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URBIS

REQUEST FOR SEPP AMENDMENT

Cobbitty by Mirvac
Residential Estate
585, 589 and 593 Cobbitty Road,
Cobbitty

Prepared for
MIRVAC HOMES NSW
August 2024

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal request has been prepared by Urbis Ltd on behalf of Mirvac Homes NSW (**Mirvac**, the proponent) in support of amendments to *State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (Precincts SEPP)* associated with 585, 589 and 593 Cobbitty Road, Cobbitty and (Lots 3, 4 and 6 in DP1276275, **the site**).

The proposal relates a portion of the site identified within the ‘Denbigh Transition Area’ and land previously identified for Macarthur Anglican School along Cobbitty Road.

The Part B Development Control Plan (**DCP**) prepared for the ‘Denbigh Transition Area’ and development applications approved in the area have involved extensive consultation with the Office of Environment and Heritage (**OEH**) and Camden Council to maintain the agreed heritage outcome.

This SEPP amendment seeks to make amendments to the Precincts SEPP to align the boundaries between C4 Environmental Living zoned land and R1 General Residential land to ensure consistency with recent updates to the *Oran Park Precinct Development Control Plan (Oran Park DCP)*. Overall, the objectives of the SEPP amendment are to:

- Maintain the objectives of the Part B DCP controls to mitigate visual impacts of future residential development on the Denbigh Estate.
- Facilitate the effective delivery of land for residential purposes aligning with the recently approved DCP amendment to the Oran Park Precinct.

1.2. REPORT STRUCTURE

It is noted that this Planning Proposal is seeking an amendment to the Precincts SEPP, however, based on feedback from Camden Council has been prepared in accordance with Section 3.33 of *the Environmental Planning and Assessment Act 1979 (EP&A Act)* and remains consistent with the following guides:

- *Local Environmental Plan Making Guideline* (August 2023) prepared by Department of Planning, Housing and Infrastructure (**DPHI**)

This SEPP amendment is structured as follows:

- **Section 2:** detailed description of the site, the existing development and local and regional context.
- **Section 3:** pre-lodgement and Planning Proposal scoping background.
- **Section 4:** the existing strategic and statutory context of the site.
- **Section 5:** comprehensive description and assessment of the requested Planning Proposal in accordance with the DPHI guidelines.
- **Section 6:** conclusion and justification.

1.3. SUPPORTING DOCUMENTATION

This Planning Proposal has been prepared through significant collaboration with the project team and is supported by a range of technical inputs as shown in **Table 1** below.

Table 1 Planning Proposal Project Team

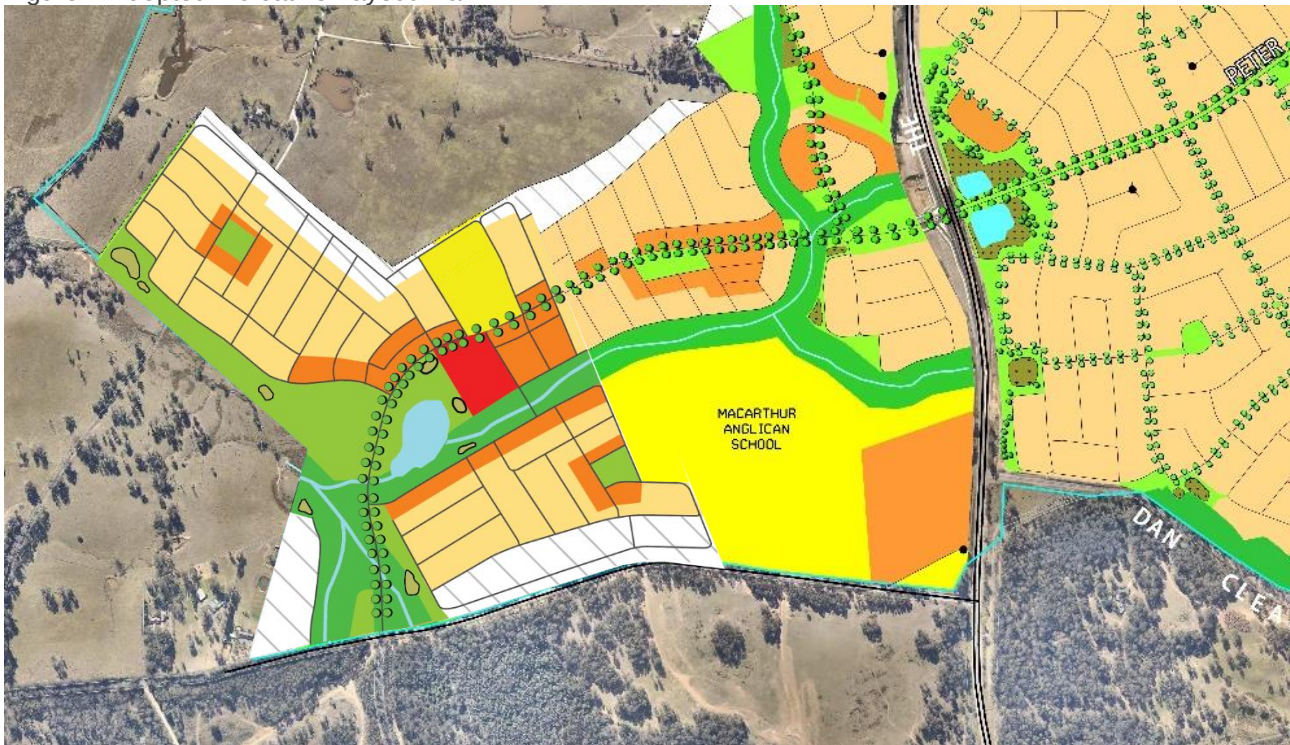
Technical Input	Consultant	Appendix
Draft SEPP Maps	Urbis	Appendix A
Adopted DCP Amendment	Urbis	Appendix B
Landscape Plans – Earthmound DA	Paterson Design Studio	Appendix C
Civil Plans	Orion	Appendix D

- Refinements to the riparian corridor and passive open space network, incorporating a range of active and passive spaces and additional pedestrian/cycle connectivity.
- Introduction of a 5,000sqm park within the south east portion of the site.
- Detailed design updates to the indicative movement and road network.
- Refinements of Macarthur Anglican School site boundary to more accurately reflect educational requirements of the school.
- Introduction of a Precinct specific Integrated Water Management Plan to meet the needs of the Precinct.

The proposed SEPP amendments are now intended to align with the controls and objectives of the DCP including the minor design updates currently proposed by the Proponent ensuring that effective outcomes are achieved through the on-going development of the area.

It is acknowledged that ongoing engagement between Schools Infrastructure NSW and Camden Council is occurring in relation to the proposed government primary school. This SEPP amendment specifically excludes those relevant areas and this SEPP amendment is able to progress independently – it is neither dependent upon nor prejudicial to potential school site outcomes.

Figure 2 Adopted Indicative Layout Plan



Source: Camden Council and Urbis

2.2. COBBITTY BY MIRVAC RESIDENTIAL ESTATE

The proposal relates to the Cobbitty by Mirvac residential estate. The site was formally described as Lots 1-6 in DP 1276275 (identified in grey in **Figure 1**) which is currently being subdivided for future development.

The proposed amendments relate to two separate areas within the residential estate:

1. The northern ridgeline (**northern subject site**)
2. The Cobbitty Road interface (**southern subject site**)

The proposed amendments within the northern subject site relate to the existing ridgeline which is partially located within Lots 4 and 6 of the Cobbitty Estate (identified in red in **Figure 1**) and the adjoining Denbigh estate (identified in blue in **Figure 1**). The context of development surrounding the site is best described below:

- West: Land to the west of the site remains in a rural setting. Further west, land is designated for future development of the Outer Sydney Orbital.
- East: The Arcadian Hills Estate is located to the east of the site. The estate has been designed with consideration of the existing ridgeline and heritage curtilage to Denbigh. A landscaped earth mound has been constructed in accordance with DA/2017/113/1 along the common boundary of Lot 549 DP 1205676 and the Denbigh curtilage. A similar SEPP amendment was prepared for the site to reflect updates to the originally proposed earth mound.
- South: Land to the south forms part of the Cobbitty by Mirvac residential estate including the future town centre.
- North: The Denbigh Estate (State Heritage Item SHR01691) is directly north of the subject site with the main homestead buildings located approximately 650 metres from the common boundary. A heritage curtilage has been provided as part of the Oran Park Indicative Layout Plan and associated documentation.

The proposed amendments within the southern subject site relate to a portion of Lot 3 in DP 1276275 which is located along the Cobbitty Road frontage. The context of development surrounding the site is best described below:

- West: 581 Cobbitty Road, Cobbitty is directly west of the site, which current houses one residential dwelling and will be developed for residential development in the future. Land further west of the site forms part of the Cobbitty by Mirvac residential estate.
- East: Macarthur Anglican School is located to the east and is accessible via Cobbitty Road.
- South: Additional residential development is separated by Cobbitty Road, which provides access to the Northern Road to the east and Cobbitty Village to the west.
- North: Land to the north of the site forms part of the Cobbitty by Mirvac residential estate including the future town centre and Charles Macintosh Parkway, an arterial road which connects to other development within Oran Park.

Figure 3 Site Aerial



Source: Urbis

2.3. DENBIGH TRANSITION AREA

The northern subject site is identified within the DCP within the 'Denbigh Transition Area' (refer to **Figure 4**) and the 'Southern Viewscape Precinct' (refer to **Figure 5**). The Southern Viewscape Precinct is situated along the southern boundary of the Denbigh curtilage. In this area, the existing ridgeline encompasses more gently sloping land than the Northern and Central Viewscape Precincts, and the ridgeline falls within the Transition Area and the Denbigh curtilage.

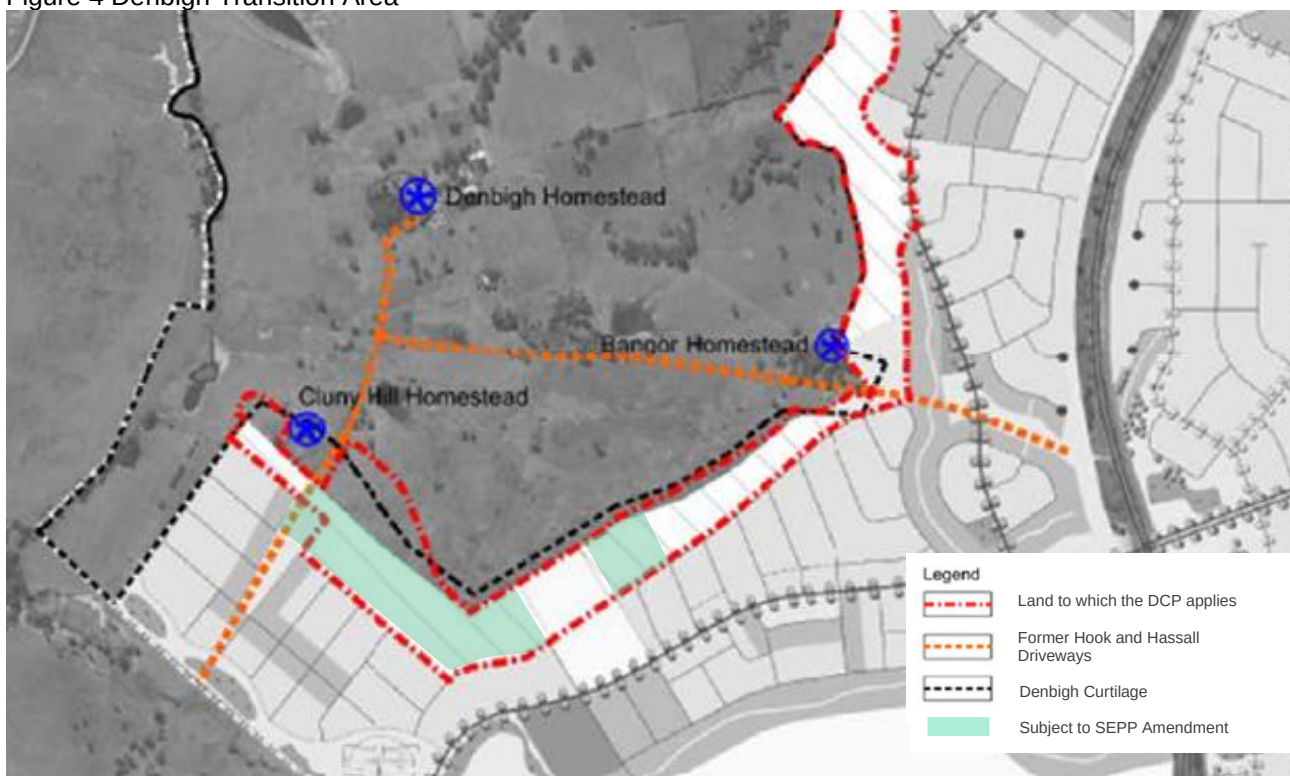
Specific controls for the Denbigh Transition Area are outlined in Part B3 of the DCP to facilitate development sensitive to the curtilage of the Denbigh Estate.

The vision for development within the Denbigh Transition Area is to achieve a site responsive transition between residential development and the existing heritage curtilage of the Denbigh homestead. The Transition Area will be developed in a manner which respects the cultural significance of the homestead curtilage and seeks to retain its rural context and setting.

The Oran Park DCP has identified a landscaped earth mound is essential to avoid adverse visual impacts of future developments on the rural setting of the Denbigh Estate and on the views from the Denbigh homestead and outbuildings group (core curtilage) as illustrated in **Figure 4**. A refined earth mound design has been introduced into the DCP which maintains the integrity of Denbigh's heritage curtilage (refer to **Figure 4** and **Figure 5**). Deviations from the current development standards within the Precincts SEPP have been proposed to reflect the amended earth mound. These deviations relate to the land highlighted green in **Figure 4** and allow for updates to the extent of cut and fill within the ridgeline to reduce the extent of the earth mound on the adjoining landowner.

The proposed amendments remain consistent with the vision of the Oran Park DCP and recently adopted controls in particular, the specific controls set out in Part B of the DCP relating to the Denbigh Viewscape Precincts.

Figure 4 Denbigh Transition Area



Source: Camden Council

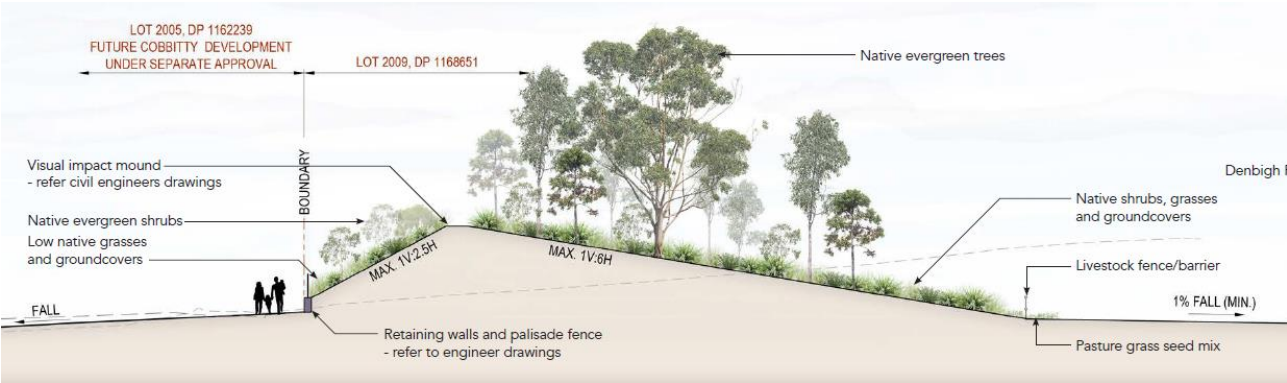
The map displays the Denbigh Homestead area, highlighting three distinct Viewscape Precincts: Northern (pink), Central (orange), and Southern (blue). These precincts are separated by a dashed line representing the Denbigh Curtilage. A solid red line indicates the Existing Ridge Line. Three specific homesteads are marked with blue asterisks: Denbigh Homestead, Bangor Homestead, and Cluny Hill Homestead. The map also shows surrounding land parcels, roads, and a river or water body on the right side.

2.3.1. DA/2023/470/1

Landscape Plans prepared by Paterson Design Studio (**Appendix CA**) and Civil Plans prepared by Orion Consulting (**Appendix D**) demonstrate the proposed earthworks and vegetation outcomes. Overall, the landscaped mound will make a significant contribution to the effective transition between residential development and the existing heritage curtilage of the Denbigh homestead buildings.

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Figure 7 Indicative section of the landscaped earth mound



Source: Paterson Design Studio

3. PRE-LODGEEMENT/SCOPING BACKGROUND

3.1. CONSULTATION WITH COUNCIL

Prior to lodgement of this SEPP amendment, initial discussions have occurred between Council's strategic planning team, Mirvac and Urbis as part of the assessment of the DCP amendment.

During these initial discussions, the key matters and indicative consultant inputs required to inform the proposed SEPP amendment were confirmed by Council. A summary of the matters raised by Council are provided in **Table 2** below.

Table 2 Key Matters raised by Camden Council

Matter	Comment
<p>Dwelling Yield</p> <p>The proposal should include the approximate number of additional lots which would be facilitated by the SEPP Amendment.</p> <p>This should include a comparison between the amount of additional R1 zoned land (m²) being sought and the corresponding loss of E4 zoned land (m²). It is also suggested to provide an overlay image of the zoning with the Denbigh Transition Area to delineate the relationship between the proposed zoning amendments and transition to Denbigh Curtilage.</p>	<p>The proposal will facilitate 2.3 hectares of land zoned R1 General Residential (approximately 50 lots) previously located in the C4 Environmental Living zone and an additional 4,000sqm of C4 land (approximately 4 lots) on land previously zoned R1 within the northern site.</p> <p>The amendments aim to provide a sufficient separation to the Denbigh Estate, aligning with the recently adopted DCP amendment and built form outcomes associated with the approved DA/2023/470/1.</p> <p>The proposal will also facilitate approximately 2.3 hectares of C4 land previously located in the R1 zone within the southern site.</p>
<p>Heritage and Visual Impacts</p> <p>The northern boundary of the site adjoins the state heritage listed Denbigh estate. The proposal sits within the Southern Viewscape Precinct of the Denbigh Transition Area, which is identified in Part B3 – Denbigh Transition Area of the Oran Park Development Control Plan (DCP).</p>	<p>Amendments to the view mound have been introduced via a DCP Amendment recently adopted by Council.</p> <p>The amendments to the view mound result in reduced amount of both the Cobbitty residential estate and the Denbigh estate being impacted by earthworks. As such, the Denbigh Transition Area (and associated controls) are proposed to be amended to reflect the earth mound design proposed in DA/2023/470/1.</p> <p>The proposal maintains the integrity of Denbigh's heritage curtilage as it aligns the overall zoning with a more responsive earth mound design to reflect the topography of the site.</p> <p>Overall, the zoning remains consistent with the vision of the Oran Park DCP in particular the specific controls set out in Part B of the DCP relating to the Denbigh Viewscape Precincts.</p>

Matter	Comment
<p><u>Existing and Proposed Mounds to Mitigate Visual Impact</u></p> <p>The proposal needs to be supported by a detailed Visual Impact Assessment. This includes but not limited to:</p> <ul style="list-style-type: none"> ▪ detailed sections of the proposed mounds (with the natural ground level of the proposed subdivision following earthworks clearly shown); ▪ detailed landscape plan; ▪ concept subdivision layout plan; ▪ photomontages (before and after); and ▪ view corridors, viewsapes to items of significance, etc. <p>Further detail is also required in relation to the integration of the existing and future mound, in particular, at the interface of the Hassall Drive entry way. Ideally, there should be a green landscaped indentation into the development area around the road entry to screen development from the Denbigh side, but this has not been considered. As stated in the DCP, any land forming or mounding is not to obstruct the Hook and Hassall driveway alignments.</p>	<p>The required information has been prepared as part of the recently adopted DCP amendment and development application (DA/2023/470/1) under assessment by Camden Council. The proposed design eliminates future possibility of roof lines, streetlights or car headlights being visible from the Denbigh core curtilage and reflects the broad aims and objectives of the DCP by providing visual screening and protecting Denbigh's rural heritage.</p> <p>The proposed DCP amendments also maintain the current controls for residential development within the Transition Area to ensure that dwellings do not protrude above the ridgeline and are constructed to maintain the appearance of a single storey dwelling when viewed from the rear.</p>
<p><u>Interface of residential development with the mound</u></p> <p>The eastern portion of the Denbigh Transition Area, through the development assessment process, saw the introduction of fire trails in rear yards to manage bushfire risk because of the vegetated landscape mound. It is noted that this was an unintended consequence of the introduction of the Part B3 – Denbigh Transition Area of the Oran Park DCP.</p> <p>It is recommended to provide a better outcome than what was proposed as part of the adjoining development. Details need to be provided to envision the future landscape mound to enhance residential amenity and streetscape outcomes for the western portion of the transition area under this proposal. This will also need to be included as part of an amendment to Part B3 of the Oran Park DCP.</p>	<p>As part of the recently adopted DCP amendment, the Indicative Layout Plan provides a perimeter road to meet bushfire requirements and mitigate the requirement for a fire trail. The northern verge has also been widened to include a share path to promote connectivity through the neighbourhood.</p>

Matter	Comment
<p><u>Interface and views to Cluny Homestead</u></p> <p>The Cluny Homestead is considered to have moderate heritage significance. However, the Denbigh CMP states that despite the moderate significance of the homestead, the views it has to Denbigh and rural character exemplify the significance of the entire estate.</p> <p>Future lots directly south of Cluny (western side of development area as per Figure 3) are very likely to be visible due to the dip in the mounding for the entry drive. The R1 zoning may not be considered appropriate in this location. In order to protect the Denbigh curtilage in accordance with the DCP, height controls could be well extended into the R1 zoning. It could be considered that an E4 zoning is more appropriate in this location to be consistent with the outcomes of the Denbigh CMP.</p>	<p>The current zoning for the north-west boundary is not proposed to be updated as part of this SEPP amendment. The proposed landscaped earth mound demonstrates that the outcomes of the Denbigh CMP are met without requiring updates to the current zoning.</p> <p>As part of the detailed view analysis which was undertaken to ensure development was not visible from Denbigh, it was determined necessary that the mound continue behind Cluny Hill homestead. The result is that much of the development will be shielded from Cluny Hill and provides adequate visual screening to protect Denbigh's rural heritage aligning with the DCP.</p> <p>Height controls for buildings will be specified in future DAs (through a 88B instrument) to ensure that the intentions of the earth mound are met.</p>
<p><u>Potential scarred tree(s)</u></p> <p>There appears to be scarred / modified trees that flank the present entry drive for Denbigh as it rises towards the top of the ridge from Cobbitty Road that may be of Aboriginal Cultural Heritage significance. Aboriginal cultural heritage considerations under the National Parks and Wildlife Act 1974 Ministerial Direction 2.3 Heritage Conservation, requires planning proposals to address the conservation of Aboriginal objects.</p> <p>It is recommended that a comprehensive Aboriginal Cultural Heritage Assessment Report is required and should inform this planning proposal. Early assessment is recommended as it provides the best opportunity to identify and protect Aboriginal cultural heritage values and certainty in regard to any future Aboriginal cultural heritage management requirements.</p>	<p>An AHIP was issued for the subject site for the collection of identified artefacts. The investigation did not identify any scar trees for protection within the site area.</p> <p>Further, heritage investigation for the planning of the Oran Park Precinct did not identify any scar trees on the site.</p> <p>An Aboriginal Heritage Due Diligence Assessment was also prepared by Kelleher Nightingale Consulting to investigate the potential for Aboriginal objects or subsurface Aboriginal objects within the footprint of the proposed viewmound in accordance with DA/2023/470/1. Based on the findings of this assessment, no further assessment of Aboriginal heritage is required and according to the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales the proposed works can proceed with caution.</p> <p>In our view, this has been satisfactorily addressed and closed out.</p>
<p>Amendments to Part B3 of the Oran Park Development Control Plan</p> <p>The proposal will also require amendments to Part B3 of the Oran Park DCP. This includes consideration of the following:</p>	<p>Amendments to Part B3 of the Oran Park DCP have been recently adopted by Council. The SEPP Amendment aligns with the overall design and control changes identified in the adopted DCP.</p> <ol style="list-style-type: none"> 1. The design proposed is in support of the DCP amendment demonstrated that the proposed

Matter	Comment
<ol style="list-style-type: none"> 1. As stated above in regard to the existing and proposed mounds, the extent of the E4/R1 zoning realignment needs more detail to justify what is being sought. Detail is required regarding the height and gradient of the landscaped mound, and appropriate setbacks and heights for residential development. A Visual Impact Assessment needs to be prepared to determine whether the detail in the DCP regarding height and gradient of the mound is sufficient; 2. Expand on the Former Hassall Driveway clause, the character of this driveway should be reinforced through the planning of the subdivisions with which they occur. This includes sensitive controls over fencing heights, types and materials adjoining their open space areas, as well as building and landscape controls adjacent. The amendment to this clause must be consistent with the Denbigh CMP; and 3. Greater certainty is required for residential development and subdivisions within the immediate vicinity of Cluny Hill Homestead. Specific controls need to be considered to address and mitigate any potential impact to the Cluny Hill Homestead. This includes any changes to the natural ground level which may present visual impacts to the Denbigh Curtilage. A Visual Impact Assessment will need to support the inclusion of these controls. 4. The amendments to the Oran Park Development Control Plan should be done in conjunction with the adjoining landowners to ensure consistency with the Denbigh CMP. 	<ol style="list-style-type: none"> realignment of the R1/C4 boundary will facilitate the objectives of the transition area 2. An amended design for the Hassall driveway has been incorporated into the current DCP amendment. Overall, the amended design and relevant controls are considered to interpret the existing rural character of the site have been supported from a heritage perspective. 3. This is considered beyond the scope of the SEPP amendment and will be investigated as part of a DCP amendment or future DAs for the site. 4. Ongoing discussions have occurred with the adjoining landowners during the preparation of the DCP amendment request. Changes to the design including the earth mound within the Denbigh Transition Area and the design of the Hassall driveway have been undertaken in consultation with representatives of the Denbigh Estate.
<p>Future School Location</p> <p>The Department of Education previously provided advice that the school located in the Denbigh Transition Area is still required. Considerations relating to the development of the school in the context of the transition area needs to be accounted for under this proposal.</p>	<p>Ongoing engagement between Schools Infrastructure and Camden Council regarding the exact size and configuration of the future primary school. Nevertheless, amendments to the zoning of the site is still proposed to reflect the slight change to the location of the school site to align with the approved subdivision of the AV Jennings development to the east. To create a consistent transition, it is proposed for the R1 and C4 interface to align with the surrounding road network.</p>

Matter	Comment
	<p>This outcome does not predetermine the outcome for the future educational establishment.</p> <p>In accordance with Section 3.34 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, the C4 Environmental Living is a prescribed zone. As such, development for the purpose of a school may be carried out by any person with development consent notwithstanding the zoning change.</p>

3.2. CONSULTATION WITH ADJOINING LANDOWNERS

Ongoing discussions have occurred with the adjoining landowners including during the preparation of the DCP amendment request. Changes to the design including the earth mound within the Denbigh Transition Area have been undertaken in consultation with representatives of the Denbigh Estate. The results of these discussions are an improved design which better reflects the existing topography of the site, maximises retention of viable grazing land within the Denbigh site and minimises land required on the adjoining property to create the earth mound. This design has been incorporated into DA/2023/470/1.

4. EXISTING PLANNING FRAMEWORK

4.1. STRATEGIC PLANNING FRAMEWORK

4.1.1. Greater Sydney Region Plan: A Metropolis of Three Cities

The *Greater Sydney Region Plan* (**Region Plan**) is a strategy prepared by the Greater Sydney Commission (**GSC**) for managing growth and change to guide integrated land use planning and infrastructure delivery for Greater Sydney to 2056. The Region Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The vision brings new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity and sustainability by spreading the benefits of growth.

The South West Growth Area is an identified area for anticipated growth and acceleration of housing growth. The Region Plan also identifies that development along the spine of South Creek and its tributaries will 're-imagine liveability and sustainability, providing new cool and green neighbourhoods and centres with generous open space in a parkland setting.'

The proposed SEPP amendments will further support the achievement of the following objectives in the Region Plan:

- Infrastructure supports the three cities (Objective 1)
- Infrastructure aligns with forecast growth (Objective 2)
- Infrastructure adapts to meet future needs (Objective 3)
- Services and infrastructure meet communities' changing needs (Objective 6)
- Communities are healthy, resilient and socially connected (Objective 7)
- Greater housing supply (Objective 10)
- Great places that bring people together (Objective 12)

An assessment of the proposed SEPP amendments relative to the above-mentioned objectives is provided in **Section 5** of this report.

4.1.2. Western City District Plan

Five District Plans were also prepared by the GSC as guides for implementing the Region Plan at a District level. Each plan is structured around priorities in relation to infrastructure and collaboration, liveability, productivity, sustainability and implementation. The site is located within the Western City District.

The greatest increase in population in the Western District is expected in Camden Local Government Area, mostly in the South West Growth Area and strong growth across all age groups.

The proposed SEPP amendments will further support the following objectives in the Western City District Plan as outlined in **Section 5** of this report:

- Providing services and social infrastructure to meet people's changing needs (Planning Priority W3)
- Fostering healthy, creative, culturally rich and socially connected communities (Planning Priority W4)
- Providing housing supply, choice and affordability with access to jobs, services and public transport (Planning Priority W5)
- Creating and renewing great places and local centres, and respecting the District's heritage (Planning Priority W6)

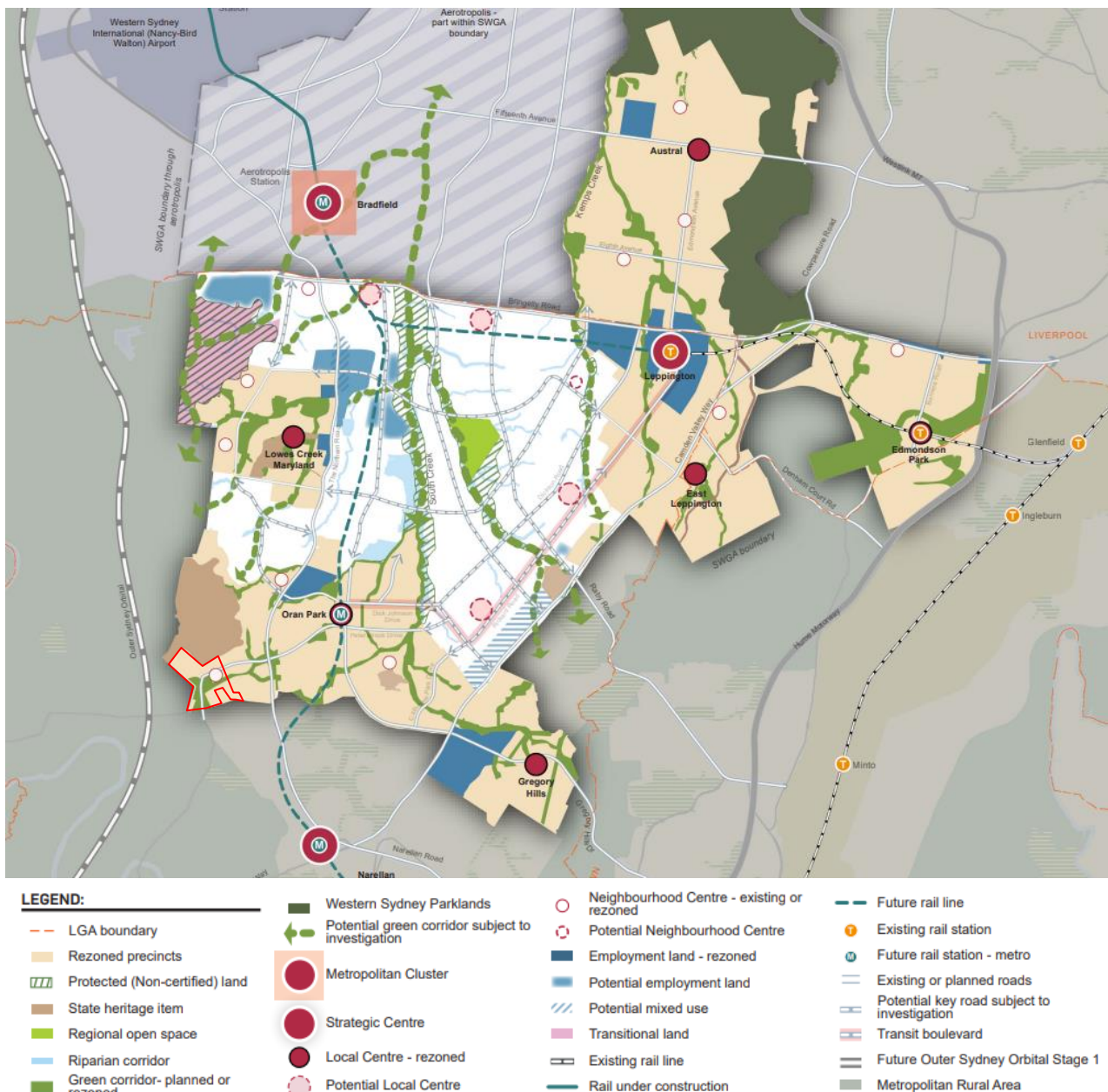
An assessment of the proposed SEPP amendments relative to the above-mentioned objectives is provided in **Section 5** of this report.

4.1.3. South West Growth Centre Structure Plan

The South West Growth Centre Structure Plan (**SWGA Structure Plan**) was originally prepared in 2010 to provide an overall framework on how the SWGA should develop, including centre hierarchy, potential land use opportunities, and infrastructure connections. In December 2022, the DPHI released the updated Structure Plan (**2022 SWGA Structure Plan**) and the accompanying Guide to the SWGA which replaced the previous 'explanatory notes'. The 2022 SWGA Structure Plan identifies the Cobbitty by Mirvac estate as a rezoned precinct which includes green links and a neighbourhood centre. The SEPP amendment remains consistent with the identified outcomes within the 2022 SWGA Structure Plan.

A Section 9.1 Ministerial Direction has also been issued which requires planning proposals within the SWGA to demonstrate consistency with the 2022 Structure Plan and accompanying guide which is addressed in Section 5 of this report.

Figure 8 South West Growth Centre Structure Plan with the Cobbitty estate in red



Source: DPHI

4.1.4. Camden Local Strategic Planning Statement

The Camden Local Strategic Planning Statement (**LSPS**) was endorsed by the Greater Sydney Commission in March 2021. The LSPS identifies the vision for land use planning over the next 20 years.

The overall vision for Camden is underpinned by four key themes: infrastructure and collaboration, liveability, productivity and sustainability. These mirror the priorities of the Region Plan and District Plan and are critical to how Camden will grow and evolve.

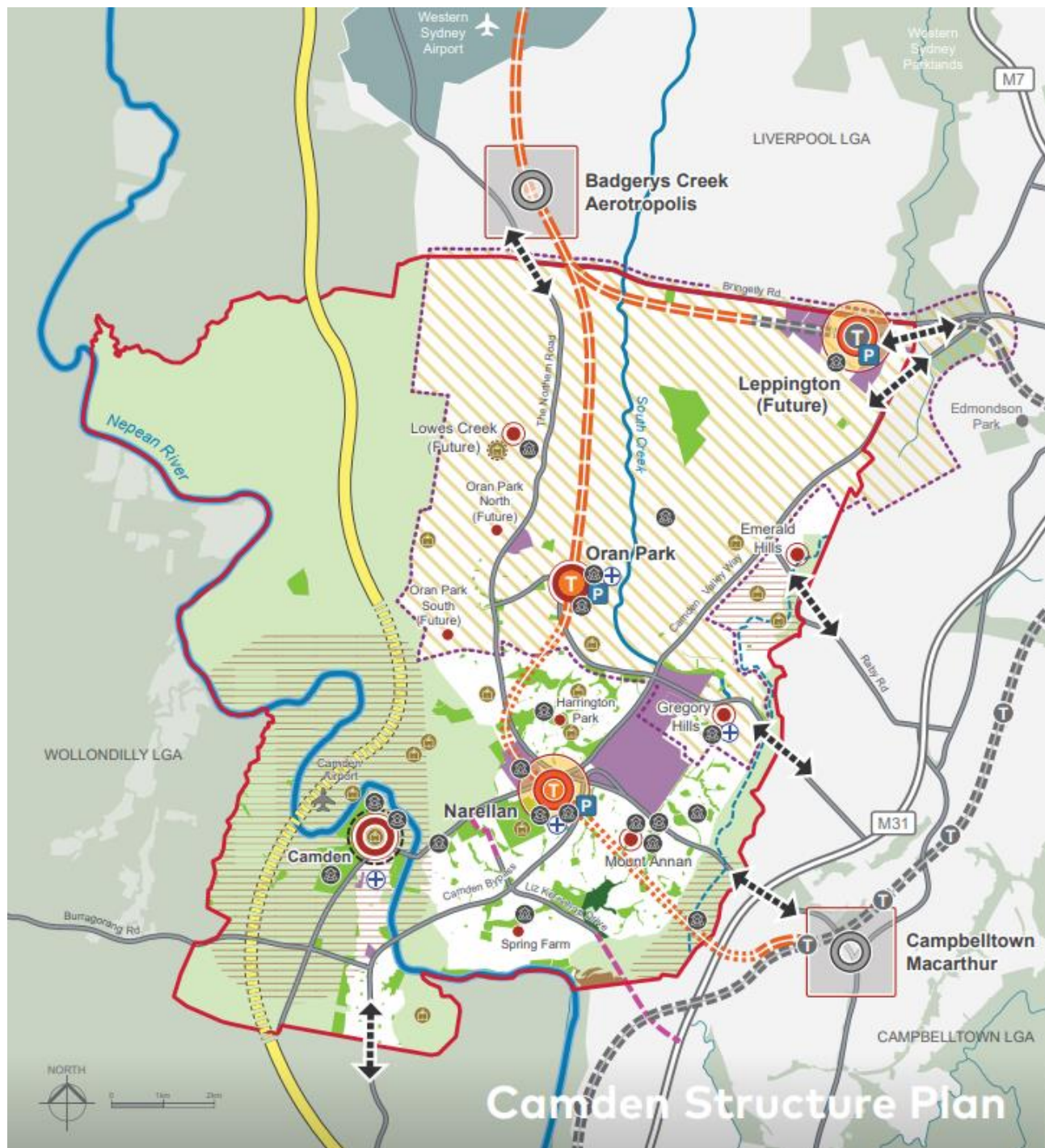
The Camden LGA contains the Nepean River which connects to other catchment areas and there are also metropolitan rural areas at the western expanse of the LGA. Planned new infrastructure within and surrounding the LGA is anticipated to create new jobs closer to homes, with an anticipated population growth of 140,000 people by 2040. New transport connections including the North-South Rail Link and M9 will unlock further opportunities for the creation of new places.

The LSPS Structure Plan identifies a significant portion of the northern part of Camden including Oran Park for future urban development (refer to **Figure 9**). This area is expected to account for majority of residential growth with associated infrastructure required to be delivered in this area.

The proposed SEPP amendments will further support the following objectives in the LSPS as outlined in **Section 5** of this report:

- Aligning infrastructure delivery with growth (Local Priority I1)
- Working in partnership to deliver a more liveable, productive and sustainable Camden (Local Priority I4)
- Providing housing choice and affordability for Camden's growing and changing population (Local Priority L1)
- Celebrating and respecting Camden's proud heritage (Local Priority L2)
- Providing services and facilities to foster a healthy and socially connected community (Local Priority L3)
- Improving the accessibility and connectivity of Camden's Green and Blue Grid and delivering high quality open space (Local Priority S1)
- Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River (Local Priority S2)
- Protecting Camden's rural land (Local Priority S3)
- Protecting and restoring environmentally sensitive land and enhancing biodiversity (Local Priority S4)

Figure 9 LSPS Structure Plan



- | | | |
|---|---------------------------------------|--------------------------|
| Metropolitan Cluster | Reserve/ Parkland | Tourism |
| Strategic Centre | Scenic Land (Metropolitan Rural Area) | Proposed Employment Area |
| Town Centre | Scenic Viewscapes | Existing Employment Area |
| Local Centre | Proposed M9 Entry/ Exit | Camden LGA Boundary |
| Neighbourhood Centre | Proposed Train Line/ Tunnel | |
| Art/ Culture/ Community Facility | Proposed Train Station | |
| Medical | Existing Train Station | |
| State-listed Heritage Item | Proposed Commuter Carparking | |
| Draft State-listed Heritage Item | Committed Roads | |
| Future Urban Area (SWGA) - Housing Capacity | Upper Canal System | |
| National Park | Key Transport Connection | |

Source: Camden Council

4.1.5. Camden Local Housing Strategy

The Camden Local Housing Strategy (LHS) was endorsed by Camden Council in December 2021 and was prepared in response to the region, district and local planning policy objectives to establish an evidence-based plan for housing in the Camden LGA over the next 10 and 20 years.

Over the next 20 years, the LGA is forecasted to have the largest housing growth of any metropolitan Sydney council with a forecast demand for an additional 49,625 dwellings with most residential growth set to occur in the SWGA. Oran Park is identified as an establishing Town Centre that will continue to grow and evolve with a developing retail offering, civic precinct and emerging office floorspace.

The site is identified in the 'New Urban North' Precinct which includes growing and evolving land release precincts. Housing within this precinct comprises mainly of detached housing and dual occupancies.

The LHS comprises five Priorities that underpin Council's vision for housing in the Camden LGA over the next 10 and 20 years. The five Priorities are:

3. Providing housing capacity and coordinating growth with infrastructure;
4. Delivering resilient, healthy and connected communities;
5. Delivering the right housing in the right location;
6. Increasing housing choice and diversity; and
7. Addressing housing affordability.

The relevant priorities are addressed in **Section 5** of this report.

4.2. STATUTORY PLANNING FRAMEWORK

4.2.1. Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the principal legislative framework for environmental planning in NSW and include provisions to ensure that proposals that have the potential to impact the environment are subject to detailed assessment and provide opportunity for public involvement.

All development for the site will be assessed in accordance with the matters of consideration listed in Section 4.15 of the EP&A Act.

Section 9.1 Directions of the EP&A Act require Councils to address a range of matters when seeking to rezone land with an LEP. There is no statutory requirement for the Directions to be considered during Precinct Planning. Nevertheless, as the site of this Council led Planning Proposal is within the SWGA, the Directions have been addressed as part of this submission, with the proposed SEPP amendments found to be consistent with the relevant directions, as discussed in **Section 5.3** of this report.

4.2.2. Environment Protection and Biodiversity Conservation Act 1999

Environment Protection and Biodiversity Conservation Act 1999 is the Commonwealth's central framework for the protection of the Australian environment. It provides for the conservation and protection of biodiversity and natural and cultural places and heritage. It further promotes principles for ecologically sustainable development which will be considered as part of the ongoing development of the Oran Park and Turner Road Precinct. The proposed SEPP amendment does not trigger any assessment/referral requirements under this Act.

4.2.3. State Environmental Planning Policy (Precincts—Western Parkland City) 2021

State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (**Precincts SEPP**) is the principal Environmental Planning Instrument that guides development within Oran Park and Turner Road. Appendix 2 of the Precincts SEPP provides the localised framework for the implementation of Oran Park and Turner Road Precinct.

The aims of the Precincts SEPP are:

- *Co-ordinate the release of land for residential, employment and other urban development in the North-West Growth Centre, the South West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area,*
- *To enable the Minister from time to time to designate land in growth centres as ready for release for development,*
- *To provide for comprehensive planning for growth centres,*
- *To enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high-quality local amenity,*
- *To provide controls for the sustainability of land in growth centres that has conservation value,*
- *To provide for the orderly and economic provision of infrastructure in and to growth centres,*
- *To provide development controls in order to protect the health of the waterways in growth centres,*
- *To protect and enhance land with natural and cultural heritage value,*
- *To provide land use and development controls that will contribute to the conservation of biodiversity.*

Overall, the proposed SEPP amendments reflect the intentions of the original Planning Proposal and will provide an additional 54 residential lots ranging in size. The additional residential development will be in a well serviced location in close proximity to playing fields and associated infrastructure, local neighbourhood centre, a school and open parkland. The aims of the Precincts SEPP continue to be achieved.

4.2.3.1. Development Standards

The following sections set out the current development standards under the SEPP in detail.

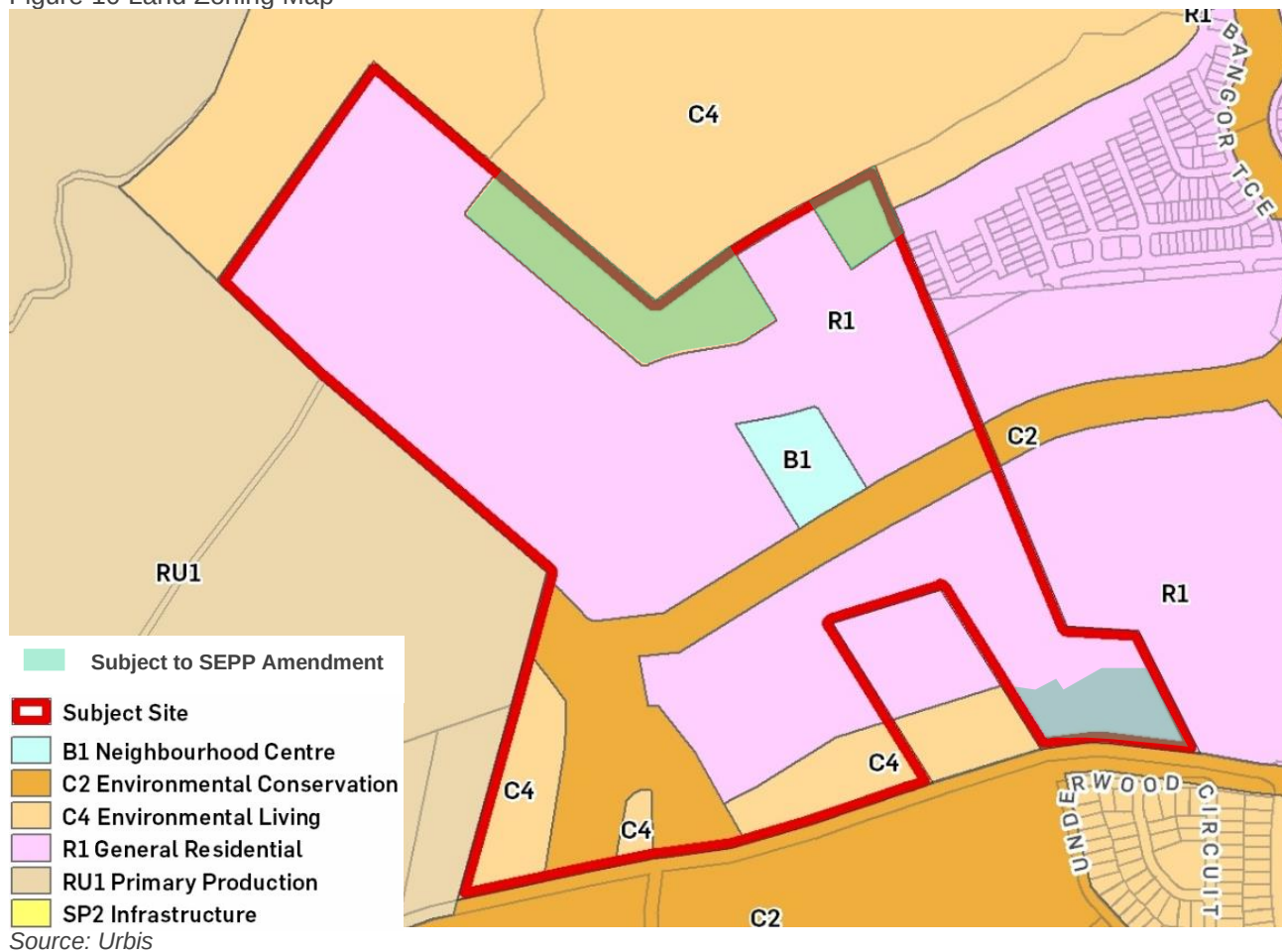
Land Use Zoning

A range of zones are located within the subject site, the relevant land uses for this proposal are included in **Table 1** below.

Table 3 Summary of Land Uses

Land Zone	Permitted Uses (with consent)
R1 General Residential	Any other development not specified in item 2 or 4 (ie. Dwelling houses, residential accommodation, roads, educational establishments (a full list of permissible uses is included in Appendix 2 of the Precincts SEPP)
C4 Environmental Living	Bed and breakfast accommodation; Drainage; Dwelling houses; Earthworks; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Horticulture; Recreation areas; Recreation facilities (outdoor); Roads; Telecommunications facilities; Temporary structures; Water recreation structures; Water recycling facilities; Waterbodies (artificial)

Figure 10 Land Zoning Map



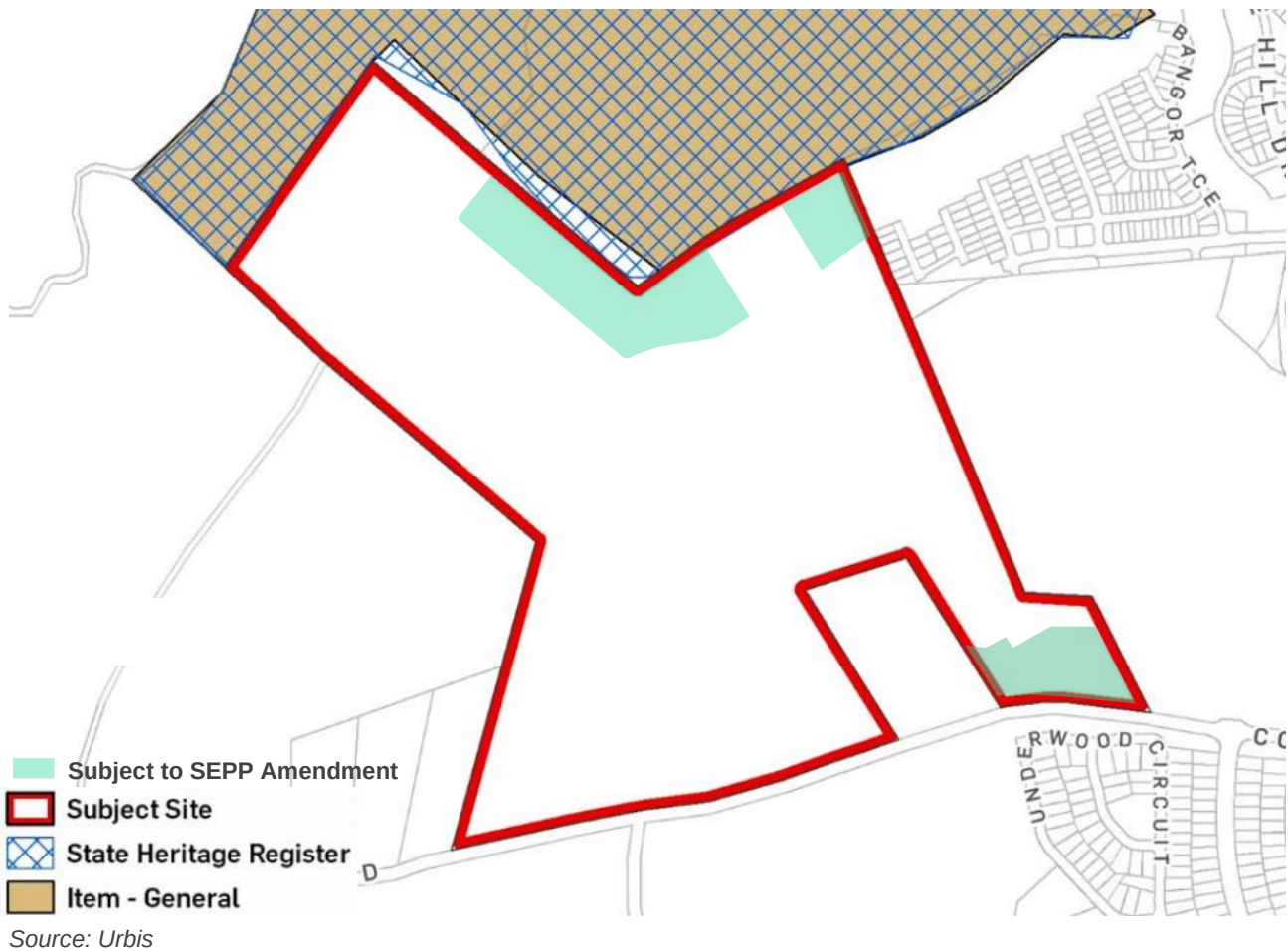
Heritage

The site itself is not identified as a local or state heritage item. It is noted however that the Denbigh Estate along the northern site boundary (421 The Northern Road, Cobbitty) is identified as a State Heritage listed item (SH01691) within Appendix 2 of the Precincts SEPP (refer to **Figure 5**). The item is described as:

Denbigh (including homestead, grounds and gardens, slab outbuildings, coach house, stable, dairy and sheds).

While the site does not incorporate a heritage listed item, the proposed amendments have considered the close proximity of the site to a State Heritage Item.

Figure 11 Heritage Map



Minimum Lot Size

The site includes a range of minimum lot sizes including:

- 125sqm within the General Residential zone and Neighbourhood Centre
- 1000sqm within the Denbigh Transitional Area, Environmental Conservation and Environmental Living zones

Height of Buildings

The site includes a range of height of buildings including:

- 6 metres within the Denbigh Transitional Area
- 9.5 – 12 metres within the Environmental Conservation and Environmental Living zones
- 16 metres within the General Residential zone
- 18 metres within the Neighbourhood Centre

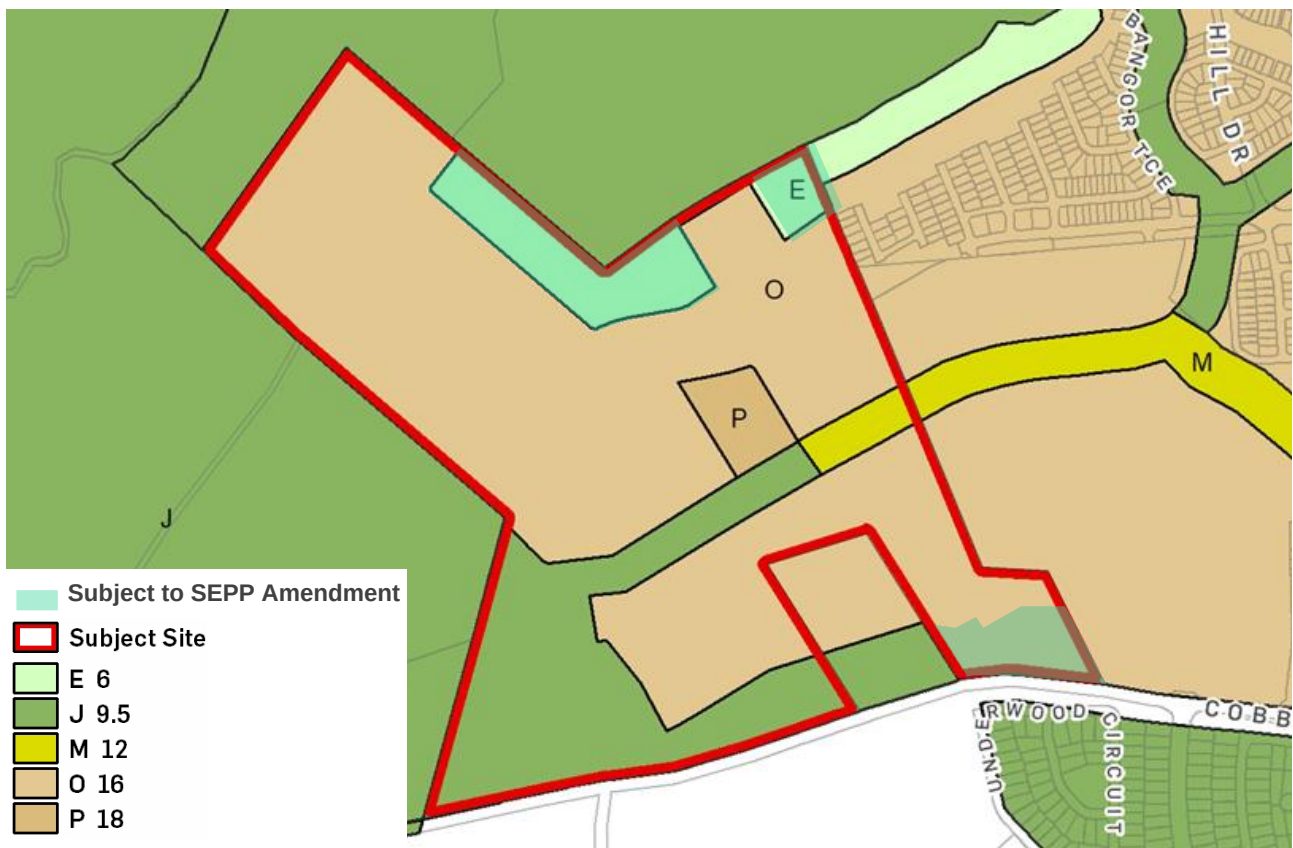
Floor Space Ratio

There is no applicable FSR provision for the site.

Flood Prone Land

A portion of the site is identified as flood prone land (refer to **Figure 9**). The Denbigh Transition Area is not classified as flood prone land.

Figure 12 Height of Buildings Map



Source: Urbis

Riparian Corridors

A riparian corridor is located within the southern portion of the site and is within the E2 Environmental Conservation zone (refer to **Figure 6**). The Denbigh Transition Area is not classified as a riparian protection area.

Figure 13 Flood Prone Land and Riparian Corridors



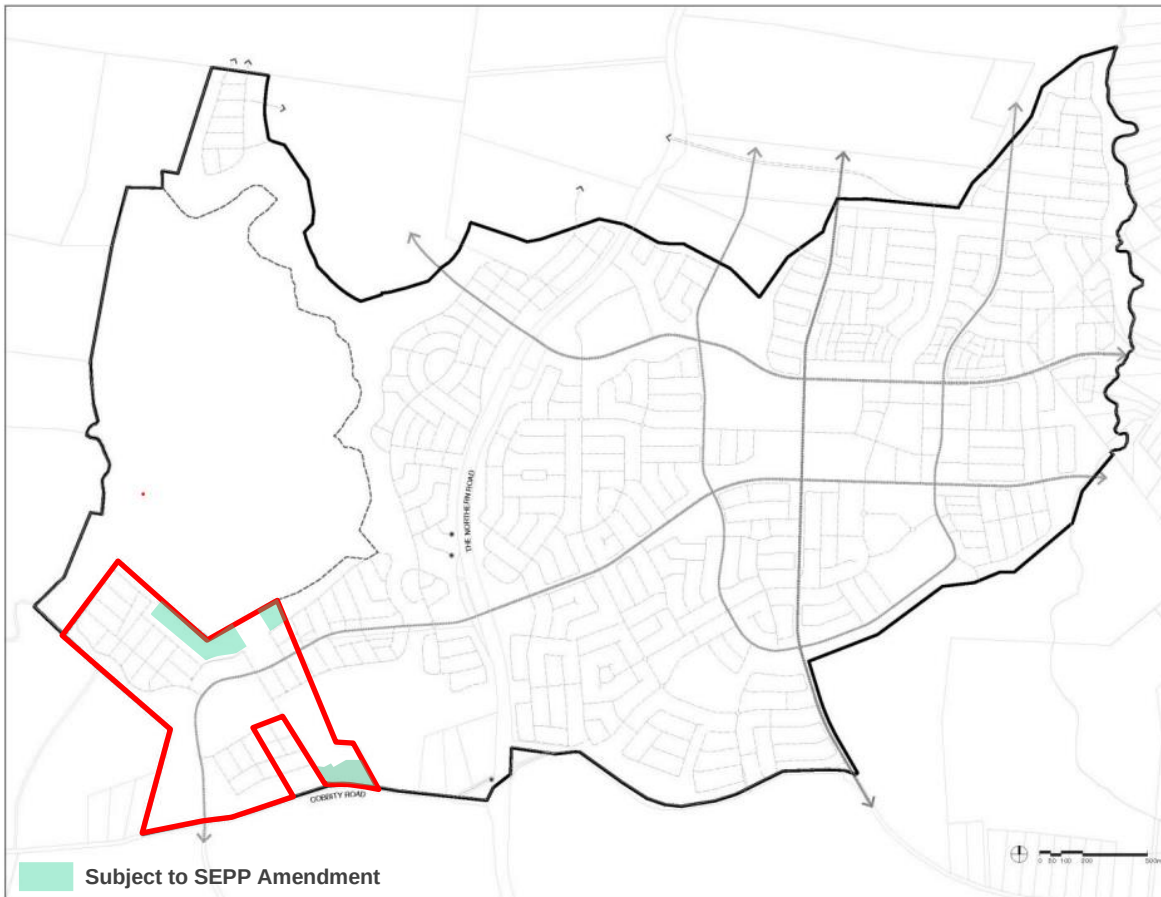
Source: Urbis

4.2.4. Oran Park Development Control Plan

The *Oran Park Development Control Plan (the DCP)* is a detailed guideline to support the applicable planning controls and permissible land uses for land subject to Appendix 2 Oran Park and Turner Road Precinct Plan of the Precincts SEPP. This DCP applies to all development on the land shown in **Figure 14** below.

As noted in **Section 2.1.2**, recent refinements have been introduced to the DCP to reflect the amended view mound in alignment with DA/2023/470/1.

Figure 14 Oran Park Precinct with Mirvac landholdings identified in red and subject site in blue



Source: Camden Council

5. PLANNING PROPOSAL ASSESSMENT

The Planning Proposal request has been prepared in accordance with Section 3.33 of the EP&A Act and the DPHI guidelines '*Local Environmental Plan Making Guidelines*' dated December 2021.

This section addresses each of the matters to be addressed as outlined in the guidelines, including:

- Objectives and intended outcomes
- Explanation of provisions
- Justification including need for proposal, relationship to strategic planning framework, environmental, social and economic impacts and State and Commonwealth interests.
- Draft LEP maps which articulate the proposed changes
- Likely future community consultation

5.1. PART 1: OBJECTIVES AND INTENDED OUTCOMES

5.1.1. Objective

The objective of this Planning Proposal is to amend the existing planning controls under the Precincts SEPP for the subject site as follows:

1. Amend the Land Zoning Map to realign the zoning boundaries between C4 Environmental Living and R1 General Residential.
2. Amend the Minimum Lot Size Map to apply a minimum lot size of 1,000m² to the proposed C4 zoned land and 125m² to the proposed R1 zoned land.
3. Amend the Height of Buildings Map to apply:
 - a consistent height limit across the C4 zone of 6 metres for all development within the northern subject site
 - a consistent height limit across the C4 zone of 9.5 metres for all development within the southern subject site
 - a consistent height limit across the R1 General Residential zone of 16 metres for residential flat buildings and 9.5 metres for all other development.

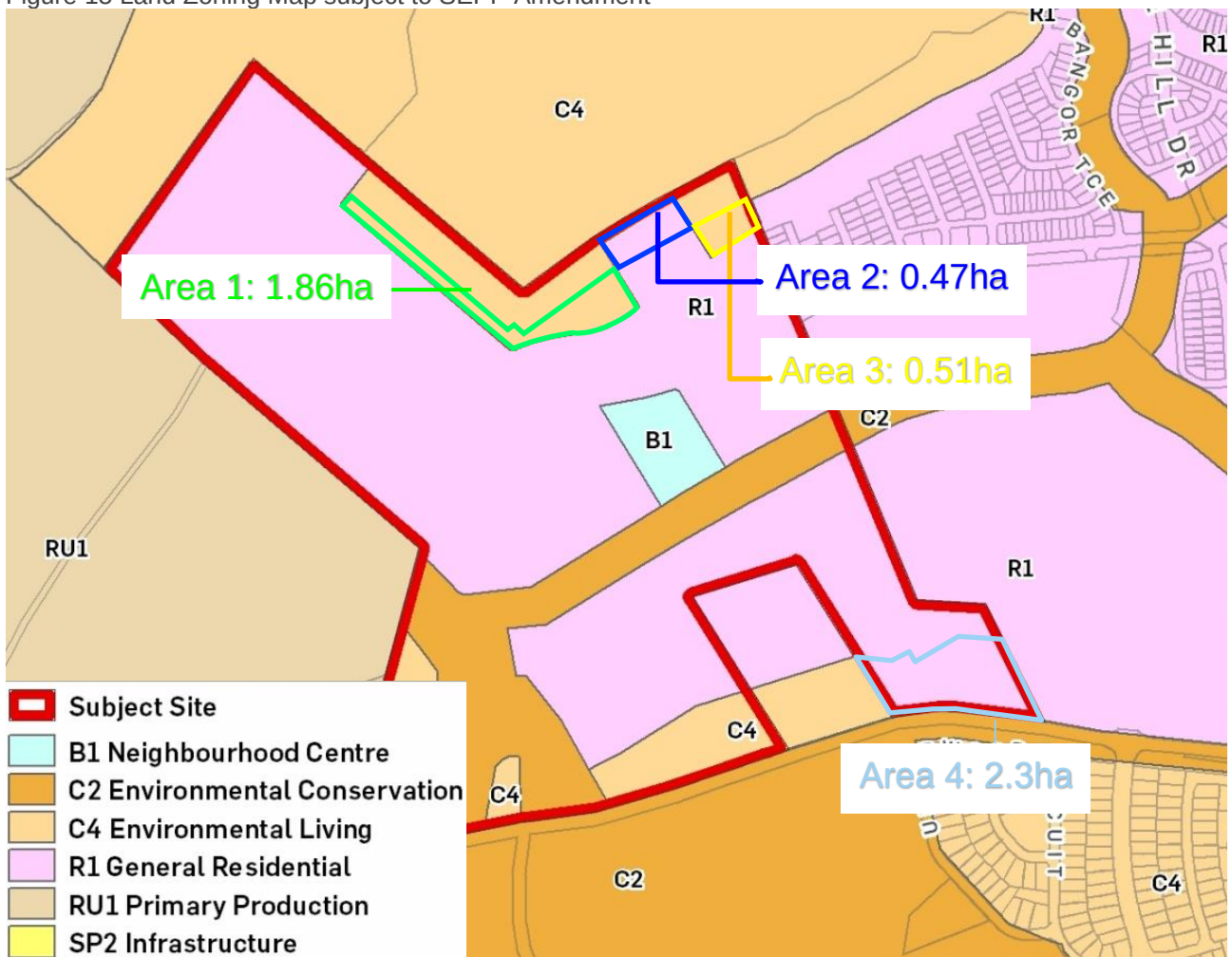
To align with the amended SEPP mapping, a minor amendment is also proposed to the Indicative Layout Plan for the Oran Park Precinct.

As illustrated in **Figure 14** below, the proposal will facilitate:

- An additional 2.3 hectares of R1 residential land (approximately 50 lots) on land previously located in the C4 zone.
- An additional 4,000sqm of C4 land (approximately 4 lots) on land previously zoned R1 within the northern subject site.
- An additional 2.3 hectares of C4 land (approximately 11 lots) on land previously zoned R1 within the southern subject site.

The new C4 lots within the northern subject site will have a minimum depth of 34 metres which allows for a suitable block size which can satisfy the 1000sqm minimum lot size required. Other lots within the C1 land have a depth of 44 metres, having a mix of depths ensures that a range of large-lot products can be provided in the C4 zone.

Figure 15 Land Zoning Map subject to SEPP Amendment



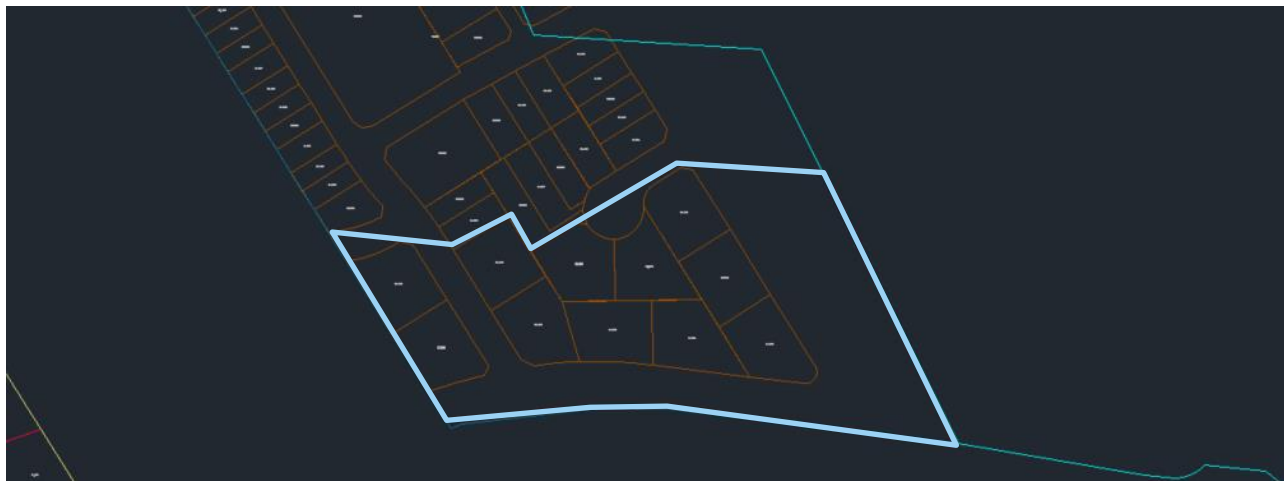
Source: Urbis

Figure 16 Indicative Lot Plan for the northern site



Source: Orion

Figure 17 Indicative Lot Plan for the southern site



Source: Orion

5.1.2. Intended Outcomes

The intended outcome of this Planning Proposal is to align the zoning boundaries to be consistent with the recently adopted amendments proposed to the Oran Park Part B DCP including:

- The C4 Environmental Living and R1 General Residential zoned land within or adjacent to the Denbigh Transition Area to be consistent with the recently adopted amendments proposed to the Oran Park Part B DCP. The proposal provides a transition to the south of the future view mound by providing large lot residential along the majority of the boundary with Denbigh Estate. The introduction of additional R1 lots aligns with the new view mound which reduces the amount of earthworks required to achieve an appropriate transition between residential development and the State heritage listed Denbigh estate.
- The C4 Environmental Living and R1 General Residential zoned land future lots fronting Cobbitty Road (the previously identified Macarthur Anglican School expansion land) This is to ensure provide an appropriate transition from Cobbitty Road.

5.2. PART 2: EXPLANATION OF PROVISIONS

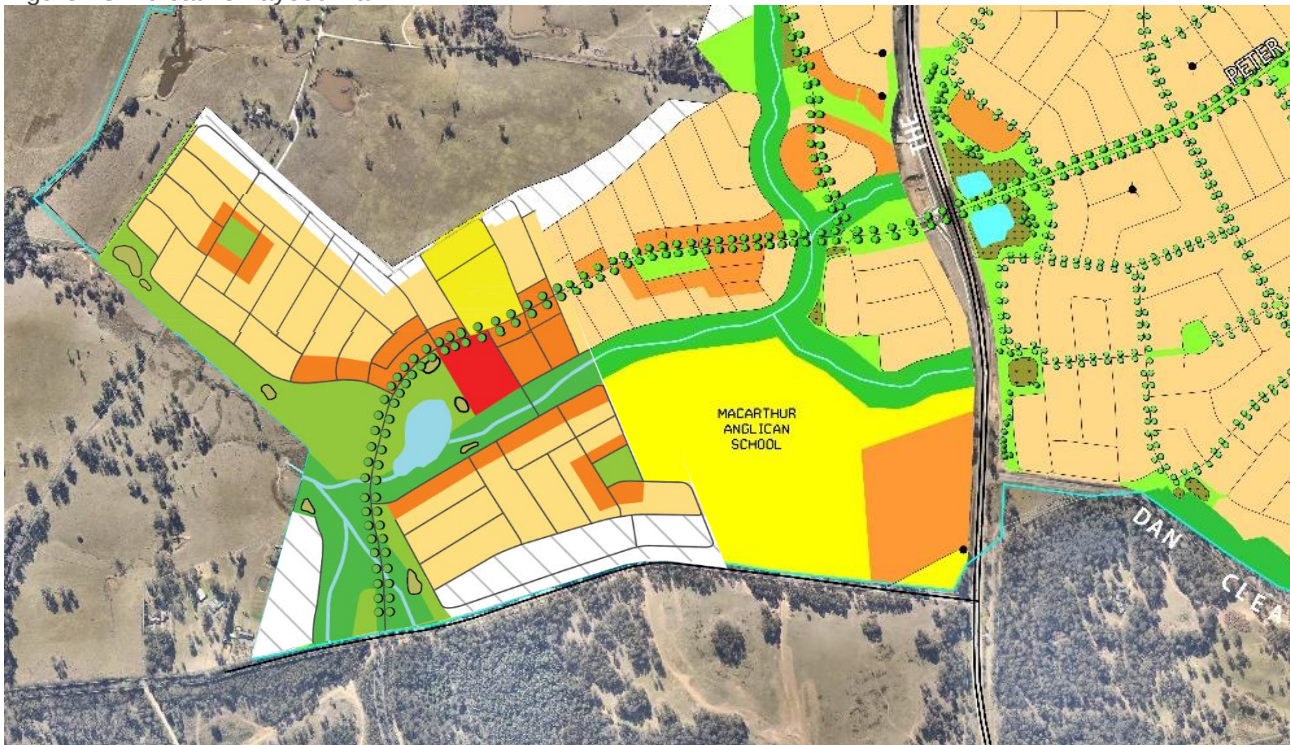
5.2.1. Intended Provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amendments to the following SEPP mapping including:

- Land Zoning Map (Sheet LZN_004)
- Minimum Lot Size Map (Sheet LSZ_0004)
- Height of Buildings Map (Sheet HOB_004)
- Special Areas Map (Sheet SAM_004)

To align with the amended SEPP mapping, a minor amendment is also proposed to the Indicative Layout Plan for the Oran Park Precinct.

Figure 18 Indicative Layout Plan



Source: Camden Council and Urbis

Mapping to reflect the intended provisions is provided in **Section 5.4** of this report.

The Planning Proposal aligns with the recently proposed updates to the Oran Park Development Control Plan, including Part B which provides the detailed guidelines and controls for the delivery of the future development within the Denbigh Transition Area.

5.3. JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The amendments in this Planning Proposal are minor in nature and are not the result of any broad strategic study or report. Nevertheless, the proposed amendments align with the priorities of the LSPS by providing housing within an identified growth centre.

The draft Planning Proposal has been lodged following detailed work undertaken as part of the adopted Part B DCP, which outlines the vision and associated development controls for the Denbigh Transition Area. The Part B DCP was prepared through consultation with stakeholders including Council officers, an external heritage consultant, the Denbigh landowner and State agencies, including the Office of Environment and Heritage (OEH) - Heritage Division.

The objectives of the Part B DCP include:

- (a) *To respect the heritage curtilage of Denbigh;*
- (b) *To obscure the visual impact of development within the Denbigh Transition Area when viewed from the Denbigh homestead and associated rural outbuildings;*
- (c) *To retain and respect the rural context and setting of the Denbigh homestead.*

It is intended that a development application will be lodged shortly for works and the construction of the landscaped earth mound to align with the objectives of the Part B DCP.

This Planning Proposal seeks to amend the Precincts SEPP Mapping to align the zoning boundaries between C4 zoned land within the Transition Area and R1 zoned land south of the Transition Area,

consistent with the recent updates to the landscaped view mound along the boundary with the Denbigh Estate. This will facilitate the development of an additional residential lots within the landholdings while maintaining an appropriate heritage curtilage.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes, the Planning Proposal has been discussed in detail with Council who have agreed that amendments to the Precincts SEPP and associated maps outlined under this Planning Proposal are the most appropriate and best means of achieving the objectives and intended outcomes.

The proposed amendments to the SEPP Mapping will align the zoning boundaries between C4 zoned land within the Transition Area and R1 zoned land south of the Transition Area, consistent with recent proposed updates to the Part B DCP. This will facilitate the development of additional lots within the Oran Park Precinct, which is consistent with the desired outcomes of the Part B DCP.

Section B – Relationship to strategic planning framework

Q3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, of district plan or strategy (including any exhibited draft plans or strategies)?*

Yes, as summarised in Table 4, the Planning Proposal is entirely consistent with the objectives and actions of *A Metropolis of Three Cities: Greater Sydney Region Plan* (2018), the *Western City District Plan* (2018) and *Western Sydney Aerotropolis Plan*.

Table 4 Relationship to Strategic Planning Framework

Strategic Plan	Consistency
<i>A Metropolis of Three Cities: Greater Sydney Region Plan</i> (2018)	<p>The Planning Proposal is consistent with <i>A Metropolis of Three Cities: Greater Sydney Region Plan</i> and reflects the following directions:</p> <p>Infrastructure and Collaboration</p> <ul style="list-style-type: none"> ▪ <i>Objective 3: Infrastructure adapts to meet future needs</i> ▪ <i>Objective 4: Infrastructure use is optimised</i> <p>The Planning Proposal seeks to rezone land providing additional R1 General Residential land within an identified growth centre. The additional lots will benefit from proposed services within the precinct including close proximity to connected open spaces, playfields, a future educational establishment and local centre.</p> <p>Liveability</p> <ul style="list-style-type: none"> ▪ <i>Objective 6: Services and infrastructure meet communities' changing needs</i> ▪ <i>Objective 10: Greater housing supply</i> ▪ <i>Objective 12: Great places that bring people together</i> <p>The Regional Plan acknowledges that significant land release development is still to occur within the South West Growth Centre. The proposed amendments result in improvements to the Precinct which increase residential supply in an existing release area and provides services expected of a new community.</p> <ul style="list-style-type: none"> ▪ <i>Objective 13: Environmental heritage is identified, conserved, and enhanced</i>

Strategic Plan	Consistency
	<p>The proposal maintains scenic views from Denbigh homestead by ensuring residential development maintains visual screening within the Southern Viewscape Precinct.</p> <p>Sustainability</p> <ul style="list-style-type: none"> ▪ <i>Objective 28: Scenic and cultural landscaped are protected)</i> ▪ <i>Objective 29: Environmental, social and economic values in rural areas are protected and enhance</i> <p>The proposal aligns with the intent of the recently adopted amendments to the Part B DCP to provide a suitable transition area that protects the rural character of Denbigh.</p>
<p><i>Western City District Plan (2018)</i></p>	<p>The Planning Proposal is consistent with Western City District Plan and reflects the following planning priorities:</p> <p>Infrastructure and collaboration</p> <ul style="list-style-type: none"> ▪ <i>Planning Priority W1: Planning for a city supported by infrastructure</i> <p>As noted in the original Planning Proposal for the site, adequate local infrastructure including water, sewer, electrical, gas and telecommunications can be provided to service the future community.</p> <ul style="list-style-type: none"> ▪ <i>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services</i> <p>The proposal is consistent with this priority. It will facilitate the development of additional residential lots within the Oran Park Precinct. This will contribute to the increase of housing supply and choice with access to existing and proposed infrastructure, jobs and services within a rezoned area of the South West Growth Centre.</p> <ul style="list-style-type: none"> ▪ <i>Planning Priority W6: Creating and renewing great places and local centres and respecting the District's heritage</i> <p>The proposal will not visually detract from the significance of Denbigh. It is consistent with the intent of the Part B DCP to provide a sensitive transition between the Denbigh curtilage and adjoining residential development.</p> <ul style="list-style-type: none"> ▪ <i>Planning Priority W16: Protecting and enhancing scenic and cultural landscapes</i> <p>The proposal is consistent with the visual screening outcomes established by the Part B DCP and will not detract from the integrity of the scenic and cultural landscape of Denbigh.</p>
<p><i>Future Transport 2056</i></p>	<p>As outlined in the Future Transport 2056 Strategy, future transport investment in the region includes the South West Rail Link extension which will support the 30-minute city vision by providing access between future homes and jobs, particularly those within the Western Sydney Aerotropolis. The proposed</p>

Strategic Plan	Consistency
	SEPP amendments ensures that new housing is provided in a highly accessible location.
<i>Western Sydney Aerotropolis Plan</i>	The Precinct is located directly south of the Western Sydney Aerotropolis and the future city of Bradfield. The Western Sydney Aerotropolis Plan identifies that new housing in the SWGA will benefit from access to jobs within the Aerotropolis. The Plan identifies transport corridors within the vicinity of the site including the indicative M5 Motorway Extension, South West Rail Link Extension Corridor and the North South Rail Line Corridor.
<i>SWGA Structure Plan</i>	<p>The Planning Proposal is consistent with the <i>SWGA Structure Plan</i> and reflects the key considerations and associated criteria including:</p> <ul style="list-style-type: none"> ▪ <i>Deliver Housing Supply and Choice</i> <p>The residential estate will provide a mix of diverse housing typologies to cater for the changing needs of future communities. Housing types proposed include detached housing, semi-detached housing, terrace housing and low-rise apartments.</p> <p>The proposed housing typologies will retain a village feel whilst respecting the existing local character.</p> <ul style="list-style-type: none"> ▪ <i>Provide opportunities for jobs closer to home</i> <p>The SEPP amendment will result in residential development within 400 metres of both of future neighbourhood centre and educational establishment.</p>

Q4. *Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

Yes, the Planning Proposal is consistent with the following relevant local strategy and planning studies as summarised in **Table 5** below.

Table 5 Relationship to Local Strategic Plans and Planning Studies

Strategic Plan	Consistency
<i>Camden Local Strategic Planning Statement</i>	<p>The Planning Proposal and Draft ILP aligns with the LSPS as it has been developed in response to the LSPS's local priorities and is consistent with the following:</p> <ul style="list-style-type: none"> ▪ <i>Local Priority L1: Providing housing choice and affordability for Camden's growing and changing population</i> <p>The proposal is consistent with this priority as it will facilitate the development of additional residential lots within an identified area for housing growth.</p> <ul style="list-style-type: none"> ▪ <i>Local Priority L2: Celebrating and respecting Camden's proud heritage</i> <p>The proposal is consistent with this priority as it aligns with the objective of the Part B DCP and current updates proposed to provide a suitable transition area that responds to the heritage context of Denbigh.</p>

Strategic Plan	Consistency
	<ul style="list-style-type: none"> Local Priority S2: Protecting and enhancing the health of Camden's waterways, and strengthening the role and prominence of the Nepean River <p>The proposal is consistent with this objective as it forms part of the broader Oran Park precinct which has satisfactory stormwater arrangements in place to service the development.</p> <ul style="list-style-type: none"> Local Priority S3: Protecting Camden's rural land <p>The proposal is consistent with this priority as it does not seek to encroach on existing rural land. It is consistent with the overall intent of the Part B DCP to provide a suitable transition area that respects the rural context of Denbigh.</p>

Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The Planning Proposal is consistent with relevant State Environmental Planning Policies (SEPP) as identified and discussed in **Table 6**.

Table 6 Consistency with SEPPs

State Environmental Planning Policy	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	The provisions of the SEPP are not applicable to this planning proposal.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Detailed compliance with the BASIX SEPP mandated levels of energy and water efficiency requirements will be demonstrated within all future development applications relating to residential uses on the site.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The provisions of the SEPP may be relevant for future developments on the site.
State Environmental Planning Policy (Housing) 2021	Not applicable at this stage. Provisions for affordable or diverse housing may be considered as part of the future residential subdivision and development of the site.
State Environmental Planning Policy (Industry and Employment) 2021	Not applicable at this stage. Compliance with the relevant provisions in relation to advertising or signage will be considered at the DA stage.
State Environmental Planning Policy No 65—Design Quality of	Detailed compliance with the Apartment Design Guide (ADG) and SEPP 65 will be demonstrated within all future development applications relating to residential flat buildings on the site. Given the close proximity to the Denbigh

State Environmental Planning Policy Residential Apartment Development	Comment estate and controls regarding view lines, it is unlikely that any future works will require assessment against the ADG or SEPP 65.
State Environmental Planning Policy (Planning Systems) 2021	The application of the Planning Systems SEPP is dependent on the context of future development applications on the site. Given the minor nature of the proposal, it is unlikely that any future works will require assessment against the Planning Systems SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable. The site is within the Parkland City.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Not applicable. The site is within the Parkland City.
State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable. The site is not identified as a state significant precinct.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	This SEPP is the subject of this Planning Proposal.
State Environmental Planning Policy (Primary Production) 2021	Not applicable. The proposal does not result in any: <ul style="list-style-type: none"> ▪ Primary production and rural development; ▪ State significant agricultural land; or ▪ Marine waters or oyster aquaculture
State Environmental Planning Policy (Resilience and Hazards) 2021	Clause 4.6 of the Resilience and Hazards SEPP requires in the event of a change of land use, the planning authority must consider whether the land is contaminated, if the land can be suitably remediated for the proposed use. The Preliminary Site Investigation (PSI) prepared as part of the original rezoning for the site states that the site has a generally low potential for contamination and is suitable, from a contamination perspective, for the proposed rezoning. This has been further confirmed as part of ongoing development applications for the site.
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable. The proposal does not result in any mining, petroleum production and/or extractive industries.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 Infrastructure aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development. Future subdivision applications associated with the site which incorporate the development of 300 or more residential dwellings, will require concurrence from Transport for NSW in accordance with Schedule 3 of the SEPP.

Q7 *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

Yes. The Planning Proposal is consistent with relevant Ministerial directions under section 9.1 of the EP&A Act as identified and summarised in **Table 7**.

Table 7 Consistency with Section 9.1 Directions

Section 9.1 Direction	Comment
<u>Focus area 1: Planning Systems</u>	
1.1 Implementation of Regional Plans	The Planning Proposal is consistent with the overall intent of the Western City District Plan, and will not undermine the achievement of its vision, land use strategy, policies, outcomes or actions. Consistency with Regional and District Plan is discussed in Section 5.3 of this report. The Planning Proposal is consistent with the objectives of this direction..
1.2 Development of Aboriginal Land Council land	The Planning Proposal has considered the relevant provisions of chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> . It is noted this site is not identified within the Land Application Map and a delivery plan has not been prepared for the site.
1.3 Approval and Referral Requirements	This is an administrative requirement for Council. It is noted that the proposed amendments do not require the concurrence, consultation or referral of development applications to a Minister or public authority and do not incorporate designated development.
1.4 Site Specific Provisions	The planning proposal and associated mapping has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with Precincts SEPP.
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.6 Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable

Section 9.1 Direction	Comment
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14 Implementation of Greater Macarthur 2040	Not applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19 Implementation of the Westmead Place Strategy	Not applicable
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not applicable
1.21 Implementation of South West Growth Area Structure Plan	An assessment against the South West Growth Area Structure Plan is provided in 4.1.3 of this report. Overall, the proposal remains consistent with the Structure Plan.
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable
<u>Focus area 2: Design and Place</u>	
<i>This Focus Area was blank when the Directions were made and this Planning Proposal was prepared.</i>	
<u>Focus area 3: Biodiversity and Conservation</u>	
3.1 Conservation Zones	This direction does not apply to the site as the proposed amendments do not relates to land within a conservation zone.

Section 9.1 Direction	Comment
3.2 Heritage Conservation	There are no local or state heritage items located within the precinct. Three Aboriginal items are located on site. The AHIP has confirmed that no scarred trees or Aboriginal items are located within the subject site.
3.3 Sydney Drinking Water Catchments	This direction does not apply to the Camden LGA.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not apply to the Camden LGA.
3.5 Recreation Vehicle Areas	Not applicable, the site does not comprise a beach or a dune adjacent to or adjoining a beach.
3.6 Strategic Conservation Planning	Not applicable, the site does not comprise a strategic conservation area as defined in <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
3.7 Public Bushland	Not applicable, the proposal does not result in any changes to vegetation.
3.8 Willandra Lakes Region	This direction does not apply to the Camden LGA.
3.9 Sydney Harbour Foreshores and Waterways Area	The site is not identified within the Foreshores and Waterways Area as defined in <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
3.10 Water Catchment Protection	The site is not identified within a regulated catchment, within the meaning of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
Focus area 4: Resilience and Hazards	
4.1 Flooding	<p>The proposed amendment is not identified within flood prone land under any SEPP or LEP.</p> <p>Watercycle management investigations undertaken for the site confirm that there are no adverse external flood level impacts resulting from the Precinct.</p>
4.2 Coastal Management	<p>Not applicable. The proposal does not result in any changes to the current:</p> <ul style="list-style-type: none"> Coastal wetlands and littoral rainforests area map; Coastal vulnerability area map; Coastal environment area map; and Coastal use area map.
4.3 Planning for Bushfire Protection	<p>As part of the recently adopted DCP amendment, the proposal introduces a perimeter road to meet bushfire requirements and mitigate the requirement for a fire trail. The northern verge has also been widened to include a share path to promote connectivity through the neighbourhood.</p> <p>As the site is identified as bushfire prone land, the future development application for the earth mound will require comment from NSW RFS prior to approval. Mitigation measures regarding future development will be implemented prior to residential development within the Transition Area.</p>
4.4 Remediation of Contaminated Land	The Preliminary Site Investigation prepared for the previous Planning Proposal for the site confirms that potential areas of environmental concern (PAECs) across the Precinct are typical of a rural residential area with agricultural activity and those encountered are unlikely to pose a contamination constraint to the proposed rezoning.

Section 9.1 Direction	Comment
4.5 Acid Sulfate Soils	The Preliminary Site Investigation prepared for the previous Planning Proposal for the site confirms that the site is mapped in a region of extremely low probability of occurrence and is topographically well above the estuarine environments in which Acid Sulphate Soils (ASS) form. The Precinct is unlikely to be affected by ASS however this will be confirmed through further investigations during DA phases.
4.6 Mine Subsidence and Unstable Land	No applicable. The site is not identified on land that is within a declared mine subsidence district in the <i>Coal Mine Subsidence Compensation Regulation 2017</i> pursuant to section 20 of the <i>Coal Mine Subsidence Compensation Act 2017</i> .
<u>Focus area 5: Transport and Infrastructure</u>	
5.1 Integrating Land Use and Transport	The site will benefit from significant investment in road, rail and air-based transport infrastructure in the region anchored by the Western Sydney Airport. By providing a residential community within proximity to the proposed transport infrastructure, including the north-south rail extension the proposal aligns with the objectives of Direction 5.1.
5.2 Reserving Land for Public Purposes	This Planning Proposal is consistent with this direction in that it does not create, alter or reduce existing zonings or reservations of land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	The precinct is located approximately 15km south of the future Western Sydney Airport and is not located on land that is in an ANEF or ANEC contour of 20 or greater. The proposal is therefore acceptable and will not impact on airport operations.
5.4 Shooting Ranges	Not applicable. The proposal does not seek to rezone land adjacent to and/or adjoining an existing shooting range
<u>Focus area 6: Housing</u>	
6.1 Residential Zones	<p>The Planning Proposal provides additional housing options within an identified area for housing growth. The SEPP amended encourages the provision of housing that will:</p> <ul style="list-style-type: none"> ▪ broaden the choice of building types and locations available in the housing market, and ▪ make more efficient use of existing infrastructure and services, and ▪ reduce the consumption of land for housing and associated urban development on the urban fringe, and <p>be of good design.</p>
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
<u>Focus area 7: Industry and Employment</u>	
7.1 Business and Industrial Zones	The Planning Proposal does not affect land within an existing or proposed business or industrial zone.

Section 9.1 Direction	Comment
7.2 Reduction in non-hosted short-term rental accommodation period	This direction does not apply to the Camden LGA.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	This direction does not apply to the Camden LGA.
<u>Focus area 8: Resources and Energy</u>	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable. This proposal does not propose mining, petroleum production and/or extractive Industries
<u>Focus area 9: Primary Production</u>	
9.1 Rural Zones	Not applicable. The proposal does not result in the rezoning of rural zoned land.
9.2 Rural Lands	The site is within the South West Growth Centre and has identified as a Future Urban Growth Area. Direction 9.2 is not applicable to this Planning Proposal.
9.3 Oyster Aquaculture	Not applicable. The site is not identified as a 'Priority Oyster Aquaculture Area'.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	This direction does not apply to the Camden LGA.

Section C – Environmental, Social and Economic Impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is subject to biodiversity certification under the Precincts SEPP which was gazetted on 14 December 2007. The proposed realignment of zoning boundary does not change the environmental impact of the development in comparison to the investigations undertaken as part of the original Planning Proposal.

Overall, no critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal. The subject land is also bio-certified land under the Growth Centres bio-certification.

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Heritage and Visual Impacts

The Precincts SEPP and Oran Park DCP seek to conserve the environmental heritage of the Oran Park Precinct including associated fabric, settings and views. The Part B DCP was prepared to ensure the delivery of development that respects the heritage curtilage of Denbigh.

To protect the rural heritage of Denbigh, the Part B DCP requires subdivision of land immediately adjoining the landscaped earth mound to be in the form of large lots. Updates have been proposed to the current design identified in the DCP to avoid adverse visual impacts of future developments on the rural setting of the Denbigh Estate and on the views from the Denbigh homestead and heritage curtilage. The proposed amendments to mapping align with the updates to the DCP and as such, aim to maintain the heritage character of Denbigh Estate. Overall, the visual impacts (which are the purpose of the transition area and C4

zone) are appropriately mitigated by the proposed earth mound design and associated updates to SEPP mapping.

Traffic

A Traffic Impact Assessment has been prepared by SCT Consulting as part of the recently adopted DCP Amendment (**Appendix B**) to assess the impacts of the future transport network for the Precinct. It is noted that the proposed residential dwellings satisfies the minimum yield dwelling target of 414 as suggested in the DCP.

The proposed trip generation associated with the SEPP amendment are considered minimal and will be distributed to the surrounding road network. The potential traffic impacts associated with the proposal on the surrounding critical road network have been considered as a result of the recently adopted DCP amendment.

- Based on a trip generation rate of 0.99 and 0.95 (AM peak and PM peak) vehicle trips associated with additional residential dwellings would be expected to generate up to 894 vehicle trips during the peak hours.
- Based on a trip generation rate of 0.67 for AM peak hour vehicle trips for a metropolitan public school, a future primary school with up to 1,000 students would be expected to generate up to 670 vehicle trips during the AM peak hours. It is not anticipated the school would generate any traffic during the PM commuter peak hour.
- Based on a trip generation rate of 5.9 and 12.3 (AM peak and PM peak) vehicle trips per 100m² of retail, the updated master plan would be expected to generate up to 633 vehicle trips during the PM peak hours.

Overall, the proposed updates are unlikely to result in any changes to the overall traffic impacts associated with the current proposal.

Q10. *Has the planning proposal adequately addressed any social and economic effects?*

Social Effects

The site forms part of the Oran Park Precinct estate and will facilitate the development of additional residential lots ranging in size and typology which is acceptable given the context of existing and future residential development planned in the area. The proposal is unlikely to have adverse social impacts with the subject site located nearby to existing and future infrastructure and services within the Oran Park Precinct.

Overall, the proposed amendments result in improvements to the heritage curtilage by providing a more responsive earth mound to reflect the topography of the site. The proposed design also reduces the amount of land required on the adjacent Denbigh Estate.

Economic Effects

The Planning Proposal will provide increased housing supply and choice. It forms part of the broader Oran Park Precinct and will contribute to the local economy.

The Planning Proposal will therefore have positive social and economic benefits for the broader community. It is considered that the proposal has addressed social and economic impacts and is in the public interest.

Section D – Infrastructure (Local, State and Commonwealth)

Q11. *Is there adequate public infrastructure for the planning proposal?*

Essential services are available to the site as part of the delivery of the Oran Park Precinct and the proposal does not have any significant increase on demand for these services.

Section E – State and Commonwealth interests

Q11. *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period.

5.4. PART 4: MAPS

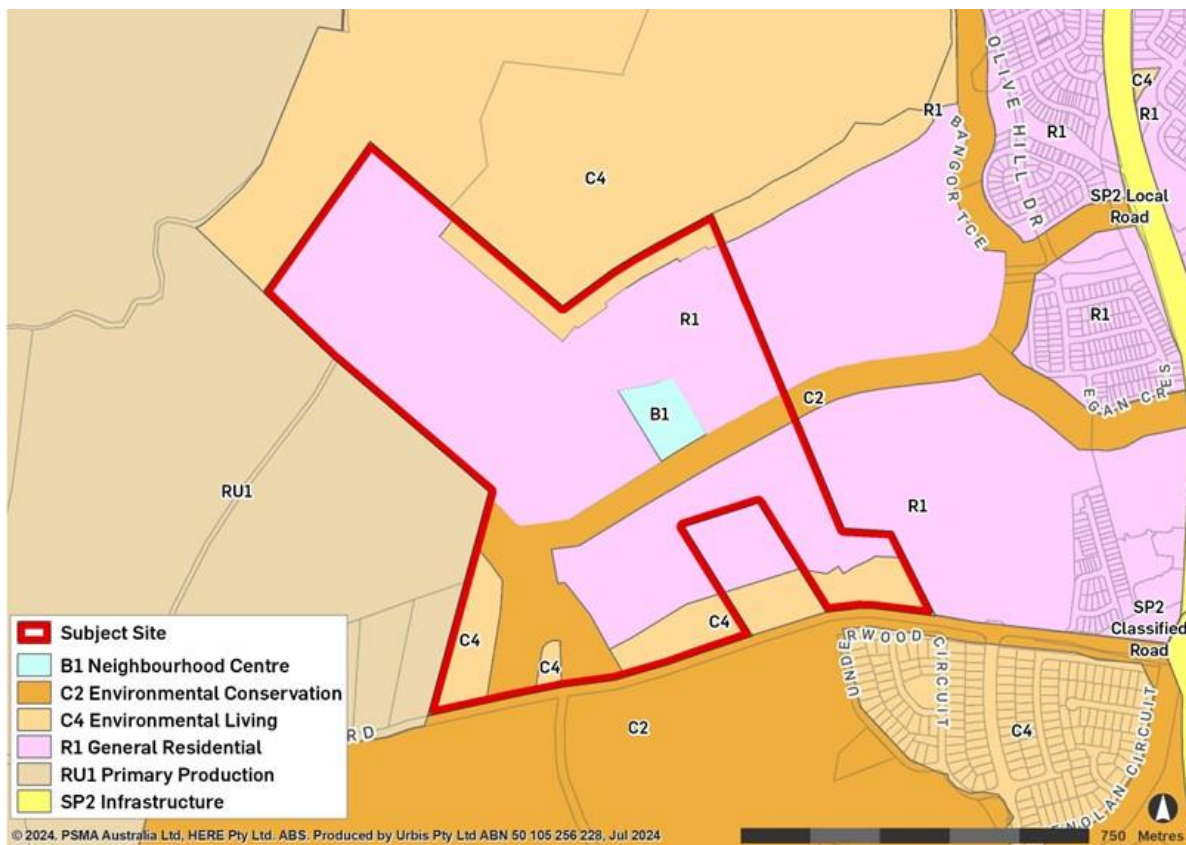
As noted in **Section 5.1**, the following maps contained within the Precincts SEPP are proposed to be amended:

- Land Zoning Map (Sheet LZN_004)
- Minimum Lot Size Map (Sheet LSZ_0004)
- Height of Building Map (Sheet HOB_004)
- Special Areas Map (Sheet SAM_004)

To align with the amended SEPP mapping, a minor amendment is also proposed to the Indicative Layout Plan for the Oran Park Precinct.

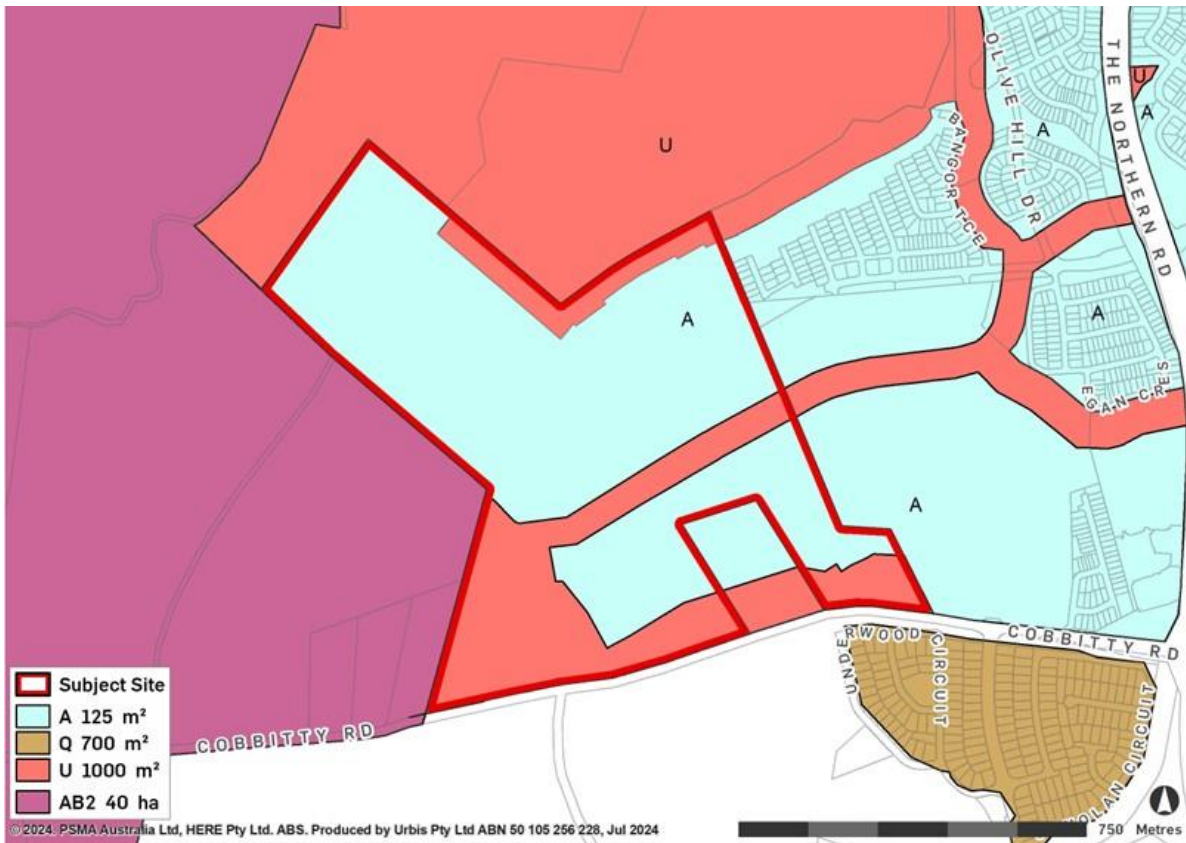
The proposed map amendments are provided in **Figures 11 to Figure 14** and also found in **Appendix A**. the proposed maps are consistent with the intended outcomes for the Planning Proposal as identified in **Section 5.1**.

Figure 19 Proposed Land Zoning Map



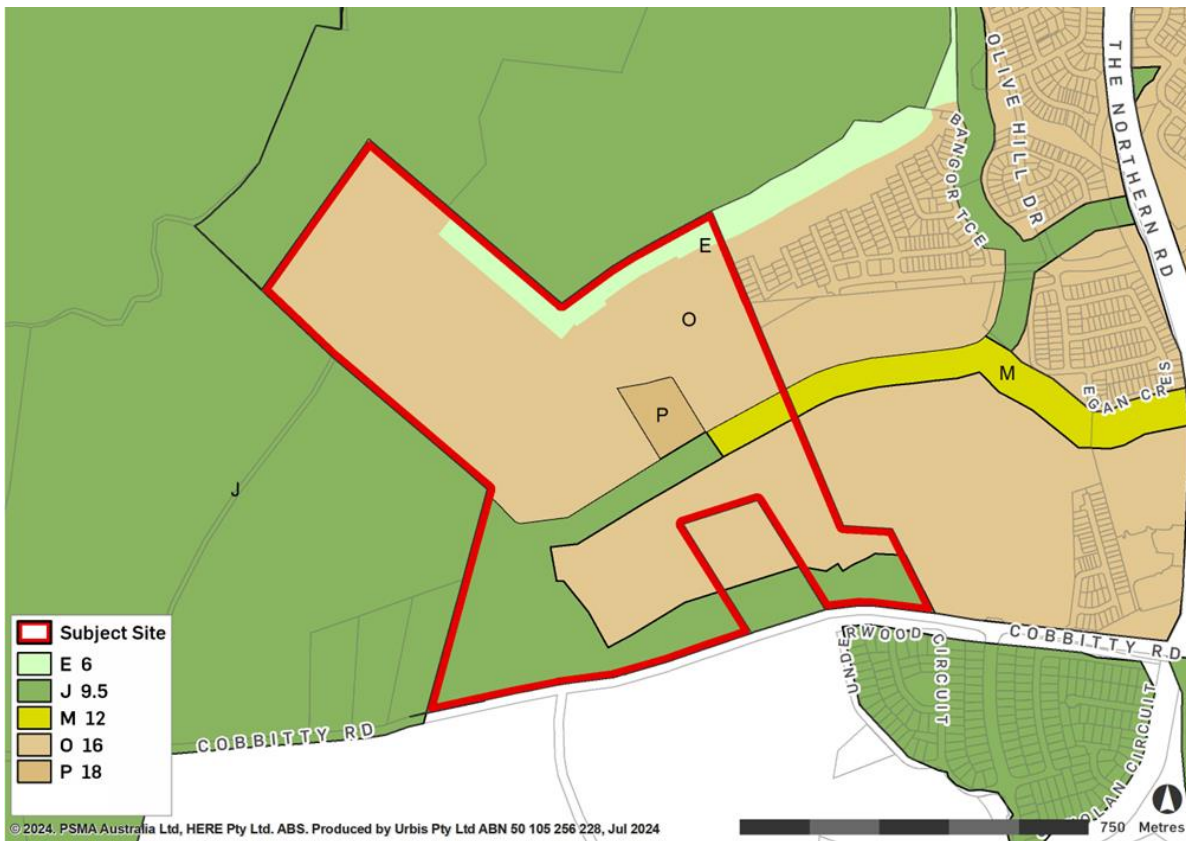
Source: Urbis

Figure 20 Proposed Minimum Lot Size Map



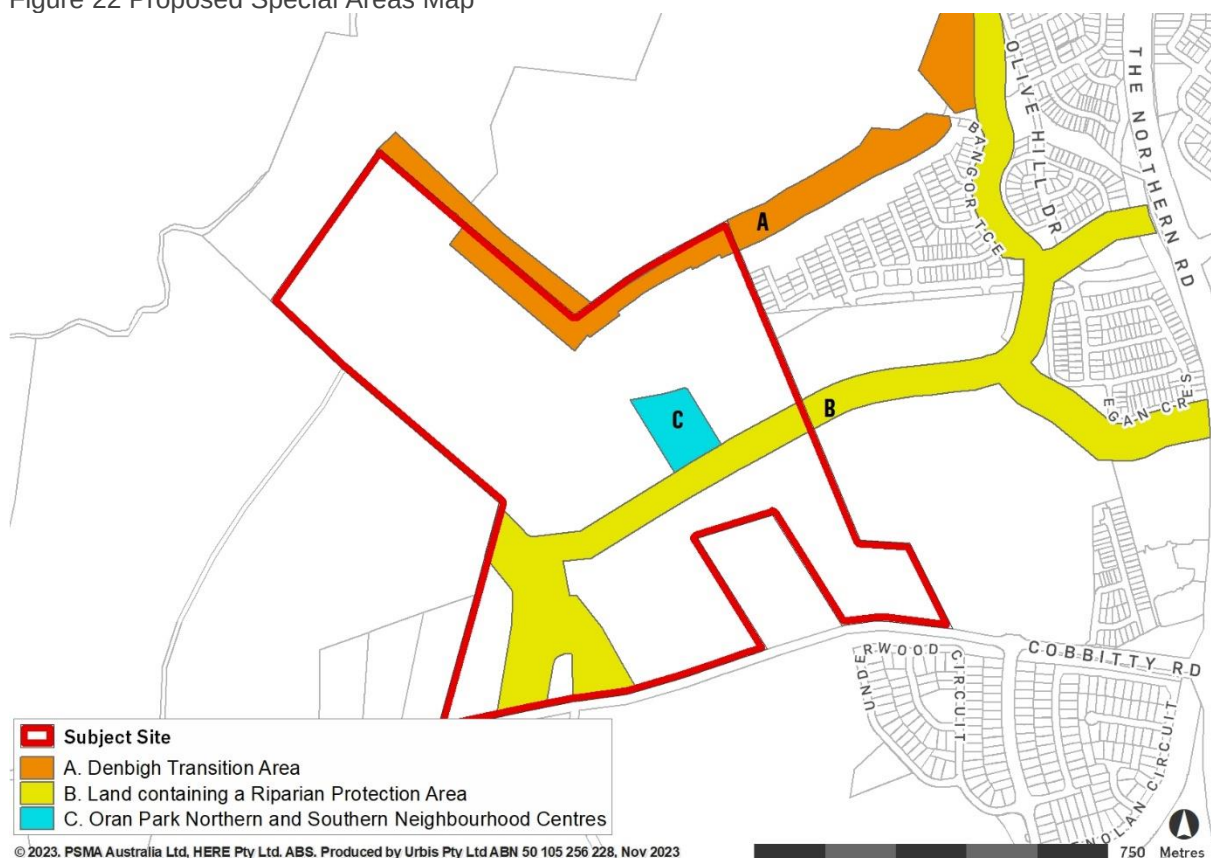
Source: Urbis

Figure 21 Proposed Height of Building Map



Source: Urbis

Figure 22 Proposed Special Areas Map



Source: Urbis

5.5. PART 5: COMMUNITY CONSULTATION

The preliminary consultant has been undertaken is outlined in **Section 3** of this report. The consultation at this stage has been limited to Council and adjoining landowners given the minor nature of the proposal.

Division 3.4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be publicly exhibited for at least 28 days in accordance with the requirements of the DPHI guidelines 'A Guide to Preparing Local Environmental Plans'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper(s).
- A notice on the Council website.
- Written correspondence to adjoining and surrounding landowners.

The gateway determination and Planning Proposal would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

5.6. PROJECT TIMELINE

The following table sets out the anticipated project timeline in accordance with initial discussions with Council. The key milestones and overall timeframe will be subject to further detailed discussions with Council and DPHI.

Table 8 Anticipated Project Timeline

Process	Indicative Timeframe
Assessment by Council	January - September 2024 [underway]
Council decision	October 2024
Gateway Determination	November 2024
Pre-exhibition	December 2024
Public exhibition period	February 2025
Consideration of submissions	March 2025
Submission to DPHI for finalisation	April 2025
Gazettal of SEPP amendment	May 2025

6. CONCLUSION

This Planning Proposal seeks to amend the land zoning from C4 Environmental Living to R1 General Residential and update other associated controls within a portion the Denbigh Transition Area to reflect recent amendments to the Oran Park DCP.

The proposed SEPP amendment will be facilitated through an amendment to *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*. The site is already zoned for residential development with the proposed updates reflecting ongoing investigations and discussions with Camden Council.

We request Council's consideration and support for this proposal and to forward the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure for Gateway Determination.

DISCLAIMER

This report is dated August 2024 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Mirvac Homes NSW (**Instructing Party**) for the purpose of SEPP Amendment (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A SEPP MAPPING

APPENDIX B DCP AMENDMENT

APPENDIX C LANDSCAPE PLANS

APPENDIX D CIVIL PLANS

