposed. The proposal is consistent with the direction, as:</p> <ul style="list-style-type: none"> <li>• it will broaden the choice of building types in the locality;</li> <li>• make efficient use of existing infrastructure and services;</li> <li>• be of good design.</li> </ul> <p>Additionally, the proposal is consistent with this Direction as the subject site is located within the SWGA and is identified for new housing through State and Local Government strategic policies and directions.</p> <p>Development will take advantage of the community infrastructure and services delivered through and around Oran Park, resulting in minimal additional investment to be made by Government and will contribute to housing supply in areas of known current and future demand.</p> <p>The Growth Centres SEPP includes clause 6.1 under Appendix 9 Camden Growth Centres Precinct Plan, which addresses item (5)(a) of the Direction, i.e. servicing arrangements.</p>
Direction 3.4 Integrated Land Use and Transport	Yes	<p>The Planning Proposal is consistent with this Direction as the proposed roads infrastructure within the subject site will be designed to be bus capable and the proposed pedestrian/cycle paths will link to surrounding residential areas.</p>
Direction 3.5 Development near regulated Airports and Defence Airfields	N.A.	<p>The proposal indicates that the proposal is not within the vicinity of an existing licensed airport.</p> <p>It is noted, however, that the proposal indicates the site is located outside of the ANEF 20 noise contours of Camden Airport and the future Western Sydney Airport. The site is located within the Obstacle Limit Surface (OLS) for the Western Sydney Airport. A control within State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 requires certain types of development within the OLS to achieve indoor noise standards to mitigate the impact of future aircraft noise. Application of this control has been deferred to 26 April 2021, however, future residential development within Tranche 41 will need to comply.</p>
Direction 4.3 Flood Prone Land	Yes	<p>The Planning Proposal is consistent with this Direction as the supporting Water Cycle Management Strategy assessed potential flood impacts of the proposal. While the subject site is partially flood affected, the proposed drainage infrastructure will have the capacity to service the northern and southern catchment of Tranche 41. Potential flood impacts generated by development can be managed by providing a conventional street drainage and detention system prior to discharge into the adjacent creek network.</p>

Direction 4.1 Acid Sulfate Soils	No	<p>The Planning Proposal indicates that this Direction does not apply.</p> <p>It is noted that the proposal is supported by a salinity summary (Attachment A9), which identified soil salinity conditions on the subject land. The advice also indicated that these conditions are not significant impediments to the proposed development, provided appropriate remediation or management techniques are employed.</p> <p>This matter may be appropriately addressed by Council at subdivision stage in terms of the Camden Growth Areas DCP, which provides appropriate controls and guidance. Refer to Section 4.14 And Appendix B of the DCP.</p> <p>Any inconsistency with the Direction is considered to be of minor significance and is recommended accordingly.</p>
Direction 4.4 Planning for Bushfire Protection	To be determined	<p>The Planning Proposal indicates it is consistent with this Direction as it demonstrates that bushfire hazards can be effectively managed to protect life, property and the environment.</p> <p>The proposal will be delivered in accordance with this Direction and Planning for Bushfire Protection 2019. The requirements for Asset Protection Zones (APZs) have been investigated by the supporting Bushfire Constraints and Opportunities Assessment and recommendations for bushfire mitigation have been provided. APZ's have also been identified on Figure 2-6 (Bushfire risk and Asset Protection Zone requirements) of the draft DCP.</p> <p>While this is the case, part of the subject land is identified as bush fire prone land under Camden Council's Bush Fire Prone Land Map.</p> <p>Consequently to satisfy the Direction, consultation is required with the Rural Fire Service prior to exhibition. Gateway condition recommended.</p>
Direction 6.1 Approval and Referral Requirements	Yes	<p>The Planning Proposal is consistent with this Direction as it does not seek to introduce any additional or new referral requirements.</p>
Direction 6.2 Reserving Land for Public Purposes	Yes	<p>The Planning Proposal is consistent with this Direction as it will not require land for public purposes without the relevant authority's consent.</p>
Direction 6.3 Site Specific Provisions	Yes	<p>The Planning Proposal is consistent with this Direction as it does not seek to amend another environmental planning instrument to introduce new site-specific provisions. All relevant provisions are proposed under the Growth Centres SEPP.</p>

### 3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

**Table 7 Assessment of planning proposal against relevant SEPPs**

SEPPs	Requirement	Proposal	Complies
State Environmental Planning Policy No 55— Remediation of Land	This policy aims to promote the remediation of contaminated land for the purpose of reducing the risk or harm to human health or any other aspect of the environment.	The Planning Proposal is supported by a preliminary land capability study, which have identified several 'areas of environmental concern' (AECs) within the site. These AECs have been addressed through various relevant provisions within the draft DCP. Relevant AECs will be considered and remediated in accordance with SEPP 55.	Yes
State Environmental Planning Policy No 64- Advertising and Signage	This policy aims to ensure that signage (including advertising) is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high quality design and finish.	The Planning Proposal does not affect the operation of this SEPP, with future signage proposals to be assessed against SEPP 64.	Yes
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	This policy aims to provide streamlined assessment processes for development that complies with specified development standards.	The Planning Proposal does not affect the operation of the SEPP. Any future proposals identified in the SEPP (e.g. building alterations, change of use, etc.) will be required to comply with relevant provisions.	Yes
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	This policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability and make efficient use of existing infrastructure and services.	The proposal enables opportunities to provide housing in close proximity to a range of existing infrastructure, services and amenities.	Yes
State Environmental Planning Policy (Infrastructure) 2007	This policy aims to facilitate the delivery of infrastructure across the State.	The Planning Proposal outlines a range of infrastructure that can all be delivered in accordance with this SEPP.	Yes



State Environmental Planning Policy (Sydney Region Growth Centres) 2006	This policy aims to co-ordinate the release of land for residential, employment and other urban development in several growth areas, provide for comprehensive planning for growth centres, provide for the orderly and economic provision of infrastructure in and to growth centres, provide planning controls to protect the health of waterways, conserve natural and cultural heritage and promote biodiversity values.	The subject site is located within Pondicherry Precinct within the SWGA. The Planning Proposal is not inconsistent with the intent of the SEPP.	Yes
Sydney Regional Environmental Plan No 20 Hawkesbury-Nepean River	The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.	The Planning Proposal does not hinder achieving the objectives and relevant provisions the SEPP.	Yes

## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

**Table 8 Environmental impact assessment**

Environmental Impact	Assessment
Vegetation removal and potential habitat disturbance	<p>Two native vegetation communities exist within Tranche 41: Shale Plains Woodland (part of the Cumberland Plain Woodland Vegetation Community) and Alluvial Woodland, which were found to be in poor and moderate condition respectively. Development impacts to native vegetation on the site is permitted under the Growth Centres Biodiversity Certification Order.</p> <p>Ten hollow-bearing trees (HBTs) and a number of dead stags (standing dead trees) that have the potential to provide habitat for native fauna exist on the site. The proposed rezoning of riparian corridors from RU1 Primary Production to E2 Environmental Conservation may allow some of the HBTs to be retained on site and will lead to overall improved environmental outcomes for this land.</p> <p>The Terrestrial Ecological Analysis stated that the existing trees be incorporated into the urban design and alternative habitat be provided in conservation zones to compensate for the loss of any HBTs such as can be offset with nest boxes or rehoused hollows.</p> <p>The Terrestrial Ecological Analysis concluded that no evidence was found of any critical habitat or threatened species, populations or ecological communities, or their habitats on the subject site.</p>
Aboriginal cultural heritage	<p>Two Aboriginal Archaeological sites, containing artefact scatter, have been identified in Tranche 41 as having low and moderate archaeological significance respectively. Based on the draft ILP, the Assessment of Aboriginal Cultural Heritage stated that these sites will be impacted by the proposed development.</p> <p>The Assessment recommended that to mitigate impacts on Aboriginal Archaeological sites, an Aboriginal Heritage Impact Permit (AHIP) will be required from Heritage NSW prior to any works being undertaken on the site. An application for an AHIP will need to detail recommended actions to be taken before, during and after an activity to manage and protect any Aboriginal objects and places.</p> <p>The site identified with moderate archaeological significance and will also require archaeological mitigation in the form of salvage excavation prior to any impacts.</p> <p>The draft DCP contains provisions requiring an Aboriginal Interpretation Plan to be submitted at the development application stage to detail ways for people to respect existing Aboriginal heritage.</p>
Air Quality	<p>An air quality assessment identified four uses in the vicinity of the subject site that have the potential to impact on Tranche 41. These include the nearby Hi-Quality Group, a resource recovery and recycling plant, and three uses currently operating as part of the farming activities in the Pondicherry Precinct.</p> <p>The assessment concluded that risk to air quality from these potential odour sources is low.</p>

Noise and vibration	<p>A noise and vibration Assessment identified four potential noise sources that may have impacts on Tranche 41. This includes traffic noise from The Northern Road, industrial noise from the future Oran Park Employment Area, rail noise and vibration, and potential aircraft noise. The Assessment found that adequate mechanisms were in place to mitigate against potential impacts or some sources were unlikely to adversely impact upon the subject site.</p> <p>The subject site is located outside of the ANEF 20 noise contours of Camden Airport and the future Western Sydney Airport. The subject site is however, located within the Obstacle Limit Surface (OLS) for the Western Sydney Airport. A control within <i>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020</i> requires certain types of development within the OLS to achieve indoor noise standards to mitigate the impact of future aircraft noise. Application of this control has been deferred to 26 April 2021, however future residential development within Tranche 41 will need to comply.</p>
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## 4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

**Table 9 Social and economic impact assessment**

Social and Economic Impact	Assessment
Delivery of new resources and services to the local area	<p>The Planning Proposal will have positive social impacts on the locality, delivering additional housing and public open space to service residents, visitors and workforce of the Camden LGA.</p> <p>The Social Infrastructure Assessment stated that this proposal will catalyse the provision of additional services including healthcare, aged care, childcare, education, emergency services, community resources and playing fields to be delivered within the broader Pondicherry Precinct.</p>
Delivery of land supply and housing	<p>The Planning Proposal will deliver increased housing supply which will support the planned centres and employment areas of the SWGA, in particular the adjacent precinct of Oran Park. The future growth of the Aerotropolis, and associated infrastructure and jobs, will also be enhanced by the proposed delivery of additional housing.</p>
Employment (temporary)	<p>The construction of the dwellings will provide some local, temporary employment.</p>

## 4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal.

**Table 10 Infrastructure assessment**

Infrastructure	Assessment
Roads	Tranche 41 will be serviced by the surrounding upgraded arterial road network (The Northern Road). The traffic report demonstrates that the existing and future road network will accommodate the additional demand generated by the proposal. In particular, traffic modelling found that at full development (year 2036) the key intersection at The Northern Road and the Maryland Link Road No.1 (sub arterial) intersection would operate at acceptable service levels during the AM and PM peaks.
Electricity	The infrastructure servicing report stated that Endeavour Energy confirmed availability of electricity to the subject site, however, it was indicated that the capacity within the existing network was limited and that the capacity of the feeder may be reached prior to a formal request for a connection. If the existing capacity has been exhausted, a new 11kV feeder to the site will be required.
Water	<p>The infrastructure servicing report states that water services can be extended into the subject site once the trunk mains along The Northern Road have been completed. Initially, supply may be required via the existing reticulation watermain to the south of the site to manage water quality issues. Prior to the new Oran Park Reservoir being constructed (~ 2022), the subject site will be supplied from the existing Narellan Reservoir.</p> <p>Wastewater from the site will ultimately drain to the future South Creek treatment plant expected to be constructed no earlier than 2026. Prior to this, the strategy concludes there are a number of feasible wastewater options that could service the subject site.</p>
Stormwater	The Stormwater Management Report demonstrated that existing and planned stormwater infrastructure will be able to attenuate stormwater flows (from storm events between 2 year ARI and up to 100 year events will be attenuated to the existing flow condition by the two existing basins. Further assessment will be undertaken to ensure consistency with Council's work that is emerging as part of the Upper South Creek Flood Study review.
Gas	The Infrastructure Servicing Report stated that Jemena has confirmed the availability of gas to the subject land.

It is anticipated that the subject proposal will be followed by a planning proposal that applies to the remainder of the Pondicherry Precinct. Under the previous Precinct Acceleration Protocol (PAP) for the precinct, including Tranche 41, an infrastructure (servicing) strategy was prepared and is available to Council.

This strategy demonstrates the suitability of the Tranche 41 land for the proposed uses and its relationship to servicing the wider precinct. To allow the relevant service providers to be fully informed, it is recommended that Council provides to the relevant service providers, an infrastructure strategy that demonstrates the manner, and responsibilities, in which the subject land is proposed to be serviced, including proposed arrangements for the wider Pondicherry Precinct. A Determination condition is recommended.

## 5 Consultation

### 5.1 Community

Council proposes a community consultation period of 30 days. The exhibition period proposed is considered appropriate and is recommended as a condition of the Gateway determination.

### 5.2 Agencies

The proposal does not specifically indicate agencies to be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 28 days to comment:

- NSW Rural Fire Service (prior to exhibition to satisfy the terms of the Section 9.1 Direction)
- Environment, Energy and Science Group
- Endeavour Energy
- Transport for NSW
- Heritage NSW
- Endeavour Energy
- Telstra
- Jemena Gas
- Sydney Water
- Natural Resources Access Regulator (NRAR)
- Environmental Protection Authority

## 6 Timeframe

Council proposes a 9 month time frame to complete the LEP.

The Department recommends a time frame of 12 months. This recommendation is made in view of the nature of the proposal, requiring consultation with a number of government authorities and the need to consider the proposal in terms of the wider Pondicherry Precinct.

A condition to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the planning proposal relates to amendments to the Growth Centres SEPP, the Department recommends that Council not be authorised to be the local plan-making authority for this proposal.

## 8 Assessment Summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the proposal is not inconsistent with regional, district and local plans and their relevant objectives;
- there are no adverse social, economic or environmental impacts;



- the proposal will catalyse the provision of additional services including healthcare, aged care, childcare, education, emergency services, community resources and playing fields to be delivered within the broader Pondicherry Precinct;
- the proposal seeks to progress the continued infrastructure growth within the SWGA with the addition of water, sewerage and electricity in areas which were not previously connected;
- the proposal also seeks to provide housing opportunities to support the SWGA and the future Western Sydney Airport;
- the proposed mapping amendments are consistent with the surrounding land uses shown on the corresponding Growth Centres SEPP maps; and
- the proposal will have a positive outcome for the community and complement the existing and future land use of the surrounding area.

## 9 Recommendation

It is recommended the delegate of the Secretary:

- agree that any inconsistencies with section 9.1 Directions 1.2 Rural Zones and 4.1 Acid Sulfate Soils are justified on the basis of minor significance.
- Note that consistency with Section 9.1 Directions 2.6 Remediation of Contaminated Land and 4.4 Planning for Bushfire Protection, remains unresolved and are subject to further consideration.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended, as follows:
  - the key in the relevant figures is to include an item identifying the boundary of the subject land; and,
  - the Project Timeline is to be amended showing 2021 dates.
2. Consultation is required with the following public authorities:
  - NSW Rural Fire Service;
  - Environment, Energy and Science Group;
  - Endeavour Energy;
  - Transport for NSW;
  - Heritage NSW;
  - Endeavour Energy;
  - Telstra;
  - Jemena Gas;
  - Sydney Water;
  - Natural Resources Access Regulator (NRAR); and,
  - Environmental Protection Authority.
3. Council is to consult with the NSW Rural Fire Service prior to exhibition in accordance with Section 9.1 Direction 4.4 Planning for Bushfire Protection and address any comments made by that agency.

4. Council is to provide the relevant service providers with an infrastructure strategy that demonstrates how the subject land is to be serviced, including proposed arrangements for the wider Pondicherry Precinct. This will also ensure the relevant service providers have existing capacity, or have planned for, sufficient utility resources required.
5. The planning proposal should be made available for community consultation for a minimum of 28 days.
6. The planning proposal must be exhibited 3 months from the date of the Gateway determination.
7. The planning proposal must be reported to council for a final recommendation 9 months from the date of the Gateway determination.
8. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
9. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.



5/2/21

Terry Doran  
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\_\_\_\_\_ (Signature)

8 February 2021

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