ORD01

SUBJECT: **PRE PUBLIC EXHIBITION - DRAFT PLANNING PROPOSAL FOR 5 SMALLS ROAD, GRASMERE**
FROM: Director Planning and Environment
EDMS #: 24/209768

PROPERTY ADDRESS	5 Smalls Road, Grasmere Lot 201, DP 734620
PROPONENT	Carrington Centennial Care Ltd
OWNER	Carrington Centennial Care Ltd

PURPOSE OF REPORT

The purpose of this report is to advise Council of a draft Planning Proposal for land at 5 Smalls Road, Grasmere, proposed to be known as 'Carrington Park'.

The proposal seeks to amend *Camden Local Environmental Plan 2010* (*Camden LEP* 2010) by amending the maximum height of building (HOB) standards in certain locations on the site, adjusting the boundary of the E1 Local Centre zone and introducing food and drink premises and function centre as additional permitted uses on the subject site. The draft Planning Proposal is accompanied by a draft amendment to the Camden Development Control Plan 2019 (Camden DCP).

The draft Planning Proposal, draft DCP amendment and associated specialist studies are provided as **attachments** to this report.

The report recommends that Council endorse the draft Planning Proposal for referral to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination. Subject to a Gateway Determination being received, the draft Planning Proposal will be placed on formal public exhibition to seek the views from the community. A further post-exhibition report will be submitted to Council to consider any objections received during the public exhibition.

BACKGROUND

In December 2018, the site was rezoned from R5 Large Lot Residential to part R2 Low Density Residential, part E2 (now C2) Environmental Conservation and B1 Neighbourhood Centre (now E1 Local Centre) to facilitate seniors housing on the site. The maximum building height standard of 9.5m was retained.

In July 2020, a draft Planning Proposal was lodged, as well as a Development Application (DA) which sought concept approval for a seniors housing development on the site. The concept DA was withdrawn in September 2020.

The original proposal was reported to the Camden Local Planning Panel (CLPP) on 19 July 2022. The CLPP recommended that the proposal be amended.

The proposal was subsequently amended in response to Council officers and the CLPP's recommendations. The amended proposal was reported to the CLPP on 16 April 2024.

The CLPP considered the amended draft Planning Proposal, Council officer report and previous CLPP minutes. In summary, the CLPP noted the amended proposal demonstrates strategic merit and provided recommendations to address site-specific considerations. The minutes from both CLPP meetings are **attached** to this report.

Councillors have been briefed on the draft Planning Proposal including in August 2020, May 2022, August 2022 and 30 April 2024.

Locality Context

The site is located within the suburb of Grasmere which is within the Metropolitan Rural Area (MRA). The surrounding area is largely zoned R5 Large Lot Residential and RU1 Primary Production, except for the subject site which is zoned R2 Low Density Residential, E1 Local Centre and C2 Environmental Conservation (**Figure 1**).

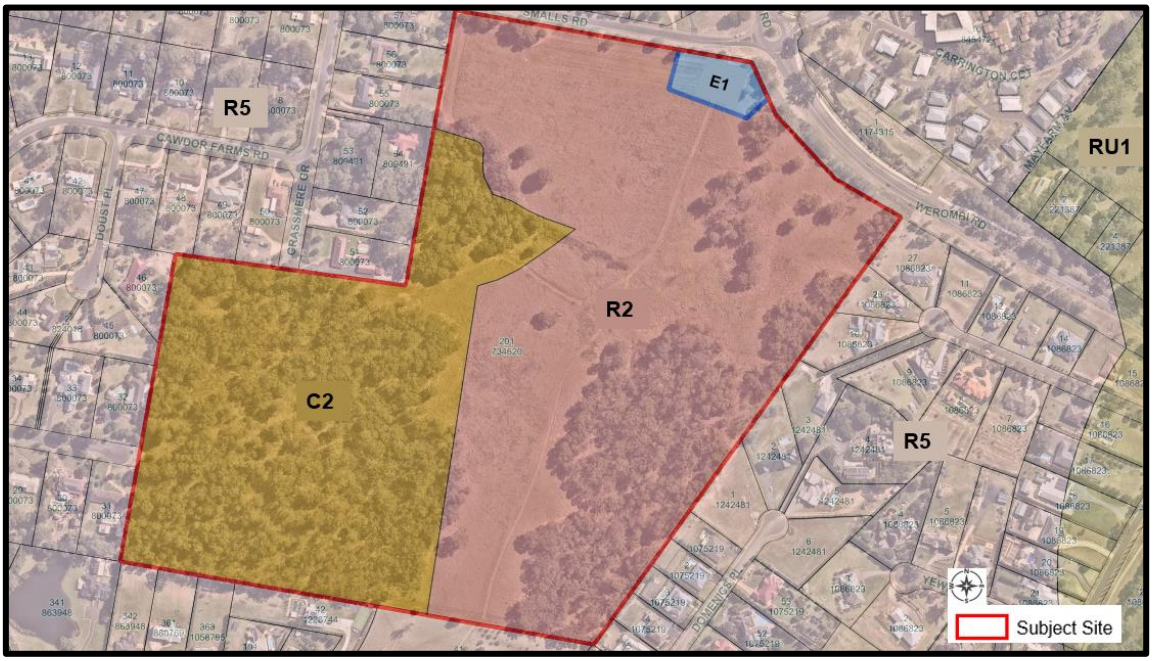


Figure 1: Aerial showing Zoning of Subject Site

Camden Airport is located approximately 1.3 kilometres north east of the site (**Figure 2**) however the site is outside of the Australian Noise Exposure Forecast (ANEF) contours.

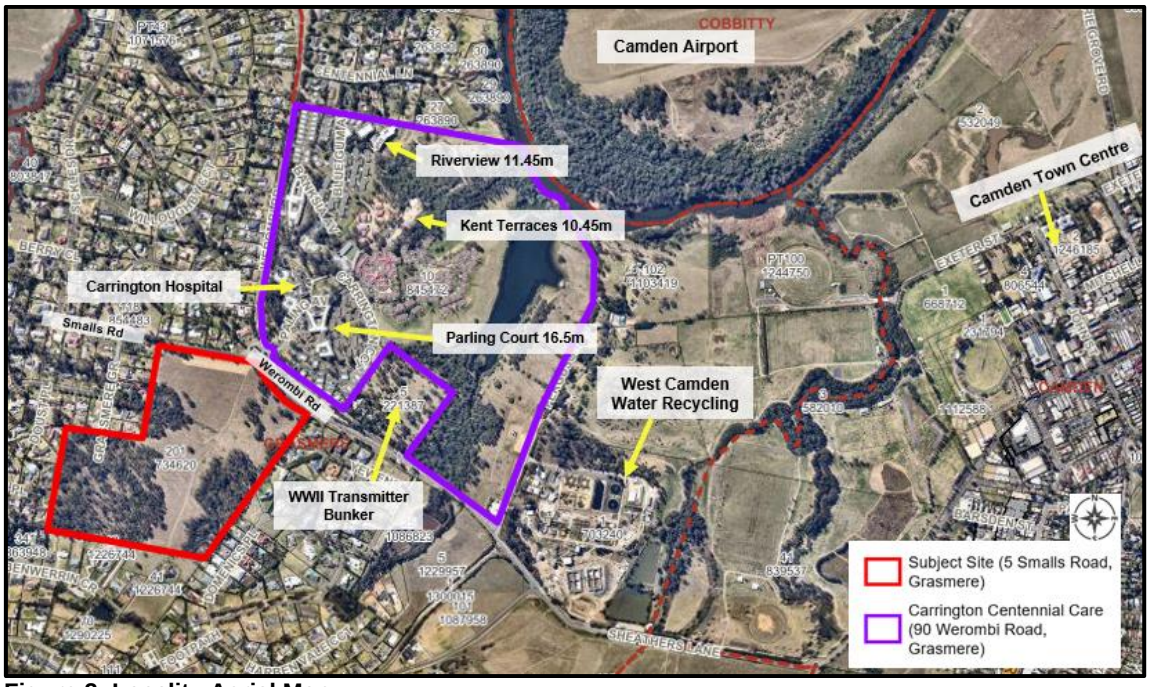


Figure 2: Locality Aerial Map

The West Camden Water Recycling Plant and a World War II transmitter bunker are located to the east of the site. The bunker is heritage listed under the *Camden LEP* 2010 and is currently used by the Bureau of Meteorology.

Site Context

The site comprises 27.2 hectares of land and is approximately three kilometres west of Camden Town Centre. The site will be developed as an extension of Carrington Centennial Care (outlined in purple in **Figure 2**), which is located at 90 Werombi Road, Grasmere. The existing Carrington campus contains a mix of aged care housing and associated facilities, as well as the heritage listed Carrington Hospital.

The site is vacant with large areas of remnant Cumberland Plain Woodland (CPW) and a watercourse in the centre of the site. There is a knoll which creates a highpoint near the intersection of Smalls and Werombi Roads, before falling to the south-west towards the watercourse. From there, the site rises gradually in a south-west direction, with high points along the southern (113.5 AHD) and eastern boundary (103m AHD) where it interfaces with existing residential development. The site topography is shown in **Figure 3**.

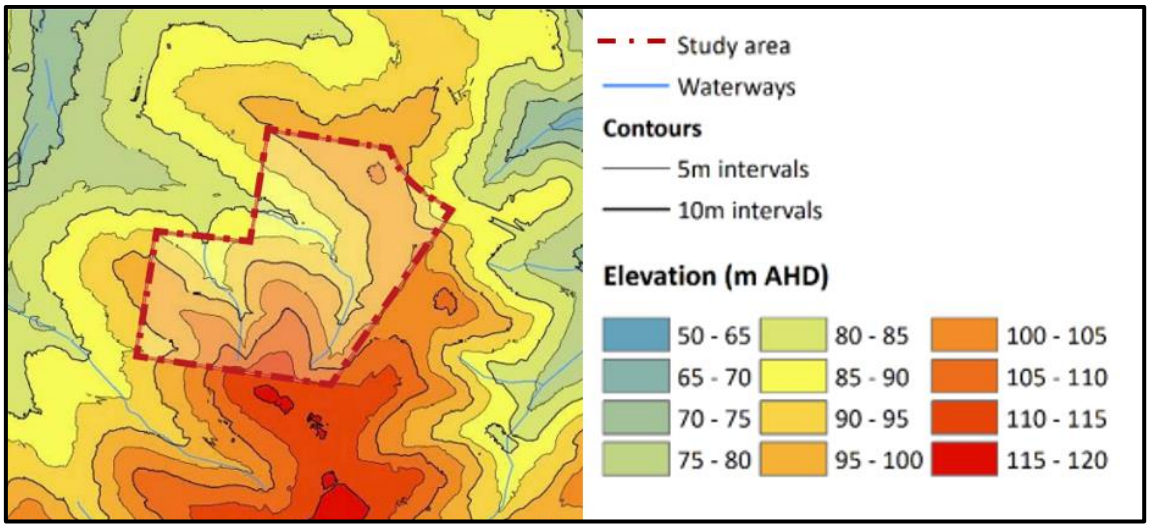


Figure 3: Subject Site Topography

Initial Notification

The original proposal was notified (along with the concept DA) from 28 August to 8 October 2020. The residents of Grasmere were notified, and a notice was placed on Council's website. There were 124 submissions received from the community objecting to the draft Planning Proposal and concept DA.

Following withdrawal of the Concept DA and amendments to the draft Planning Proposal, the proposal was re-notified from 28 March to 22 April 2022. There were 50 submissions received in response to the amended proposal, raising concerns related to the following themes:

- The development will be out of character with the area;
- Inconsistent with R2 Low Density zone objectives;
- Existing planning controls should be retained;
- The proposal is inconsistent with strategic planning;
- Objections to the proposed height of buildings;
- Traffic and access impacts;
- Stormwater runoff and flooding impacts;
- Amenity, privacy and visual Impacts;
- Impacts on Cumberland Plain Woodland;
- Objections to the draft Development Control Plan;
- Use of existing services will impact residents (NBN, mobile, water, sewage);
- The increase in seniors housing will change the demographic of Grasmere;
- Economic impacts on businesses within Camden; and
- Buffer/setbacks to adjoining properties not provided.

The proposal has been further amended in response to submissions, and advice from Council officers and the CLPP. The submissions response table **attached** to this report provides a summary of how the proposal has responded to the key themes raised in the submissions.

Subject to Council endorsement and a favourable Gateway Determination, the amended Planning Proposal will be placed on formal public exhibition to seek the views of the community. A post-exhibition report will be prepared for Council to consider submissions received during the public exhibition.

Initial Public Agency Consultation

Initial consultation with public agencies was undertaken as part of the assessment of the concept DA (now withdrawn) and the draft Planning Proposal in 2020. As a result, seven public agency submissions were received, raising issues relating to the concept DA, which was subsequently withdrawn and have been addressed in the public agency submissions response table **attached**.

Further formal consultation with public agencies will occur during the public exhibition, should the draft proposal be supported.

MAIN REPORT

Summary of Proposal

The proposal seeks to amend the *Camden LEP* 2010 by:

- Amending the maximum height of building (HOB) standards across the site;
- adjusting the boundary of the E1 Local Centre zone; and
- introducing food and drink premises and function centre as additional permitted uses on the subject site.

The proposal provides a range of seniors housing and care options, including independent living units (ILUs), assisted living and a residential aged care facility (RACF). The proposal also includes a neighbourhood centre and childcare facility on the corner of Smalls and Werombi Roads.

The proposal will facilitate an expansion of the existing Carrington Centennial Care development. Guided by the Masterplan (**Figure 4**), it is proposed to include:

- Residential Aged Care Facility (RACF) for 128 beds;
- Standard Independent Living Units (ILUs) (apartments) - approximately 154 units;
- Single Storey Villas (ILUs) – approximately 75 units;
- Assisted Living Apartments – approximately 75 units;
- Recreation Building combined with premium ILU apartments – approximately 87 units;
- Wellness Centre;
- Neighbourhood Centre including a health centre (including specialist medical rooms for visiting doctors and dispensary), retail and a supermarket; and
- Childcare facility for approximately 90 children.

Figure 4: Draft Carrington Park Masterplan

Building height

The building height and design carefully considers the site topography. For buildings up to two storey, the maximum building height is expressed in metres. For buildings more than two storey, the maximum building height is expressed as Australian Height Datum (AHD). This is to provide greater certainty on building height, to align height with site topography, and minimise cut and fill.

Vision and Objectives

The vision for the site is discussed in the draft Planning Proposal, and is summarised below:

Over the next 15 years, 5 Smalls Road, Grasmere, will deliver housing, recreation, health, child-care, café/restaurant and convenience shopping to its residents and the public. There will be several housing types and seniors care options, including independent and assisted living along with a residential aged care facility in a parkland style setting. All facets of housing and care for seniors is available.

Existing vegetation will serve as a vegetative barrier screen to neighbours, with the southwest stand of native Cumberland Plain Woodland being of significant environmental and cultural value.

A recreation and environmental precinct will develop around the headwaters of Sickles Creek that drains through the centre of the site.

The Neighbourhood Centre on the corner of Smalls and Werombi Roads will be open to the public, providing an active frontage to both roads that welcomes and encourages visitors.

The proposal includes the following objectives:

- To facilitate the development of a contemporary comprehensive seniors housing / aged care facility and ancillary commercial/community facility reflected in optimum building forms with building heights suited to the juxtapositions of buildings onsite, neighbouring development and the broader locality.
- To amend the prevailing planning provisions to provide a spatial footprint reflected in an E1 Local Centre zone precinct that fully accommodates the proposed diverse businesses, including accessibility and parking provision and to add food and drink premises and a function centre with a floor area of 500m^2 as additional permitted use.

Key Design Principles

The following key design principles have informed the masterplan (taken from the Visual Impact Assessment):

- Retaining the large area of existing vegetation in the southwest corner of the site, regenerating it and providing limited access;
- Locating taller buildings in the natural hollow at the centre of the site;
- Locating lower buildings closer to the street frontage (and along the perimeter of the site);
- Creating parkland corridors along the eastern and western edges of the site;
- Creating strong visual corridors into the site from an elevated site entry; and
- Locating a recreation and environmental precinct around Sickles Creek, using the creek to create a central waterbody that provides recreational and ecological amenity to the site.

Zoning and Permissibility

A comparison between the existing and proposed LEP provisions is provided in **Table 1**. **Figures 5** and **6** show the proposed changes to the E1 local centre zone boundary and the proposed HOB is shown in **Figure 7**.

Table 1: Existing and Proposed LEP Provisions

	Existing	Proposed
Zoning (LZN)	R2 Low Density Residential (existing area approximately 163,000m^2) E1 Local Centre (existing area approximately 4,000m^2) C2 Environmental Conservation	R2 Low Density Residential (proposed area approximately 162,328m^2) E1 Local Centre (proposed area approximately 4,677m^2) C2 Environmental Conservation (no change)
Lot Size (LSZ)	4,000m^2	No change
Height	9.5m	7m (single storey built form) 9.5m (two storey built form) Building heights above 9.5m to be controlled by RL AHD (as shown in **Figure 7**): • Neighbourhood Centre: RL111 • Childcare Centre: RL107 • ILU 01: RL110 • ILU 02: RL108 • ILU 03: RL109.5 • ILU 04: RL112 • ILU 05: RL107 • ILU 06: RL107 • ILU 07: RL112.5 • ILU 08: RL113.5 • ILU 09: RL117.5 • Assisted Living: RL115 • RACF: RL114 (northside), RL118 (southside)
Additional Permitted Use	N/A	Food and drink premises (within Recreation Building) Function centre (within Recreation Building)

A comparison between the existing and proposed zoning is shown in **Figures 5** and **6.**

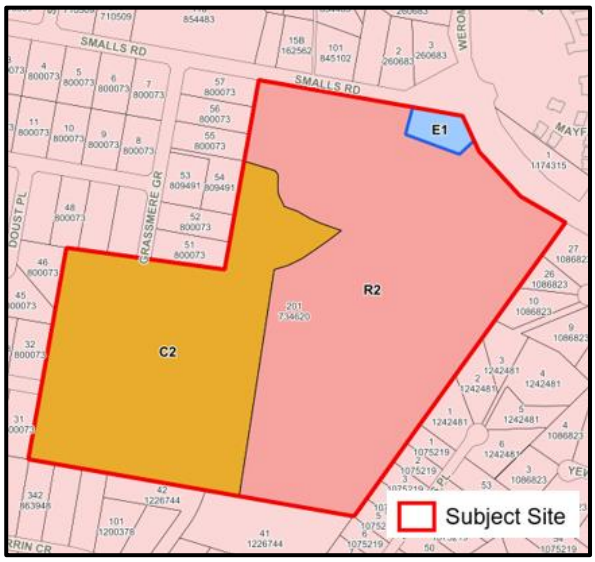


Figure 5: Existing Zoning Map

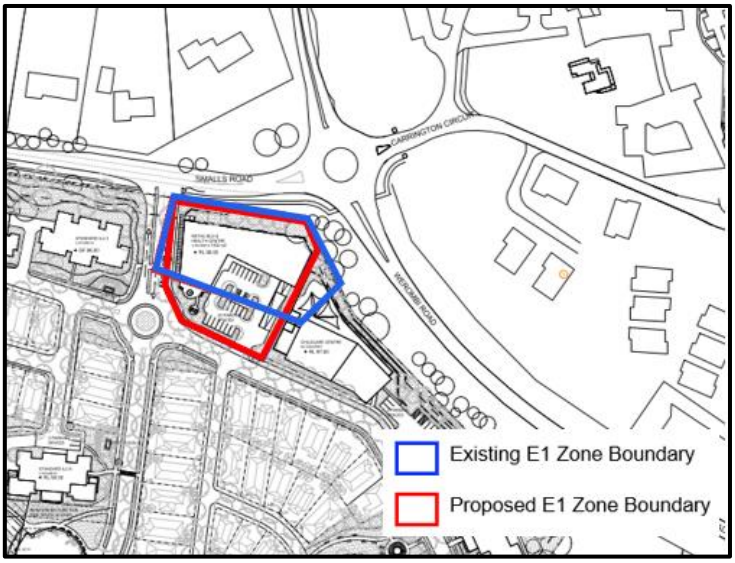


Figure 6: Proposed E1 Zoning Boundary Adjustment

The existing HOB standard applying to the site is 9.5 metres. **Figure 7** shows the proposed HOB standards for the site.

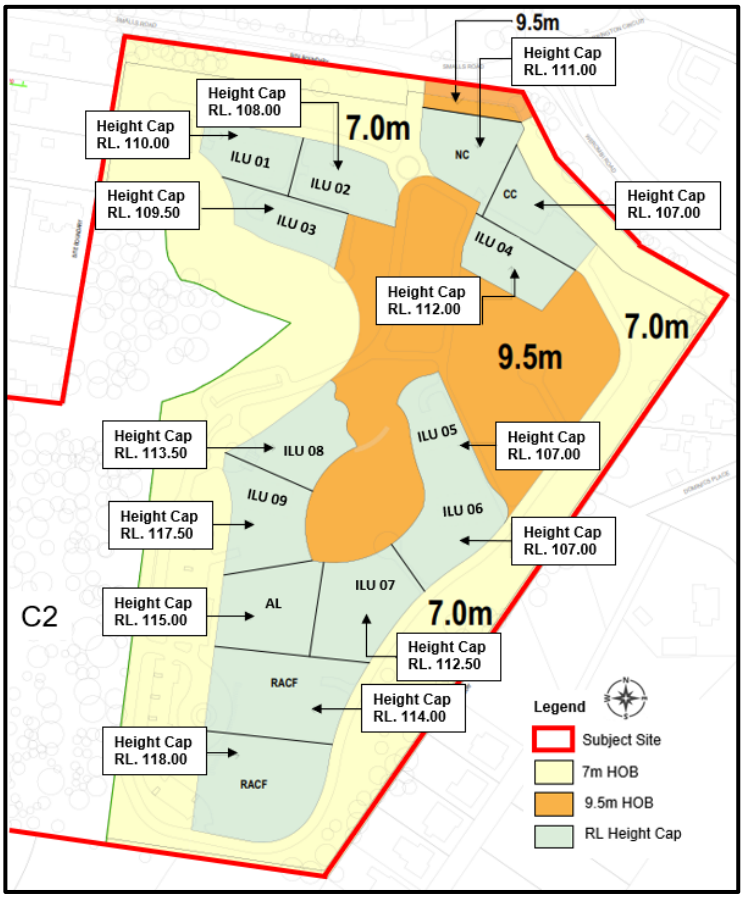


Figure 7: Proposed Height of Building Map

Specialist Studies

The proposal has been submitted with specialist studies, as listed in **Table 2**, which are provided under **separate cover** to this report.

Table 2: Submitted Specialist Studies

	Specialist Study	Author	Date
1.	Visual Impact Assessment	Site Image Landscape Architects	September 2023
2.	Services Report	Sky Engineering and Project Management	November 2023
3.	Landscape Masterplan Report	Jackson Teece and Site Image Landscape Architects	June 2024
4.	Economic Impact Assessment	MacroPlan	February 2021
5.	Aeronautical Impact Assessment	Aviation Solutions Pty Ltd	August 2020
6.	Bushfire Assessment	Peterson Bushfire	April 2020
7.	Traffic and Access Report	Transport & Urban Planning Pty Ltd	April 2020
8.	Aboriginal Archaeological Survey Report	Extent Heritage Advisors	January 2021
9.	Statement of Heritage Impact	Extent Heritage Advisors	April 2020
10.	Phase 1 Contamination Assessment Report	GeoEnviro Consultancy Pty Ltd	May 2020

Subject to the proposal being supported, the following specialist studies are recommended to be prepared and/or updated prior to public exhibition:

- Stormwater Management and Water Sensitive Urban Design Strategy;
- Emergency Evacuation Report;
- Biodiversity Development Assessment Report;
- Aboriginal Cultural Heritage Assessment Report;
- Connecting with Country Report;
- Visual Impact Assessment Report (updated);
- Traffic and Access Assessment Report (updated);
- Aeronautical Impact Assessment Report (updated); and
- Bushfire Assessment Report (updated).

Key Assessment Considerations

<u>Proposed Building Heights</u>

Consistent with key design principles outlined in this report, the proposal seeks a targeted increase in building heights (aligned to the proposed masterplan) on internal parts of the site while reducing building height at the perimeter of the site (neighbourhood centre height is discussed below). This is proposed to be achieved by introducing height caps in RL AHD for buildings greater than 2 storey (9.5 metres) and reducing height of

buildings from 9.5 metres to 7 metres for buildings fronting Smalls and Werombi Roads and along the boundaries adjoining existing properties.

The proposed height controls are supported by detailed investigation into the topography of the site. This work is shown in the Landscape Masterplan Report (provided under **separate cover**) and includes the preparation of cross-sections which demonstrate the relationship between the existing ground level, built form and the proposed RL height caps. These cross-sections are provided as an **attachment** to this report.

To support the proposed LEP height map, building height and building storey map (**Figure 8**) have been inserted into the draft DCP.

Figure 8: Proposed Building Storeys Map

The draft DCP also contains controls for interfaces with neighbouring properties, including controls for setbacks and landscaping to screen the built form (refer **Figure 9**). The draft DCP provisions require perimeter landscaping to be established in the initial stages of development and for vegetation management plans to be prepared, along with building material and colour requirements.

ORD01

Figure 9: Vegetation to be retained and proposed setbacks

Officer Comment

The definition of 'building height' in Camden LEP 2010 provides for RLs to be specified on the height of building map. Council officers support this approach, along with a reduced 7-metre building height at the perimeter, to provide certainty regarding the proposed building heights.

The proposed building heights consider the topography of the site. Development levels should match ground levels where possible, to reduce cut and fill and minimise visual impacts.

The draft DCP provisions will guide the design and assessment of future development on the site and provide certainty on matters including setbacks, building height, earthworks and landscaping requirements.

Visual Impact

The visual impact of the proposal has been assessed in the Visual Impact Assessment (VIA) and a summary of the VIA and Council officer comment is provided in the specialist studies **attachment**.

Officer Comment

The VIA considers the proposal's visual impact and includes recommended visual impact mitigation measures that have been incorporated into the draft DCP, as outlined in this report.

Neighbourhood Centre Height and Built Form

The neighbourhood centre is two storey in height fronting Smalls Road, increasing to three storey where the building is setback (**Figure 10**). The draft DCP includes controls to require the centre to be level with the Smalls Road entrance.

A finished ground level of RL 98 is proposed with a maximum height of RL111 which will allow a 13 metre building height for the three storey section, including a higher floor to ceiling height on the ground floor to support the operational needs of the planned health service uses.

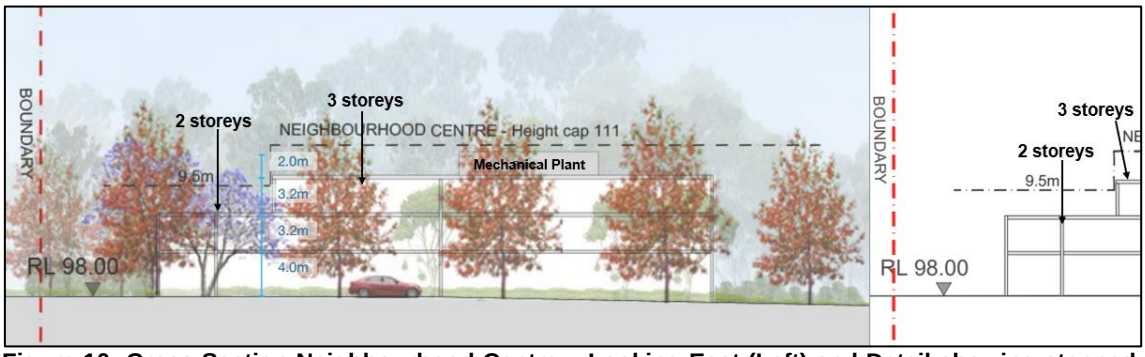


Figure 10: Cross Section Neighbourhood Centre – Looking East (Left) and Detail showing stepped built form to boundary (right).

The draft DCP sets objectives and controls to guide the built form of the neighbourhood centre to ensure it is welcoming, sympathetic to the landscape and is in keeping with the nearby Carrington Centennial Care site.

Officer Comment

Council officers support the proposed stepped built form for the neighbourhood centre. The design will minimise the visual impact of the centre while promoting public activation. Officers are also supportive of the proposed levels to ensure the centre is aligned with the Smalls Road entrance.

Biodiversity and Bushfire

The site contains Cumberland Plain Woodland and a watercourse. The amended proposal retains additional remnant vegetation in the south-eastern part of the site, that was originally proposed to be removed.

A Bushfire Assessment is provided under **separate cover**. A detailed summary of the Bushfire Assessment and Council officer comment is provided in the specialist studies **attachment**.

Officer Comment

Biodiversity, bushfire and topography are key environmental considerations for the proposal.

A detailed flora and fauna assessment was undertaken as part of the previous Planning Proposal (finalised in 2018) and informed the extent of the C2 (then E2) Environmental Conservation zone, in consultation with the then NSW Office of Environment and Heritage. The C2 Environmental Conservation zone is not proposed to be changed and will continue to protect a large portion of Cumberland Plain Woodland in the western portion of the site.

Regarding other areas of remnant vegetation on the site, bushfire risk and stormwater management, the following amendments and considerations have been made to the masterplan and draft DCP:

- The number of villas has been reduced and building setbacks increased, to allow the retention of additional vegetation in the southeastern portion of the site;
- Controls have been included for development adjacent to the watercourse and vegetated riparian zone;
- Development will need to be in accordance with a stormwater management and water sensitive urban design strategy;
- Controls have been included to ensure asset protection zones do not encroach on C2 zoned land or areas of remnant vegetation.

Additional and/or updated specialist studies to address these matters will be required prior to public exhibition, should the proposal be supported as outlined earlier in this report.

Additional Permitted Uses

The proposal seeks to introduce food and drink premises and a function centre, with a maximum floor area of 500m^2 as an additional permitted use (APU), subject to development consent, to facilitate the proposed restaurant and function centre within the proposed 'Recreation Building'.

Officer Comment

Council officers are supportive of introducing APUs to provide clarity and certainty regarding permissibility. These uses will be ancillary to the seniors housing development and will provide support services and facilities that foster a heathy and socially connected community.

Housing and Services for an Ageing Population

The proponent's vision seeks to fulfil the need for retirement living and aged/health care services for an ageing population. The proposal seeks to facilitate access to more diverse, affordable seniors housing and care opportunities.

The proposal notes the changing landscape of seniors living and care service models, as highlighted in the Royal Commission into Aged Care Quality and Safety, has informed the proposal.

Officer Comment

Camden's Local Housing Strategy (LHS) acknowledges that Camden's aging population (over 55) is growing, resulting in an increased demand for seniors housing. The LHS seeks to provide a range of housing types, including seniors housing (objective 10 of the LHS is to cater for an ageing population and people with disability).

The proposal will assist to meet the increased demand for seniors housing, and includes social connection, specialised medical services and other supporting facilities.

Camden DCP 2019 Amendment

The proposal is accompanied by an amendment to the Camden DCP 2019 (draft DCP). The purpose of the draft DCP is to guide the detailed design and assessment of future DAs and provide certainty about development outcomes.

In summary, the draft DCP amendments propose to:

- Make amendments to Part 5 of the Camden DCP 2019 to incorporate the neighbourhood centre into the Camden Centre's Hierarchy (Table 5-2 of the Camden DCP 2019) as a 'Neighbourhood Centre (large)' centre type, to align with DCP amendments made in response to the then Department of Planning and Environment's (now DPHI) Employment Zones Reform.

  A Neighbourhood Centre (Large) is defined as follows in the Camden DCP 2019: *Generally, serves a single suburb, without detracting from large nearby centres, and offers a convenience function to local populations, often anchored by a neighbourhood supermarket and supported by a mix of other uses.*

- Insert site specific controls for 5 Smalls Road into the DCP to:
  - Outline the proposed height strategy including maximum building height and building storey figures and requiring development to respect the existing topography of the site;
  - Strengthen landscaping and setback controls to ensure the development is screened from adjoining properties along the site's west, south and south-eastern interfaces;
  - Provide urban design principles and controls for the neighbourhood centre to promote public activation and provide the higher building elements away from the road;
  - Ensure a traffic impact assessment, lighting impact assessment, bushfire management and evacuation plan and water sensitive urban design strategy are prepared;
  - Promote a functional, efficient and safe movement network within the site for vehicles (including public and private buses), pedestrians and cyclists; and
  - Identify proposed car parking areas on the subject site and insert controls to reduce the visual impact of carparking structures (part of a building).

Officer Comment

Subject to the proposal being supported, it is proposed to publicly exhibit the draft DCP in conjunction with the draft Planning Proposal. The draft DCP will be further amended to reflect the recommendations of specialist studies that are updated or prepared post Gateway Determination, subject to the proposal being supported.

In relation to onsite car parking provision, the Traffic and Access Report assesses up to 351 spaces are required to meet normal weekly demands and that car parking for 420 cars is proposed to accommodate any infrequent and unexpected car parking events that may take place, so that no overflow parking onto Smalls Road occurs. Car parking provision will be assessed against the car parking provisions of Camden DCP 2019 at any future Development Application (DA) stage.

The proponent has confirmed that in addition to the Carrington private bus servicing the site, public bus services are also proposed to service the proposal.

Camden Local Planning Panel

The amended proposal was reported to the Camden Local Planning Panel (CLPP) on 16 April 2024. In summary, the CLPP noted the amended proposal demonstrates strategic merit and was supportive of a seniors housing development that incorporates ageing in place, including seniors housing types that range from independent living units, assisted living and a RACF. The CLPP made recommendations to address site-specific considerations and raised no significant issues with the proposed height strategy.

The proposal and draft DCP have been amended in response to the CLPP's advice including:

- Introduced a proposed gross floor area (GFA) cap of 500m^2 for the function centre;
- Updated draft DCP controls related to bushfire risk and asset protection to reflect that the bushfire assessment will be updated and emergency evacuation plan will be prepared prior to public exhibition;
- Updated height map to:
  - confirm a two storey and 9.5 metres built form for the neighbourhood centre where it fronts Smalls Road; and
  - reduced RL height cap for neighbourhood centre to RL 111 (from RL 112) to reflect a finished ground level of RL98 to achieve at grade level with the Smalls Road entry;
- Updated draft DCP controls to acknowledge the watercourse as a first order stream which will require a vegetated riparian zone width of 10 metres on each side of the watercourse;
- Revised building setbacks figure to increase a portion of the southeast setback to reflect retention of vegetation and the south boundary setback to 20 metres;
- Aboriginal heritage draft DCP figure has been amended to remove specific reference to Aboriginal archaeological sites (consistent with the approach taken in Council's urban release area DCPs).

Assessment against Key Strategic Documents

The draft Planning Proposal has been assessed against key strategic plans, including the Greater Sydney Region Plan, Western City District Plan, Community Strategic Plan, Local Strategic Planning Statement, Local Housing Strategy, Centres and Employment Land Strategy and Green and Blue Grid Vision provided as an **attachment** to this report.

Assessment of Planning Merit

It is considered that the proposal demonstrates planning merit to proceed to Gateway Determination as:

- It will provide for a mix of seniors housing types which match the changing needs and preferences of the community while ensuring housing is inclusive and caters for an ageing population (LHS Objectives 9 and 10);
- Will provide a range of services and facilities to foster a healthy and socially connected community and support the health of Camden's ageing population;
- The proposed height strategy responds to the existing topography of the subject site; and
- The draft DCP contains controls to mitigate impacts on neighbouring properties. This includes controls that address the three main site-specific constraints of biodiversity, bushfire and topography.

Next Steps

Subject to Council endorsement, the draft Planning Proposal will be submitted to DPHI for a Gateway Determination. Subject to a favourable Gateway Determination, the draft Planning Proposal will be placed on formal public exhibition concurrently with the draft DCP amendment to seek views from the community and agencies.

A further post-exhibition report will be prepared for Council to consider issues raised in submissions received the community and agencies. If no unresolved submissions are received, the draft Planning Proposal will be submitted to DPHI for finalisation.

This report and specialist studies summary **attachment** have identified the specialist studies that need to be completed and/or updated. The proposal and draft DCP will be updated to reflect the findings and recommendations of these specialist studies prior to public exhibition.

<u>Recommended Community Participation Methods</u>

On 14 September 2021, Council endorsed the Camden Community Participation Plan 2021 (CPP). The CPP identifies that where a draft Planning Proposal demonstrates strategic merit, the report to Council will recommend the community participation methods for the public exhibition period.

Subject to Council endorsement and a favourable Gateway Determination, the following community communication and engagement methods are proposed:

- Notification letters will be sent to residents in Grasmere and previous submitters.
- Consultation with relevant agencies and stakeholders, including Aboriginal stakeholders;
- Site signage advising that the proposal is on public exhibition; and

- Social media posts directing the community to Council's website for further information on the proposal.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

CONCLUSION

The draft Planning Proposal seeks to amend Camden LEP 2010 to amend the maximum height of buildings at certain locations on the site and adjust the boundary of the E1 Local Centre zone. The proposal also seeks to introduce food and drink premises and function centre as an additional permitted use on the site.

The draft Planning Proposal is accompanied by an amendment to the Camden DCP, which includes detailed controls and a masterplan for the site.

Council officers have assessed the draft Planning Proposal and draft DCP and consider the proposal demonstrates planning merit to proceed to Gateway Determination, as outlined in this report.

Subject to a Gateway Determination being received, the draft Planning Proposal and DCP will be placed on formal public exhibition to seek the views of the community and agencies. A post-exhibition report will be prepared for Council to consider submissions received during the exhibition.

RECOMMENDED

That Council:

i. endorse the draft Planning Proposal to be forwarded to the Department of Planning, Housing and Infrastructure for Gateway Determination;

ii. endorse the draft amendment to the Camden Development Control Plan 2019 – Part 5 and Schedule 11 Grasmere;

iii. subject to receiving a favourable response from the Department of Planning, Housing and Infrastructure, proceed to public exhibition of the draft Planning Proposal and the draft Development Control Plan amendment in accordance with the requirements of the Gateway Determination and the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*;

iv. subject to no unresolved submissions being received, forward the draft Planning Proposal to the Department of Planning, Housing and Infrastructure for finalisation;

v. upon notification of the Local Environmental Plan amendment being made:

a. grant delegation to the General Manager to adopt the amendment to the Camden Development Control Plan 2019 – Part 5 and Schedule 11 Grasmere; and

b. publicly notify the adoption of the Development Control Plan in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021;* or

vi. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or

vii. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed; and

viii. notify submitters of Council's decision.

ATTACHMENTS

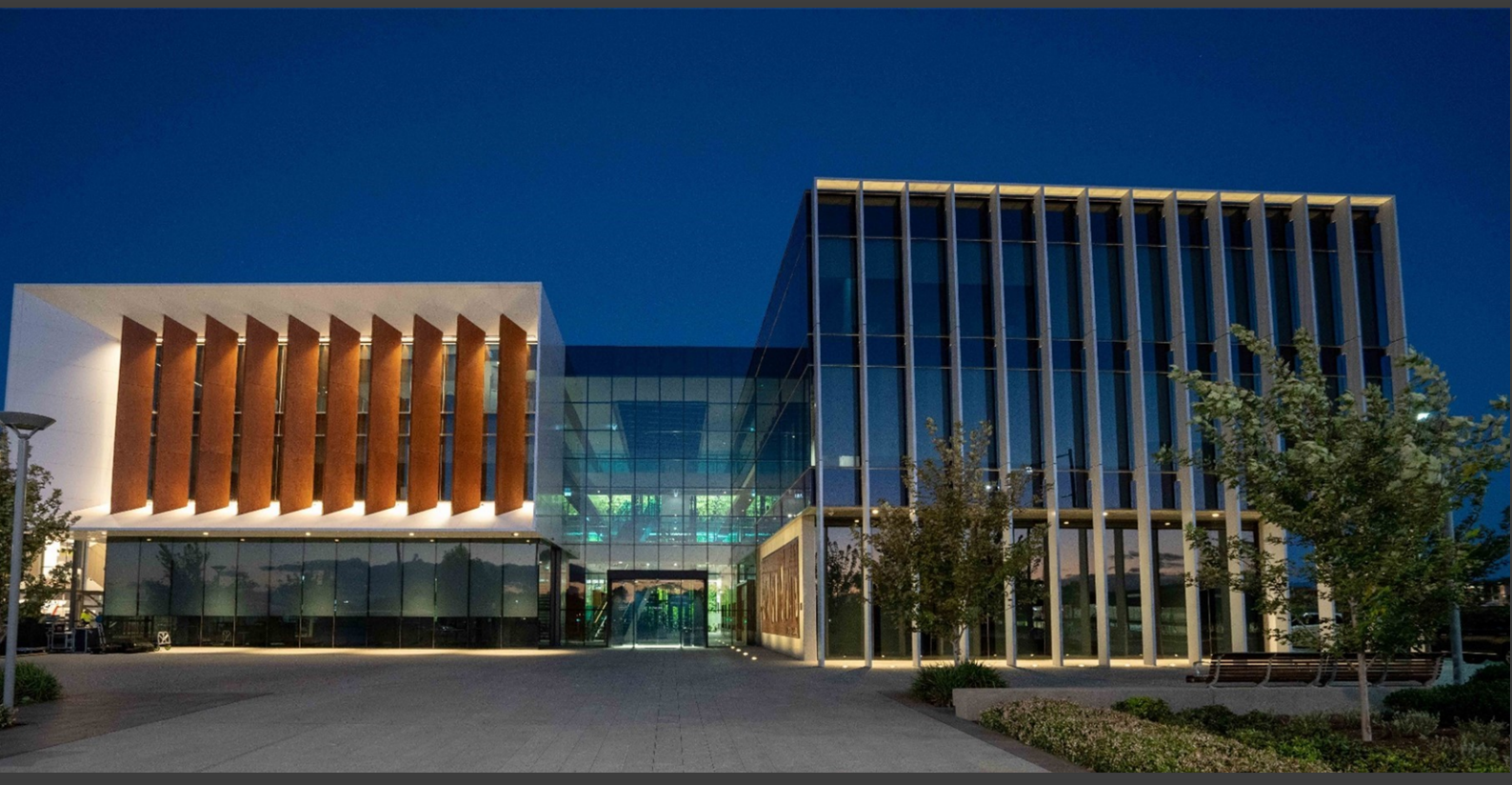
1. 5 Smalls Road Planning Proposal Report - 21 May 2024
2. Draft Development Control Plan
3. Specialist Studies - under separate cover
4. Summary of Specialist Studies and Officer Comment
5. Minutes of CLPP 19 July 2022
6. Minutes of CLPP 16 April 2024
7. Height of Buildings Cross Sections
8. Submissions Response Table
9. Assessment Against Key Strategic Documents, SEPPS and Ministerial Directions
10. Initial Public Agency Consultation Summary
11. Public Agency Submissions
12. Submissions 2020 - under separate cover - *Supporting Document*
13. Submissions 2022 - *Supporting Document*

Minutes

Ordinary Council Meeting

Camden Council
Administration Centre
70 Central Avenue
Oran Park

9 July 2024



camden council

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MEETING COMMENCED AT 6.30PM

PRESENT

In person:

Cr A Cagney (Mayor/Chairperson)
Cr C Cagney
Cr Campbell
Cr Dommaraju
Cr Farrow
Cr Fedeli
Cr McLean
Cr Zammit

Remote:

Nil

STAFF

General Manager
Director Community Assets
Acting Director Customer and Corporate Strategy
Director Growth and Finance
Director Planning and Environment
Director Sport, Community and Activation
Acting Chief Financial Officer
Acting Manager Legal and Governance
Chief Information Officer
Chief People Officer
Manager Assets and Design Services
Manager Civil Construction and Maintenance
Manager Economic Development and Activation
Manager Statutory Planning
Manager Strategic Planning
Manager Public Affairs
Manager Sport and Recreation
Internal Audit Coordinator
Governance Officer
Assistant Governance Officer
Governance Administration Officer

LEAVES OF ABSENCE

Motion: Moved Councillor Farrow, Seconded Councillor Dommaraju that Councillor Symkowiak be granted leave of absence.

ORD94/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

APPROVAL TO ATTEND BY AUDIO-VISUAL LINK

There were no requests to attend by audio-visual link.

DECLARATIONS OF INTEREST

Councillor Farrow declared a pecuniary interest in relation to ORD01 - Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere, advising that he has a relative who works at Carrington, and that he would vacate the Chamber and not take part during discussion and voting on the matter.

Councillor Campbell declared a non-pecuniary, less than significant interest in relation to ORD01 - Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere, advising that she is a partner along with her husband Robert Campbell in an Argyle Street business trading as Looking Class Pty Ltd and that her connection in this regard is no different to other people involved with businesses trading across the Camden Local Government Area, and that she would remain in the Chamber during discussion and voting on the matter.

Motion: Moved Councillor C Cagney, Seconded Councillor Zammit that the declarations be noted.

ORD95/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

PUBLIC ADDRESSES

Motion: Moved Councillor A Cagney, Seconded Councillor Campbell that all speakers be heard.

ORD96/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

Ms Jo O'Brien addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Mr Michael Brown on behalf of Michael Brown Planning Strategies addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Ms Georgina Holmes addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Mr Raad Richards on behalf of Carrington Care addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Mr Michael Pattalis addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Ms Jill Leeman addressed Council in relation to ORD01 Pre Public Exhibition - Draft Planning Proposal for 5 Smalls Road, Grasmere.

Motion: Moved Councillor McLean, Seconded Councillor C Cagney that the public addresses be noted.

ORD97/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

CONFIRMATION OF MINUTES

Motion: Moved Councillor C Cagney, Seconded Councillor Fedeli that the Minutes of the Local Traffic Committee Meeting held 4 June 2024 and the Ordinary Council Meeting held 11 June 2024, copies of which have been circulated, be confirmed and adopted.

ORD98/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

MAYORAL MINUTE – CELEBRATION OF MACARTHUR UNITY

Motion: Moved Councillor A Cagney that Council note the information.

ORD99/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

MAYORAL MINUTE – SIGNIFICANT FUNDING BOOST FOR CAMDEN'S INFRASTRUCTURE

AMENDMENT

Motion: Moved Councillor A Cagney that Council:

i. note the information;

ii. accept the grant funding of $1.4 million (excl. GST) through the NSW Government's Office of Sport Ad-hoc & One off grants program to go towards the construction of a female friendly amenities building at Harrington Park Reserve, and allocate the funding in the 2024/25 budget;

iii. accept the grant funding of $1,251,000 (excl. GST) through the NSW Government's Get NSW Active program for the construction of a shared use path on the southern side of Narellan Road and another footpath along Bransby Place, and allocate the funding in the 2024/25 budget;

iv. accept the grant funding of $400,000 (excl. GST) through the NSW Government's Get NSW Active program for the construction of a wombat crossing at the Gregory Hills Shopping Centre, and allocate the funding in the 2024/25 budget;

v. accept the grant funding of $4.5 million (excl. GST) through the Department of Planning, Housing and Infrastructure (DPHI) under the Special Infrastructure Contribution (SIC) Fund for the design of Rickard Road from Ingleburn Road to Bringelly Road and for Ingleburn Road from Camden Valley Way to Scalabrini Creek, Leppington;

vi. write to the relevant NSW Government Ministers, thanking the NSW Government for the grants;

vii. write to Mrs Sally Quinnell MP, Member for Camden, Mr Nathan Hagarty MP, Member for Leppington, and Mrs Tanya Davies MP, Member for Badgerys Creek, thanking them for their support;

viii. write to the relevant Federal Government Ministers, thanking the Federal Government for its support of upgrades across the Camden Local Government Area; and

ix. thank Council staff for their hard work and dedication in securing the grants.

ORD100/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

Councillor Farrow vacated the Chamber, the time being 7.13pm.

ORD01 PRE PUBLIC EXHIBITION - DRAFT PLANNING PROPOSAL FOR 5 SMALLS ROAD, GRASMERE

AMENDMENT

Motion: Moved Councillor C Cagney, Seconded Councillor Fedeli that this item be deferred for:

i. a briefing for Councillors;

ii. an opportunity to re-notify residents of this draft Planning Proposal; and

iii. further consultation to take place with local residents.

ORD101/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Fedeli and McLean voted in favour of the Motion.

Councillor Zammit voted against the Motion.

Councillor Farrow returned to the Chamber, the time being 7.41pm.

ORD02 PRE PUBLIC EXHIBITION - DRAFT CAMDEN TOWN FARM MASTERPLAN

Motion: Moved Councillor McLean, Seconded Councillor Zammit that Council:

i. endorse the public exhibition of the draft Camden Town Farm Masterplan for a period of 56 days;

ii. if no unresolved submissions are received during the public exhibition period, adopt the draft Camden Town Farm Masterplan effective from the day after the close of the exhibition period; and

iii. if any unresolved submissions are received during the public exhibition period, receive a further report to consider the submissions.

ORD102/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD03 PRIVACY MANAGEMENT PLAN - REVISED

Motion: Moved Councillor Fedeli, Seconded Councillor Dommaraju that Council:

i. adopt the revised Privacy Management Plan included as Attachment 1 to this report; and

ii. note that a copy will be forwarded to the NSW Privacy Commissioner.

ORD103/24 THE MOTION ON BEING PUT WAS **CARRIED**

Councillors A Cagney, C Cagney, Campbell, Dommaraju, Farrow, Fedeli, McLean and Zammit voted in favour of the Motion.

No Councillors voted against the Motion.

ORD04 NOTICE TO THE MINISTER FOR LANDS AND PROPERTY OF COUNCIL'S NATIVE TITLE MANAGERS

Motion: Moved Councillor Fedeli, Seconded Councillor C Cagney that Council give notice to The Hon. Stephen Kamper MP, Minister for Lands and Property, of the contact details of Council's Property Services Coordinator, Chantel Fenech, Property Acquisition Officer, Kristine Bice, and Recreation Planner, Joshua Hanns, as its Native Title Managers, as required under section 8.8 of the *Crown Land Management Act 2016.*