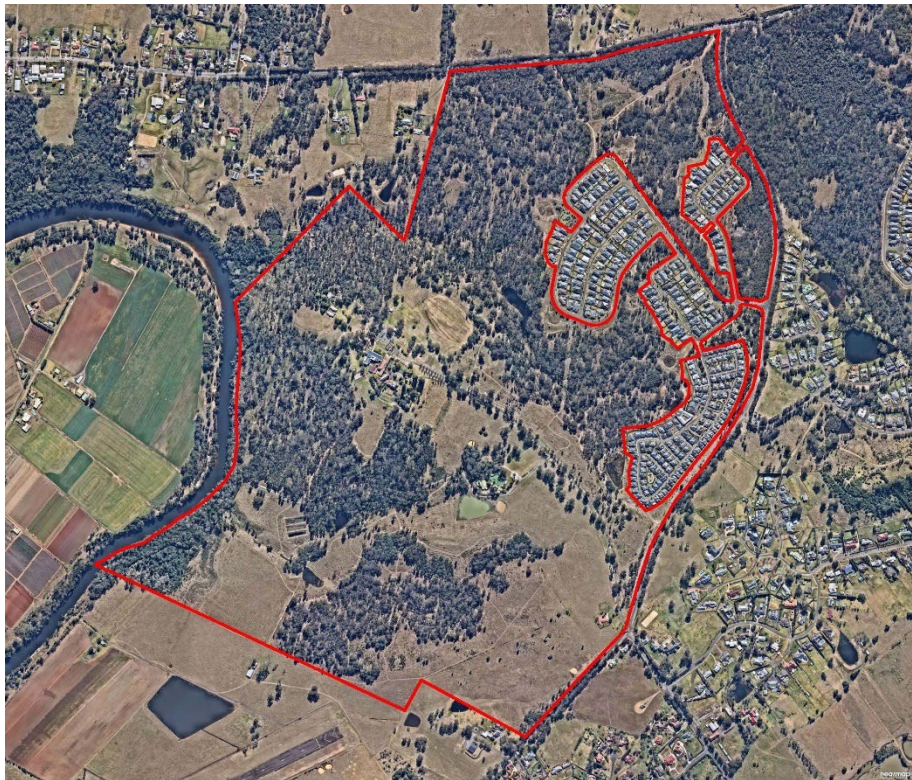




PLANNING PROPOSAL REQUEST
No. 229 Macquarie Grove Road, Cobbitty
(Camden Council)



Prepared For:
Trustees of the Sisters
of the Good Samaritan

Prepared By:



Volume 1: Report

October 2021

(Amended) March 2022

This Report has been prepared exclusively for submission to Camden Council as an initial report in the land “rezoning” process. It is not to be relied upon by any other person/party.

The information contained in this Report has been compiled largely from both principal and secondary information sources and does not purport to be exhaustive. It is, however, considered to be sufficiently rigorous to engender initial Council and community support of advancing a relevant Planning Proposal amendment to the prevailing LEP.

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Introduction

1.1 BACKGROUND

This Planning Proposal (Request) (PPR)¹ represents the formative phase in the development of a Planning Proposal (PP) geared toward varying the planning provisions of the land situated at No. 229 Macquarie Grove Road, Cobbitty (and shown in Figure 1 and Annexure “A”) to more closely reflect the current and potential uses (zoning change) and accommodate such uses on holdings of an appropriate size (minimum lot size change). The proposed changes are to be effected through the preparation of a relevant Planning Proposal amendment to the prevailing Local Environment Plan; namely, Camden Local Environmental Plan, 2010 (CLEP 2010).

1.2 SCOPE OF REPORT

This Proposal has been prepared in accordance with the NSW Department of Planning and Environment’s (DIPE) documents A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals (December 2018). The latter document requires the Planning Proposal to be provided in seven (7) parts, being:

- Part 1 - A statement of the objectives or intended outcomes of the Planning Proposal (and proposed LEP amendment)
- Part 2 - An explanation of the provisions that are to be included in the Planning Proposal (and proposed LEP amendment)
- Part 3 - The justification for those objectives, outcomes and provisions and the process for their implementation
- Part 4 - Relevant support mapping
- Part 5 - Details of the community consultation that is to be undertaken in respect of the Planning Proposal
- Part 6 – Indicative project timeline
- Part 7 - Conclusion

1.3 REPORT STRUCTURE

This Proposal, in providing an outline PP, is structured in the following manner:

- Section 2 provides an overview of the site the subject of this Proposal and the development intent.
- Section 3 contains a statement of the objective and/or intended outcomes of the proposed LEP amendment (Part 1).
- Section 4 provides an explanation of the provisions (Part 2).
- Section 5 provides justification for the objectives, outcomes and provisions of the proposed LEP amendment (Part 3).
- Section 6 provides details of relevant mapping amendments (Part 4).
- Section 7 provides details of the community consultation that would be undertaken in respect of the PP as it is advanced (Part 5).
- Section 8 provides a projected project timeline (Part 6).
- Section 9 provides a pre-lodgement consultation check.
- Section 10 Overview of Major Environmental and Hazard Issues and Infrastructure and Management Implications
- Section 11 outlines a conclusion (Part 7).

¹ For the balance of this document the Planning Proposal Request (PPR) will be termed “the Proposal”.

2 The Subject Land/Site

2.1 LAND DESCRIPTION

The site comprises land known in part as Lot 100 DP1159926 and is further known as No. 229 Macquarie Grove Road, Cobbitty and depicted in Figure 1 below.

It is approximately 250 hectares in size and is irregular in shape. The relevant Deposited Plan is reproduced as Annexure “A”.

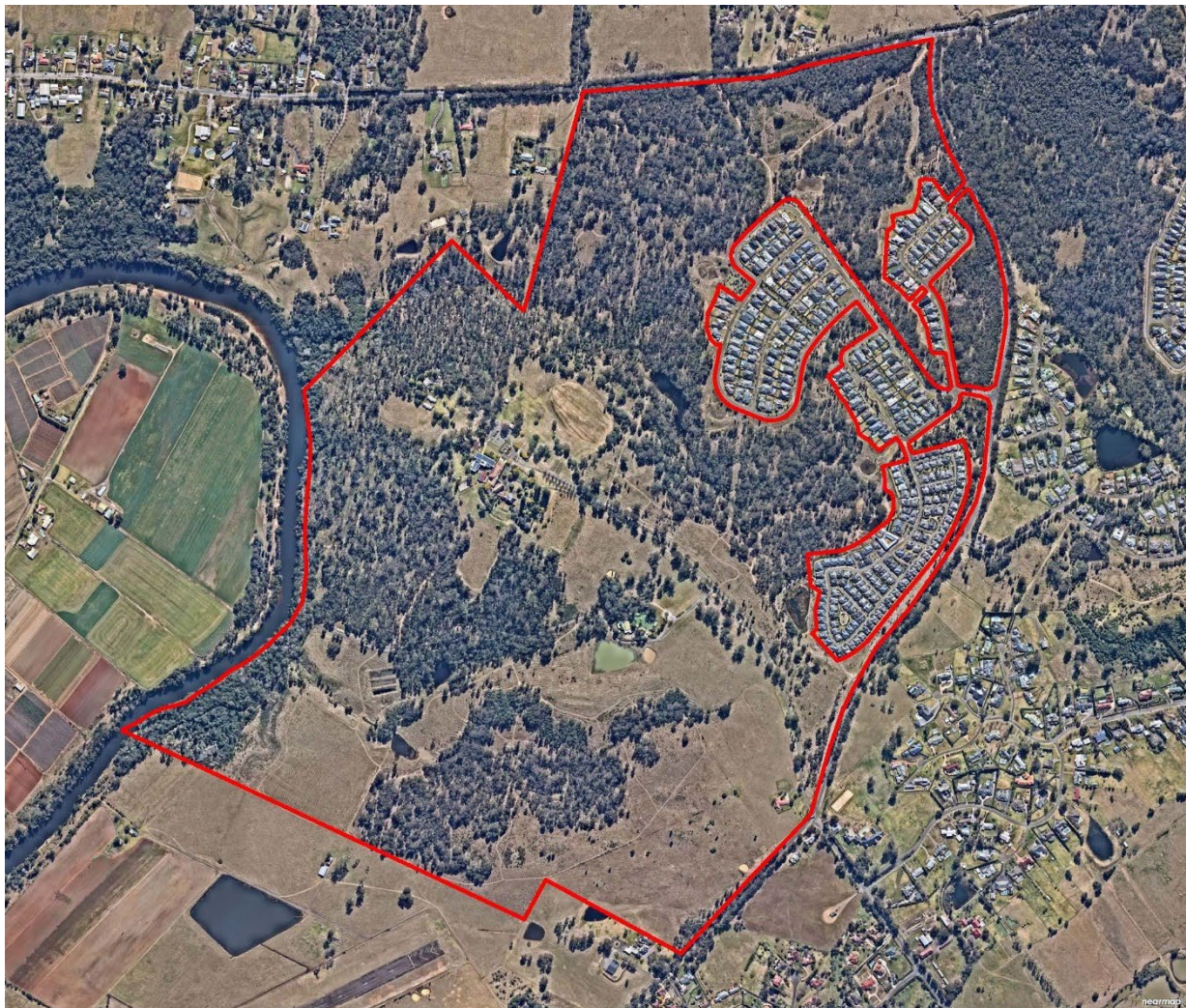


Figure 1: Subject land holding

It comprises a number of precincts that are characterised by the dominant prevailing landuses; these being summarised below.

- Mater Dei “School” Precinct including:
 - The Mater Dei “Special Needs” Educational and Vocational Programs
 - The Mater Dei Chapel
 - The “Stables”
 - The “Wivenhoe Villa”
- The conservation lands (including Biobank Sites)
- The Aspect School (Autism Spectrum Australia)
- The “Convent”/Residue Site

The subject land represents the residue holding after the recent “Kirkham Rise” residential development (including the Wivenhoe Seniors Living Village)

The land is in the Camden Local Government Area (LGA).

Images of the various precincts are captured in the following portfolio of photographs:



Figure 2 – Photograph 1: Aerial photograph extract of the Mater Dei School and Wivenhoe Precinct



Figure 2 – Photograph 2: Aerial photograph extract of the Aspect School Precinct (and surrounds)



Figure 2 – Photograph 3: Restoration of the riparian zone



Figure 2 – Photograph 4: Wivenhoe Conservation Dam



Figure 2 – Photograph 5: Biobank Planting



Figure 2 – Photograph 6: Wivenhoe Villa



Figure 2 – Photograph 7: Mater Dei main entrance from Macquarie Grove Road (Kirkham Lane intersection)



Figure 2 – Photograph 8: Convent precinct viewed from Macquarie Grove Road



Figure 2 – Photograph 9: Convent Precinct viewed from Macquarie Grove Road entrance

2.2 CONTEXT

The site abuts the Kirkham Rise residential estate and Wivenhoe seniors living development to the northeast and large lot residential development known as “The Lanes” and “The Meadows” to the east. Fringing rural lands are located to the south and west. The Nepean River, Ellis Lane meander loop forms the western boundary, whilst the Camden Airport is proximate to the south. The future Cobbitty urban release areas are to the north (Refer to Figure 3 and Annexure “B”).



Figure 3: Immediate Locality/Context

2.3 PRINCIPAL PREVAILING PLANNING CONTROLS

The principal higher order planning control document is known as Camden Local Environmental Plan, 2010 (CLEP 2010)

The land is subject to various landuse zones under CLEP 2010. The relevant zones are noted to include:

- C2 – Environmental Conservation
- R5 – Large Lot Residential
- RU1 – Primary Production
- SP2 – Infrastructure (Air Transport Facility)

And are depicted in the zoning extract maps available at

<https://legislation.nsw.gov.au/#/view/EPL/2010/514/maps#LZN> and reproduced in Annexure “C”.

Also reproduced as Annexure “C” is a summary of the landuse provisions attached to each zone.

An overview statement in respect of each principal zone is made below.

It is noted that in seeking to understand the full range of permissible uses under each zone it is often necessary to refer to the Dictionary attached to CLEP 2010. In applying the Dictionary, one needs to be aware of a cascade of terms in some instances, where “umbrella” terms are involved.

Furthermore, it is also important to note that notwithstanding the permissibility of a landuse it must satisfy the CLEP 2010 zone objectives and development assessment provisions documented at Section 4.15 of the Environmental Planning and Assessment Act, 1979.

Environmental Conservation (C2)

The land zoned C2 – Environmental Conservation is zoned in such a manner given its high ecological value, particularly in a rehabilitated form. This land is under a “Conservation Agreement” or Biodiversity Stewardship Agreements.

The range of land uses permissible in such zone is particularly limited (as reference to Annexure “C” serves to indicate), with a clear focus on environmental compatibility. Such land also forms part of the Metropolitan Rural Area referred to below.

Primary Production (RU1)

This zone applies to land generally considered to have rural production qualities. Council wishes to retain such lands for rural purposes and related rural landscape imagery where practical. This is reflected in the adoption of the Camden Rural Lands Strategy in 2017 (RLS). The Metropolitan Rural Area concept (in the Western City District Plan) covers land zoned accordingly and introduces a broader view of lands in such context, including environmental management.

Large Lot Residential (R5)

As suggested by the heading/designation the principal use is large lot residential development and ancillary uses.

This zoning has been applied to the Mater Dei School/Chapel/Stables Precinct and Driveway and is considered to be inappropriate, given the pre-existing uses.

Infrastructure SP2

The subject SP2 infrastructure zone is nominated to be an Air Transport Facility and is obviously zoned such way to facilitate the appropriate operation of the Camden Airport.

2.4 PRINCIPAL DEVELOPMENT STANDARDS

A series of principal development controls are detailed at Part 4 of CLEP 2010, including a minimum subdivision lot

size of 40ha in respect of land zoned RU1 and 800sq.m in respect of land zoned R5. No minimum lot size is specified for zone C2.

Development is also subject to maximum building height provisions at Clause 4.3 (generally 9.5m).

There are no maximum Floor Space Ratio Provisions.

Additionally, Clause 4.6 facilitates certain exceptions to development standards.

2.5 OTHER SELECT PROVISIONS (CLEP 2010)

Miscellaneous Provisions are detailed at Part 5 and Local Provisions at Part 7. Attention is drawn to; inter alia Clause 5.10 in respect of Heritage Conservation (“Wivenhoe” – including house and gardens, outbuildings, stables, servants’ quarters and coach house)

Heritage Conservation Incentives (Clause 5.10 [10])

It is noted that the Conservation Incentives clause permits Council to grant consent for the use for any purpose of a heritage item or the land on which it is situated, even though development may not otherwise be allowed. There are conditions to be met if such a clause is evoked including; inter alia, conservation of the “Wivenhoe” group in accordance with a Heritage Management Document.

Miscellaneous Local Clauses (CLEP 2010)

It is noted that Clauses 7.1 and 7.2 outline restrictions in respect of flooding and airspace operations respectively.

3 Objectives or Intended Outcomes (Part 1)

The Proposal has the express purpose of providing an amended planning framework.

Objective

To facilitate the long-term sustainability and conservation of the subject property and its uses and programs (particularly for students with special needs) into the future, by amending the underlying planning template.

Outcomes

A revised planning template that more closely reflects the current/proposed diverse landuses and facilitates a future “super lot” subdivision.

The indicative super lot subdivision is depicted over as Figure 3.



(Prepared by JMD 20.07.2021)

Figure 3: Indicative Proposed Super Lot Subdivision

4 Explanation of Provisions (Part 2)

Amendment of Camden LEP 2010 Land Zoning map as follows:

- R5: Large lot residential to SP2 Infrastructure – Education Establishment
 - RU1: Primary Production to part C2: Environmental Conservation, part RU2: Rural Landscape, and part SP2 Infrastructure – Educational Establishment
- Amend the Lot Size Map from 40ha to part 20ha (school and residue site) and part 2ha (school).
 - The proposed C2: Environmental Conservation Land has no minimum lot size.
(Refer to Annexures “N” and “O”)

Finally, it is not proposed to amend any other maps in the suite of maps comprising Camden LEP 2010.

5 Justification (Part 3)

5.1 NEED FOR THE PLANNING PROPOSAL

5.1.1 INTRODUCTION

It is initially noted that the level of justification for a Planning Proposal should:

- Be proportionate to the impact the planning proposal will have
- Be comprehensive without necessarily being exhaustive, where standard questions are not considered relevant to the Planning Proposal
- Be sufficient to allow a Gateway determination to be made with the confidence that the LEP can be finalised within the proposed timeframe.

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

5.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN STRATEGY AND EXHIBITED DRAFT STRATEGIES)?

The Metropolitan and sub-regional planning context has recently been revised with the adoption of the Greater Sydney Region Plan – A Metropolis of Three Cities and the Western City District Plan.

5.2.1.1 GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES (GSRP)

The subject plan was released in March 2018 and is the current Metropolitan Plan for Sydney. It sets the 40-year vision up to 2056 and provides a 20-year plan to manage growth and change in Sydney.

Furthermore, the Plan seeks to integrate with the companion State Infrastructure Strategy 2018-2038 and Future Transport Strategy.

Importantly, this Proposal is consistent with the key directions in respect of; inter alia, infrastructure and collaboration, liveability, productivity and sustainability, summarised as follows:

A city supported by Infrastructure:

Objective 4: Infrastructure use is optimised

The proposed planning framework in facilitating future development will not “overtax” existing infrastructure, but rather will seek to leverage off existing infrastructure. The surrounding transport network will be largely enhanced as a result of off-site local and district level urban growth.

A city for people:

Objective 6: Services and infrastructure meet communities’ changing needs

The expanding special needs education environment will be partly accommodated on site through the sustainability foundation underpinning the proposal.

Objective 7: Communities are healthy, resilient and socially connected.

The Proposal will contribute to facilitating a healthy, resilient and socially connected community.

Housing the city:

Objective 10: Greater Housing Supply

Objective 11: Housing is more diverse and affordable²

² The Proposal notably does not provide for Greater Housing Supply (Objective 10) and More Diverse and Affordable Housing (Objective 11) are not underlying objectives of the Proposal.

A city in its landscape:

Objective 25: The coast and waterways are protected and healthier

The proposed expanded C2 – Conservation zone and associated conservation initiatives will initially improve the protection of local drainage lines and the immediate Nepean River.

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

The existing and continued commitment to biodiversity conservation initiatives will ensure this objective is fulfilled.³

Objective 28: Scenic and cultural landscapes are protected

The Proposal has been demonstrated to not adversely impact upon the unique scenic and cultural landscape and will indeed provide a framework for its long-term conservation.⁴

Objective 29: Environmental, social and economic values in rural areas are protected and enhanced.

The Proposal provides a template for the protection of the multi-dimensional attributes of the prevailing rural character.

A resilient city:

Objective 37: Exposure to natural and urban hazards is reduced.

The commitment to ecological conservation will assist in combatting urban heat island impacts, whilst the appropriate bushfire management practices can be implemented (Refer to Annexure “G” in the latter instance).

5.2.1.2 WESTERN CITY DISTRICT PLAN

The Western City District Plan (WCDP) was released in March 2018 and provides a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the vision for Greater Sydney at a District Level. It is founded on 10 Directions, in a manner consistent with the Greater Sydney Regional Plan and reflected in Key Priorities and Actions.

As with the Greater Sydney Region Plan the proposal in the WCDP context is seen to be consistent with the key directions in respect of: infrastructure and collaboration, liveability and sustainability and in particular:

A city supported by Infrastructure:

Planning Priority W1 – Planning for a city supported by infrastructure

The Proposal will seek to optimise existing infrastructure provision without “overtaxing” the same (Refer also to Objective 4 of the GSRP)

Housing the city:

Planning Priority W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport.

Not an objective of this Proposal

Planning Priority W6 – Creating and renewing great places and local centres and respecting the district’s heritage.

The Proposal has importantly been demonstrated to respect the prevailing local heritage qualities (Refer to Objective 28 of GSRP and Annexure “E”).

Planning Priority W7 – Establishing the landuse and transport structure to deliver a liveable, productive and sustainable Western Parkland City.

The Proposal does not “overtax” the existing transport network and will leverage off local and district transport infrastructure enhancements.

A city in its landscape:

Planning Priority W12 – Protecting and improving the health and enjoyment of the District’s waterways

³ Refer to Biodiversity Assessment at Annexure “D” for Objectives 25 and 27.

⁴ Refer to European Heritage Assessment at Annexure “E”.

The conservation zone and associated conservation initiatives will have no adverse impacts on local drainage lines and the immediate Nepean River (Refer to Objective 25 GSRP)

Planning Priority W14 – Protecting and enhancing bushland and biodiversity

A critical foundation of the Proposal is the expansion of the C2 – environmental conservation zone and commitment to ongoing biodiversity conservation initiatives (Refer to Annexure “D”).

Planning Priority W15 – Increasing urban tree canopy cover and delivering Green Grid connections

The Proposal is focused upon major natural environmental conservation initiatives that will be further reinforced through an expanded C2 zoning and in doing so facilitate an expanded green grid and the peri urban tree canopy.

Planning Priority W16 – Protecting and enhancing scenic and cultural landscapes

The Proposal has no adverse impacts on the scenic and cultural landscape and will ensure any future development respects the subject sensitivities (Refer to Objective 28 GSRP and Annexure “E”).

Planning Priority W20 – Adapting to the impacts of urban and natural hazards and climate change

The Proposal is cognisant of local flood impacts and is capable of responding appropriately to the ever-present bushfire hazard, as is documented in Annexure “G”.

5.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL’S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?

5.2.2.1 COMMUNITY STRATEGIC PLAN-CAMDEN 2040 (CSP)

The Proposal is also consistent with Council’s Community Strategic Plan – Camden 2040 (CSP).

This community inspired strategic plan is Council’s highest level strategic plan and seeks to chart the Local Government Areas future development, with a target vision of a “Sustainable Camden Local Government Area by 2040”. In doing so it summarises the challenges before it, the diversity of stakeholders and the need for a collaborative partnership.

The Camden Community Strategic Plan has as its focus six Key Directions critical to the delivery of Camden 2040; namely:

- Actively managing Camden LGA’s growth
- Healthy urban and natural environment
- A prosperous economy
- Effective and sustainable transport
- An enriched and connected community
- Strong local leadership

The Plan and these themes are developed clearly against the backdrop of the State and Regional Planning initiatives.

In respect of the Key Directions, two are worthy of note:

Healthy Urban and Natural Environment

Preamble

Camden’s natural and built environment are central to sustaining the health, wellbeing and prosperity of the local population.

The Proposal provides a framework for contributing positively to a healthy broader urban environment and facilitating long term sustainable natural environment outcomes and in doing so does not adversely impact

the natural and built environments to unacceptable levels. It also facilitates the conservation of important scenic and cultural landscape and major heritage items. Furthermore, it is not inconsistent with the general thrust of the following objective and select strategy.

Objective

2.1 Caring for urban and natural environment, including heritage sites.

Strategies

2.1.1 Protect the built and natural heritage of the Camden LGA.

An Enriched and Connected Community

Preamble

An enriched and connected community involves arts and culture, community safety, healthy lifestyles and community health.

The Proposal seeks to provide a framework for factoring sustainable quality programs for children with special educational needs and is consistent with the following objective and select strategy.

Objectives

5.2 Opportunities for lifelong learning

Strategies

5.1.1 Foster strong, cohesive, healthy and safe communities.

5.2.2.2 CAMDEN LOCAL STRATEGIC PLANNING STATEMENT (LSPS)

The Local Strategic Planning Statement (LSPS) establishes a 20-year landuse planning vision founded on the four themes of the GSRP and WCDP; namely, infrastructure and collaboration, liveability, productivity and sustainability. It establishes 21 local priorities to be implemented through relevant strategies and actions.

A summary assessment of the Proposal against the relevant priorities and actions of the LSPS is provided below.

Infrastructure

Local Priority L1 – Aligning infrastructure delivery with growth

The Proposal will capitalise on existing infrastructure and not “overtax” the same. The surrounding transport network will largely be enhanced as a result of off-site local and district level urban growth.

Liveability

Local Priority L2 – Celebrating and Respecting Camden's proud heritage

The Proposal has been demonstrated to respect the prevailing heritage qualities.

(Refer to Annexure “E”)

Local Priority L3 – Providing services and facilities to foster a healthy and socially connected community

The provision of a framework to support diverse special education programs will evolve from the Proposal.

Local Priority S1 – Improving the accessibility and connectivity of Camden's Blue and Green Grid and delivering high quality open space.

The Proposal will enhance the connectivity of local natural systems through expanding the C2 – Conservation zoning and on-going pursuit of conservation initiatives.

Local Priority S2 – Protecting and enhancing the health of Camden's waterways and strengthening the role

and prominence of the Nepean River

The Proposal through the expanded conservation initiatives leveraging off the expanded C2 zone will afford greater protection of the Nepean River.

Local Priority S3 – Protecting Camden's Rural land

The Proposal will reinforce retention of rural land in the RU2 – Rural Landscape zone, and the open rural landscape character generally.

The land with an RU1 foregone for conservation purposes pursuant to the C2 classification is an equally important outcome in the MRA cited in the WCDP.

Local Priority S4 – Protecting and restoring environmentally sensitive land and enhancing biodiversity

The Proposal seeks to afford greater protection to the Bio Bank sites by zoning them C2. The existing C2 zoned land remains unchanged affording appropriate protection.

Local Priority S6 – Improving Camden's resilience to hazards and extreme weather events.

The Proposal through the conservation initiatives (biodiversity) and enhanced tree canopy generally will assist in combatting the urban heat island effect. Appropriate bushfire hazard management practices are also capable of implementation.

5.2.2.3 CAMDEN RURAL LANDS STRATEGY (RLS)

Council adopted the RLS in November 2018, following an update. The RLS is intended to guide Council's decision making on rural land, with the broad intent to protect Camden's remaining rural lands outside the SWGA.

The RLS is considered to have little application to the Proposal apart from the proposed rezoning of some RU1 – Primary Production land to C2 – environmental conservation, with the rural productivity impacts of rezoning the limited tract of land from RU1 to RU2 – rural landscape unlikely to be discernible.

The rezoning of the RU1 land to C2 is not inconsistent with the diversity of non-urban uses promoted in the Metropolitan Rural Area (MRA) outlined in the WCDP.

Notwithstanding the limited application of the RLS an assessment of the Proposal against the RLS is summarised below.

Proposals must be consistent with state and local strategic plans

The Proposal has been demonstrated at Sections 5.2.1.1, 5.2.1.2, 5.2.2.1 and 5.2.2.2 to be suitably consistent with State/District and Local Strategic Plans.

Proposals must not adversely impact on the operation of existing rural enterprises.

The property is not used for intensive agricultural pursuits. The significant tract of land devoted to biodiversity conservation initiatives reduces the available land for commercial agricultural activities. Controlled climate structures or shedding for intensive agriculture would be incompatible with the scenic and cultural landscape imagery and potentially create landuse conflict with nearby residents.

Proposals must be a logical extension to existing urban areas.

The Proposal does not entail urban development. Its relationship to existing urban areas is accordingly not important.

Proposals must not reduce the quality of scenic landscapes, vistas, ridgelines or heritage values.

The Proposal is accompanied by specialist documentation that attests to adequate sensitivity in respect of the subject landscape qualities and heritage values (Refer to Annexure "E").

A critique of the Camden Rural Lands Study and Strategy forms Annexure "L" and further reinforces the limited inherent agricultural productivity potential of the currently zoned RU1 lands, given their general class 3 categorisation and positioning close to residential development.

5.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The study area is subject to the provisions of a raft of State Environmental Planning Policies (SEPPs).

An overview assessment of compliance with the prevailing SEPPs is provided below. A checklist of relevant SEPPs is detailed in the Property Report at Annexure “C”.

The policies highlighted importantly do not prohibit and/or significantly constrain realisation of the Proposal.

State Environmental Planning Policy	Consistency	Comment
State Environmental Planning Policy No 1— Development Standards	N/A	Not applicable as CLEP 2010 is a Standard Instrument LEP and incorporates Clause 4.6 – Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
State Environmental Planning Policy No 19— Bushland in Urban Areas	Yes	The site is subject to the provisions of SEPP 19. SEPP 19 applies to the proposed rezoning as Camden Council LGA is listed in Schedule 1 – ‘Areas and part areas to which the Policy applies’. The land the subject of the Proposal does not comprise an urban area. Notwithstanding, the site is subject to leading edge conservation initiatives.
State Environmental Planning Policy No 21— Caravan Parks	Yes	The Proposal does not entail a caravan park.
State Environmental Planning Policy No 30— Intensive Agriculture	N/A	
State Environmental Planning Policy No 33— Hazardous and Offensive Development	Yes	The Proposal does not entail hazardous or offensive development.
State Environmental Planning Policy No 36— Manufactured Home Estates	Yes	The Proposal does not involve a manufactured house estate.
SEPP (Koala Habitat Protection) 2021	Yes	The Specialist Biodiversity Report (at Annexure “D”) considers on balance that the Policy applies and that there is no Koala Plan of Management for the Camden LGA. Council will need to consider the likely impact on Koalas or Koala Habitat with any future DA. Despite no evidence of Koala activity, the site is considered to comprise Potential Koala Habitat. This is not considered to be a constraint to the Proposal but would need to be the subject of more extensive investigation with future more significant DAs.
State Environmental Planning Policy No 47— Moore Park Showground	N/A	
State Environmental Planning Policy No 50— Canal Estate Development	N/A	

State Environmental Planning Policy	Consistency	Comment
State Environmental Planning Policy No 52— Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
State Environmental Planning Policy No 55— Remediation of Land	The PP is consistent with SEPP 55.	The site has demonstrated no evidence of gross ground contamination. This may be a consideration for future development applications. Additionally, the site is not known to be identified as a contaminated site on the EPA contamination register, therefore the site is considered suitable for the proposed rezoning.
State Environmental Planning Policy No 62— Sustainable Aquaculture	N/A	
State Environmental Planning Policy No 64— Advertising and Signage	Yes	No signage is proposed.
State Environmental Planning Policy No 65— Design Quality of Residential Flat Development	Yes	No residential flats are proposed.
State Environmental Planning Policy No 70— Affordable Housing (Revised Schemes)	Yes	The Proposal does not involve affordable housing.
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	The Proposal does not involve affordable rental housing.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	The Proposal does not involve the application of BASIX.
State Environmental Planning Policy (Coastal Management) 2018	N/A	
State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017	Yes	Any future development application would need to comply with the policy.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	The Proposal does not impact the application of the policy
State Environmental Planning Policy (Gosford City Centre) 2018	N/A	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes	The Proposal does not impact the application of the policy.
State Environmental Planning Policy (Infrastructure) 2007	Yes	Any future DA would be required to address any relevant criteria.
State Environmental Planning Policy (Kosciuszko National Park— Alpine Resorts) 2007	N/A	
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	

State Environmental Planning Policy	Consistency	Comment
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Yes	Mineral and extractive industries are not imperilled by the Proposal.
State Environmental Planning Policy (Miscellaneous Consent Provision) 2007	N/A	
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	
State Environmental Planning Policy (Rural Lands) 2008	N/A	
State Environmental Planning Policy (State and Regional Development) 2011	N/A	
State Environmental Planning Policy (State Significant Precinct) 2005	N/A	
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A	
State Environmental Planning Policy (Concurrences and consents)	Yes	The SEPP is not relevant in the context of the subject Proposal.
State Environmental Planning Policy (Primary Production and Rural Development)	Yes	The Policy has no application in the context of the Proposal.
State Environmental Planning Policy (Vegetation in non-rural areas)	Yes	The Proposal does not include any land clearing.
State Environmental Planning Policy (Three Ports) 2013	N/A	
State Environmental Planning Policy (Urban Renewal) 2010	N/A	
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Yes	No trees and vegetation are proposed to be removed as part of the Proposal. Existing Cumberland Plain Woodland will be protected through the retention and expansion of the existing C2 Environmental Conservation and continued planting activities
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	N/A	

State Environmental Planning Policy	Consistency	Comment
Sydney Regional Environmental Plan No 9— Extractive Industry (No 2—1995)	N/A	
Sydney Regional Environmental Plan No 16— Walsh Bay	N/A	
Sydney Regional Environmental Plan No 20— Hawkesbury-Nepean River (No 2—1997)	Yes	The Proposal does not have any adverse impact upon the Nepean River. Indeed, the expanded C2 zone and associated conservation activities will protect water quality and preserve prevailing landscape qualities.
Sydney Regional Environmental Plan No 24— Homebush Bay Area	N/A	
Sydney Regional Environmental Plan No 26— City West	N/A	
Sydney Regional Environmental Plan No 30— St Marys	N/A	
Sydney Regional Environmental Plan No 33— Cooks Cove	N/A	
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	

5.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

Section 9.1 Ministerial Directions detail matters to be addressed in LEPs so as to achieve particular principles, aims and objectives or policies.

All relevant Directions can be adequately accommodated in the preparation of an LEP amendment of the nature foreshadowed in this Proposal, as detailed below.

An assessment of the Proposal against the relevant Ministerial Directions is provided below.

S.9.1 Direction Title	Consistency	Comment
Employment and Resources		
1.1 Business and Industrial Zones This Direction seeks to encourage employment suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	N/A	The Proposal does not apply to land in Business or Industrial zones.
1.2 Rural Zones This Direction seeks to protect the agricultural production value of rural lands.	Yes	The Proposal does not rezone land, as detailed in the direction, for residential, business, industrial village or tourist zones; nor does it increase the permissible density.
1.3 Mining, Petroleum Production and Extractive Industries This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	Yes	The Proposal does not introduce additional constraints to the “winning” of such resources.

S.9.1 Direction Title	Consistency	Comment
Employment and Resources		
1.4 Oyster Aquaculture This direction seeks to ensure Priority Areas and areas generally suitable for oyster aquaculture not compromised.	Yes	The Proposal has no impact on oyster aquaculture production.
1.5 Rural Lands This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	N/A	This direction does not apply to the Camden LGA.
Environment and Heritage		
2.1 Environment Protection Zones This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	Overall, the Proposal does not compromise environmentally sensitive areas. Whilst 2.347ha of land currently zoned C2 will be re-zoned to SP2, 13.27ha of land currently zoned R5 will be added to the C2 land with which it is contiguous, and under a Conservation Management Plan. The small amount of C2(C2) land to be zoned SP2 (some 2.347ha) is land of particularly poor ecological/biodiversity quality. Indeed, the limited vegetation comprises largely an exotic garden setting, with few mature trees and many invasive woody weeds, being the product of a century of European landscape and farming practices. Of particular importance in this Proposal is the re-zoning of 85.3ha of land currently zoned RU1 being rezoned to C2 land. This land is currently under Biodiversity Stewardship Agreements. On balance, the Proposal is considered to be consistent with the Direction.
2.2 Coastal Protection This Direction seeks to protect and manage coastal areas of NSW	N/A	This direction does not apply as the Proposal as it is not located within the coastal zone.
2.3 Heritage Conservation This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	The Proposal is consistent with the Direction as is demonstrated in the specialist reports at Annexures "E" and "F".
2.4 Recreation Vehicle Areas This Direction seeks to protect	Yes	The Proposal does not facilitate development of the site for a "recreational vehicle area".

sensitive lands from the adverse impacts of recreational vehicles.		
2.5 Application of C2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	This direction does not apply as the Proposal is not located at the Far North Coast of NSW
2.6 Remediation of Contaminated Land This Direction seeks to reduce the risk of harm to human health and the environment by ensuring appropriate knowledge and remediation of contaminated lands.	Yes	The Proposal involves no increased exposure to potential contaminants and no need for detailed investigation until the submission of development applications.
Housing, Infrastructure and Urban Development		
3.1 Residential Zones This Direction seeks to encourage housing diversity , optimise use of infrastructure and minimise the impacts on resource lands.	N/A	The Proposal does not include residential development provisions.

S.9.1 Direction Title	Consistency	Comment
Housing, infrastructure and urban development		
3.2 Caravan Parks and Manufactured Home Estates The Direction seeks to provide for housing diversity through caravan parks and manufactured home estates.	N/A	The Proposal does not propose to permit or restrict caravan parks and manufactured home estates.
3.3 Home Occupations	N/A	This direction does not apply as the Proposal is not considering Home Occupations
3.4 Integrating Land Use and Transport This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	N/A	The Proposal does not occasion the need for a comprehensive strategy for integrated landuse and transport. It has had regard to movements on-site and to and from the site in the form of a traffic impact assessment (Refer to Annexure "I"). No major physical infrastructure amendments are occasioned by the Proposal. Future development applications will need to ensure the integration of any such Proposal with movement means/enhancement.
3.5 Development Near Regulated Airports and Defence Airfields This Direction seeks to ensure the effective and safe operation of airports and ensure development does not compromise operations. Additionally, where aircraft noise is an issue acoustic abatement measures are to be addressed.	Yes	The Proposal was subject to a comprehensive Aviation Assessment, which identified operational impacts on the land and advanced mitigation measures (Refer to Annexure "H").
3.6 Shooting Ranges This Direction seeks to maintain appropriate levels of public safety and amenity when rezoning land adjacent to shooting ranges.	N/A	This direction does not apply as the Proposal is not located near any shooting ranges.
Hazard and risk		
4.1 Acid Sulphate Soils This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	N/A	This direction does not apply as the Proposal is not situated on land with acid sulphate soils.
4.2 Mine Subsidence and Unstable Land This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	N/A	This direction does not apply as the Proposal is not within a mine subsidence or unstable land area

S.9.1 Direction Title	Consistency	Comment
Hazard and risk		
4.3 Flood Prone Land This Direction seeks to ensure that development of flood prone land is consistent with the Policy and Principles as well as ensuring the LEP provides consideration of flood impacts and surrounding land.	Yes	The Proposal does not impact upon the limited flood affected land that comprise part of the site
4.4 Planning for Bushfire Protection This Direction seeks to protect life, from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	The site is located on Bush Fire Prone Land. A detailed Bushfire Assessment Report has been prepared by Travers Bushfire and Ecology detailing the required measures that will enable sound management of bushfire prone areas. The Bushfire Assessment Report is attached to the Proposal as Annexure "G".
Regional Planning		
5.1 Implementation of Regional Strategies	N/A	Revoked October 2017
5.2 Sydney Drinking Water Catchments This Direction seeks to protect the water quality in the Sydney Drinking Water Catchment	N/A	This direction does not apply as the Proposal is not within Sydney drinking water catchment areas.
5.3 Farmland of State and regional Significance on the NSW Far North Coast	N/A	This direction does not apply as the Proposal is not within significant farmland in the stated locality.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	This direction does not apply as the Proposal is not within the relevant location.
5.9 North West Rail Link Corridor Strategy	N/A	This direction does not apply as the Proposal is not within the affected Local Government Areas.
5.10 Implementation of Regional Plans	N/A	This direction does not apply to the subject site.
Local Plan Making		
6.1 Approval and Referral Requirements This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The Proposal does not contain provisions that require additional concurrence requirements.
6.2 Reserving Land for Public Purposes This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservation of land for public purpose where land is no longer required for acquisition	Yes	This direction does not apply as the Proposal does not involve reserving land for public purposes.

S.9.1 Direction Title	Consistency	Comment
Local Plan Making		
6.3 Site Specific Provisions This Direction seeks to discourage unnecessarily restrictive site-specific planning controls.	Yes	The Proposal relates to the 'standard instrument' LEP 2010. No site-specific provisions are proposed to be introduced to LEP 2010 via the Proposal.
Metropolitan Planning		
7.1 Implementation of A Metropolis of Three Cities	N/A	Revoked November 2020
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Revoked November 2019
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	This direction does not apply as the Proposal is not within the relevant Local Government Areas.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	This direction does not apply as the Proposal is not within the Northwest Priority Growth Area.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This direction does not apply as the Proposal is not within the Greater Parramatta Priority Growth Area.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	This direction does not apply as the Proposal is not within the Wilton Priority Growth Area.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	This direction does not apply as the Proposal is not within the Glenfield to Macarthur Urban Renewal Corridor.
7.8 Implementation of Western Sydney Aerotropolis Plan	Yes	The Proposal is not inconsistent with the Western Sydney Aerotropolis Plan.
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	This direction does not apply as the Planning Proposal is not within the Bayside West Precincts.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	This direction does not apply as the Proposal is not within the Cooks Cove Precinct.
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	This direction does not apply as the land is not within the St Leonards and Crows Nest Precinct.
7.12 Implementation of Greater Macarthur 2040	Yes	The Proposal is not directly impacted by Greater Macarthur 2040.
7.13 Implementation of the Pyrmont Peninsula Place Strategy	N/A	This direction does not apply as the land is not within the Pyrmont Peninsula.

5.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITATS OR THREATENED SPECIES, POPULATIONS, ECOLOGICAL COMMUNITIES OR THEIR HABITANTS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

No. This matter has been considered under Section 9.1 Direction 2.1 above and in the context of the specialist Biodiversity Assessment Report (Refer to Annexure "D"). The extensive sensitive ecological communities will be further protected by the proposed extension of the C2 – environmental conservation zone in particular.

Additionally, the limited development prospects in respect of the proposed RU2 – Rural landscape and SP2 –

educational establishment align with the least ecologically sensitive areas of the site.

5.3.2 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The Proposal will provide a planning template that facilitates long term sustainability prospects in respect of existing and expanded education offerings. The type and quality of the education for children with special needs is unique and highly regarded in the local region and demonstrates a significant positive social outcome.

Further, future development prospects in respect of new buildings and the like will potentially have a positive economic impact upon the development/construction industry, inclusive of the prospects of local employment on many fronts, both in design and construction.

Indeed, under the proposed scenario, no adverse social and/or economic impacts are foreshadowed.

5.4 STATE AND COMMONWEALTH INTERESTS

5.4.1 INTRODUCTION

The “Gateway” determination will identify the nature and extent of consultation required with State or Commonwealth Public Authorities. This may include:

- Consultation under section 3.25 of the EP&A Act pertaining to critical habitat or threatened species populations, ecological communities or their habitats.
- consultation required in accordance with a Ministerial Direction under section 9.1 of the EP&A Act: and
- consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP amendment.

5.4.2 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The Proposal of itself does not generate demand for increased public infrastructure. Future limited development opportunities are unlikely to impact significantly on public infrastructure.

Development of the land as facilitated by this Proposal will, with efficient integration with the existing service infrastructure network, not occasion the need for any significant off-site enhancements.

Road traffic impacts have been established as negligible and do not require any enhancement/s at this stage or in the foreseeable future. Minor on-site accessway amendments may be required with the next limited developments foreseen. Over time local and district level traffic demands will occasion an upgrade of the surrounding road network, including possibly the Macquarie Grove Road/Kirkham Lane intersection with consequential impacts for the Mater Dei entrance.

It is not perceived the change to the super lot subdivision will occasion the need for local or state level infrastructure contributions.

5.4.3 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION, AND HAVE THEY RESULTED IN ANY VARIATIONS TO THE PLANNING PROPOSAL?

The relevant State and Commonwealth public authorities would be consulted following the outcome of the “Gateway” determination. Council would be responsible for carrying out this consultation in accordance with Section 3.34(2)(c) and Schedule 1 Clause 4 of the EP&A Act.

6 Mapping (Part 4)

The following mapping amendments and additions to Camden Local Environmental Plan 2010 (CLEP2010), as summarised in Section 4 (Part 2), are proposed. Such mapping is to be prepared in accordance with the former Department of Planning and Environment's "Standard Technical Requirements for Spatial Datasets and maps".

The subject mapping importantly seeks to contain sufficient information to explain the substantive effect of the proposed LEP amendments. The proposed amendments described at Section 4 (Part 2) of this Request are summarised below. The existing relevant zoning and principal development standard maps and the proposed amended maps are reproduced as Annexure "N".

Item	Change to zoning maps and minimum lot size maps of CLEP 2010 for the subject land	Action	Map changes
1	Currently the subject land has several landuse zonings. The existing and proposed changes are described following: Currently the land is zoned part: • RU1 – Primary Production • C2 – Environmental Conservation • R5 – Large Lot Residential	Amend the relevant zoning map sheets by: • Expanding the C2 zone (and commensurately reducing the RU1 zone) • Replace the R5 zone with an SP2 – Educational Establishment zone; whilst adjusting the boundary with C2 land and proposed RU2 zone • Reduce the C2 zone (near The Stables) and replace with SP2 – Education Establishment • Replace part of the RU1 zone fronting Macquarie Grove Road with an RU2 – Rural Landscape zone and adjust the interface with the former R5 zone.	Amend Map Sheets LZN-007, LZN-002 and LZN-008 Amend Map Sheets LZN-007, LZN-008 Amend Map Sheets LZN-007 Amend Map Sheets LZN-007, LZN-008
2	Currently the land is subject to the following Minimum Lot Sizes: • AB – 40ha RU1 land • AB2 – 40ha RU1 land and R5 land • No minimum lot size – C2 land	Amend the relevant sheets by: • Adopt no minimum lot size for all C2 land • Changing the 40ha minimum for the new RU2 zoned area and SP2 – Educational Establishment zone to 20ha with the exception of the Aspect School site. Assign a 2ha minimum to such site.	Amend Maps Amend Map Sheet LSZ-002 Amend Map Sheets LSZ – 008 LSZ - 007

7 Community Consultation (Part 5)

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” (2018) outlines community consultation parameters.

The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

It is considered that the Proposal will be of significance to the community and Authorities, notwithstanding its minor nature and foreshadowed lack of transformational change. As such, it is considered appropriate that the Proposal should potentially be exhibited for a minimum period of 28 days.

Typically, Council (as the Planning Proposal Authority - PPA) is likely:

- Place notification in a newspaper that circulates in the Camden Local Government Area
- Place notification on Council’s website.
- Place notification on the DPIE Planning Portal
- Notify in writing all affected and adjoining landowners, under the circumstances of the subject Planning Proposal

The views of State and Commonwealth Public Authorities, although unlikely to be significant, will be obtained, as prescribed in a Gateway Determination, during the consultation phase, attached to a relevant PP (Based on this Proposal).

Any submissions received in response to the public exhibition process would need to be fully considered in accordance with the prevailing statutory provisions.

8 Project Timeline (Part 6)

The following notional timeline is proposed for advancing the subject Planning Proposal.

Action/Stage	Target Date
Lodgement of Planning Proposal with Council	October 2021
Review by Council/Local Planning Panel Community and public Authority consultation (minimum 28 days)	March 2022- June 2022
Report to Council	July 2022
Referral to Department of Planning and Environment for a Gateway Determination	August 2022
Anticipated commencement date (Date of Gateway Determination)	August 2022
Any “pre-condition” consultation requirements	September 2022
Community and Authority Consultation	October 2022
Consideration of submissions by Council and potential amendments (Note: Assumes no public hearing)	November 2022
Report to Council	December 2022
Submission to Department of Planning and Environment to finalise the LEP amendment	December 2022
Anticipated making of LEP amendment if delegated	March, 2023

Having regard to the preceding notional timeline it is anticipated that a timeframe of approximately 12 months ,from lodgement of the amended version of the PPR, should be provided to complete the relevant LEP amendment.⁵

⁵ This amended notional timeline is a response to post lodgement / pre-community engagement with Council.

9 Pre-Lodgement Consultation Check

The compilation of this Proposal was preceded by consultation with Council's Strategic Planning Unit, including a meeting on 30 November 2020, a site inspection on 22 January 2021 and written confirmation of advice on 10 March 2021 (Refer to Annexure "J").

The key issues raised, and relevant responses are contained below and throughout this Proposal, with specialist investigations presented as Annexures, with salient observations/conclusions summarised in issue specific commentaries.

9.1 ADAPTIVE REUSE OF HERITAGE ITEMS AND THE R5 ZONE

The Proposal no longer identifies specific adaptive reuse opportunities. Any future adaptive reuse proposal will need to comply with the provisions of Section 5.10 of CLEP 2010 and be supported by a Heritage Impact Statement (HIS) that is consistent with the adopted Conservation Management Plan (CMP).

The philosophy of adopting the zoning of adjoining land; namely R5 – large lot residential is inappropriate in the subject context. The use for educational infrastructure purposes is clearly the foundation of this precinct and is proposed to be reflected in the SP2 zone accordingly.

9.2 MATER DEI AND ASPECT SCHOOL

Permitted additional future educational uses will be the subject of detailed planning and include; inter alia, relevant heritage impact assessment, bushfire impact assessment and overarching assessment against the adopted SP2 zone objectives.

9.3 CONSERVATION

The requirements for a long-term conservation strategy for the lands not currently zoned C2 – Environmental conservation is detailed, in the Bio Bank Agreements and specialist Biodiversity Assessment at Annexure "D".

The management of such lands in perpetuity is currently the subject of promising commercial in confidence discussions with relevant authorities/agencies.

9.4 GENERAL SUBDIVISION REQUIREMENTS

The Kirkham Rise/Wivenhoe residential precinct does not form part of the Proposal. The existing/proposed C2 lands are not subject to any precinct based minimum lot size provisions. Any implications for the Voluntary Planning Agreement (VPA) and local ecology are detailed in Annexure "K".

The intended super lot for the "Convent Precinct" departs from the traditional 40ha standard, being a proposed 20ha. This is justified as not compromising the Metropolitan Rural Area principle and having due regard to the adverse consequential impacts of pursuing increased commercial agricultural returns through intensification of agricultural production⁶ at the potential expense and conflict with the scenic and cultural landscape qualities of the precinct and nearby environmental amenity expectations of nearby residents (Refer to Annexure "M")

9.5 ADDITIONAL PERMITTED USES OF CONVENT PRECINCT

The Proposal no longer considers alternative permitted uses for the site. Rather, it adopts the RU2 – Rural Landscape

⁶ In the form of controlled climate growing structures and/or intensive animal husbandry in shedded environments.

zone and its attendant provisions.

Such zoning is considered to be more relevant given the scenic and cultural landscape sensitivities of the site and the prospect of limited compatible rural activities.

9.6 CAMDEN AIRPORT

A comprehensive assessment of the impacts of the Camden airport has been undertaken, identifying limitations to future development. It is to be noted that the Proposal does not advance development concepts at this stage. Rather, the Proposal is to rezone the land RU2 – Rural Landscape and effect a 20ha super lot subdivision; a concept which is compatible with airport operational parameters (Refer to Annexure “H”).

9.7 ADMINISTRATION

This Proposal is accompanied by the requisite:

- Planning Proposal Lodgement Checklist
- Application Form (with owners’ consent)
- Declaration of Interest and/or any gifts or political donations

The additional supporting reports nominated have informed the compilation of this Proposal and are reproduced as Annexures in Volume 2 and include:

- Biodiversity Assessment Report (Annexure “D”)
- Bushfire Protection Assessment (Annexure “G”)
- European Heritage Assessment -Heritage Impact Statement (Annexure “E”)
- Aboriginal Due Diligence Report (Annexure “F”)
- Camden Airport Operational Risk Assessment (Annexure “H”)
- Landuse Compatibility Overview (Annexure “M”)
- Preliminary Transport Report (Annexure “I”)

10 Overview of Major Environmental and Hazard Issues and Infrastructure and Management Implications

10.1 BIODIVERSITY

The biodiversity investigation undertaken reinforced that the areas of biodiversity sensitivity largely align with the existing and proposed C2 – Environmental conservation zone and are largely the subject of formal conservation initiatives in the form of a Conservation Management Plan and Biobank Agreements.

The Biodiversity Assessment undertaken concluded “that the proposed zoning rationalisation and super lot subdivision pose no major threat to the unique ecological values of the site... and the commitment to on-going conservation initiatives is supported and encouraged”.

The Assessment further concluded that “future development applications beyond the super lot subdivision Proposal should be accompanied by appropriate ecological investigations in accordance with the relevant biodiversity legislation of the day. Such limited development opportunities on the proposed RU2 and SP2 lands are importantly on the least ecologically sensitive lands comprising the property” (Source, Annexure “D”).

10.2 INDIGENOUS HERITAGE

The land contains 12 sites listed on the Aboriginal Heritage Information and Management System. All 12 are located within the C2 – environmental conservation land (as proposed to be expanded) or in managed nearby parklands. Accordingly, all known Aboriginal artefacts on the land will be retained in-situ.

As such the Due Diligence Assessment concluded that the Proposal will result in minimal impacts on known or potential Aboriginal deposits.

A standard protocol is noted for adoption in the event that Aboriginal artifacts are discovered in undertaking any development.

The Assessment proceeded to recommend:

- The marking and recording of known artefacts or potential Aboriginal deposits.
- In the event of discovery of unknown finds, activities shall be halted, and assessment conducted in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 and an Aboriginal Heritage Impact permit obtained.

10.3 EUROPEAN HERITAGE

The Proposal was subject to a comprehensive assessment/review within a Heritage Impact Statement (HIS) framework, drawing heavily upon consistency/compliance with the prevailing Conservation Management Plan (1997 revised 2008) and Landscape Conservation Plan (2000).⁷

The HIS concluded that the objectives of Council's prevailing LEP and DCP were satisfactorily addressed by the Proposal. Additionally, the Proposal was considered to be consistent with the policies detailed in the CMP.

In such context the HIS advanced the following recommendations:

- Any future development applications should be consistent with the CMP.
- The SP2 zone should include the avenue of trees and fencing each side of the driveway.
- The boundary of the proposed SP2 zoning should have regard to natural hazard impacts.
- The zoning rationalisation should have regard to the threatened ecological community.
- Open grasslands should be conserved along the sides of the main drive and across the southern portions of the site.

The subject recommendations can be fulfilled by the Proposal.

10.4 TRAFFIC/TRANSPORT/ACCESS

The preliminary transport study established that the proposed rezoning and super lot subdivision would not occasion the demand for any major transport infrastructure (road, intersection accessway, entrance) upgrade. It did, however, identify limited scale future development may establish a need for minor on-site entrance enhancements.

The study noted further that the major Cobbitty-focused urban release area and growth in district level traffic generally (associated with the major local urban growth and local centres development, together with the aerotropolis) would lead to the significant transformation of the local road network and broader transport infrastructure.

This growth induced change is likely to reflect locally in upgrades to Cobbitty Road, Macquarie Grove Road and Kirkham Lane. Indeed, the intersections of Macquarie Grove Road with both other roads are likely to require a major upgrade. In the case of the Kirkham Lane intersection the upgrade may occur in the form of a realigned intersection with a roundabout traffic control.

An intersection upgrade of the preceding nature may lead to a minor development induced (cost) contribution from

⁷ Prepared by/for Design 5 Architects.

the Wivenhoe property owners.

10.5 BUSHFIRE HAZARD AND PROTECTION

The subject land is identified on the Camden Bushfire Prone Land Map to be bushfire prone, with parts of the property identified to comprise the full spectrum of “vegetation classifications”, namely:

- Vegetation Category 1
- Vegetation Category 2
- Vegetation Category 3 and
- Vegetation buffer

The most significantly impacted land aligns largely with the conservation lands.

The assessment undertaken found that the Proposal “adequately addresses bushfire risk and the land is suitable for development in the context of that risk”. It reduces the area zoned for residential development and of itself creates no increase in demand on the local road network, emergency services or infrastructure. Further, it has no adverse implications for adjoining land and appropriate design and management measures can be adopted in future development applications.

The assessment concluded “that there is the capacity for future development on site to conform to planning principles detailed in Planning for Bushfire Protection 2019 and Ministerial Direction 4.4 ‘Planning for Bushfire Protection’”.

10.6 CAMDEN AIRPORT HAZARD AND OPERATIONAL IMPACTS

The subject land is proximate to the Camden Airport (the Airport) and is subject to the operational parameters attached to the Airport and related hazards.

An assessment of the Proposal against the National Airports Safeguarding Framework (NASF) was undertaken by Rehbein Airport Consulting. The Assessment did not identify any impacts that would prevent the Proposal proceeding. There are, however, limitations occasioned by airport operations on future development. These limitations are importantly not new and have been managed in development of the property to date.

Limitations identified include:

- Noise Limitations
Part of the site lies within the 20-25 ANEF zone, with any new development needing to comply with AS2021.2015.
- Building Generated Windshear
Part of the site (Western half) is within the windshear and turbulence assessment trigger area. If any future building were to infringe the 1 in 35 surface detailed assessment potential design solutions would need to be enacted.
- Wildlife Buffer Zone
The on-going management of vegetation in liaison with Airport Management is required to maintain acceptable height limitations in particular.
There are noted to be significant height limitations in respect of the residue lot. These restrictions are not new and are not increased in “severity” by the Proposal.
- Wind Turbines/Wind Monitoring Towers
None exist or are proposed.
- Lighting Limitations
Compliance with lighting limitations is noted to be typically manageable.

- Obstacle Limitation Surface (and PANS-OPS extents)
The land is within the Camden Airport OLS and PANS-OPS.
There are no impacts on the Proposal, however, future development will need to stay below the OLS and vegetation managed accordingly.
This management framework has not proven to be problematic and/or overly restrictive to date.
 - Communication, Navigation and Surveillance (CNS)
Camden Airport has no such facilities.
- Helicopter Loading Sites (HLS)
There are no HLS with implications for the Proposal.
- Public Safety Area (PSA)
The southeast portion of the site is within a PSA. This area aligns largely with the proposed residue site and its interface with the proposed expanded conservation area.
The subject classification limits residential development (not proposed) and the congregation of large numbers of people (not proposed).

The operational parameters attached to the Camden Airport have no significant implications for the Proposal. These general perimeters have been addressed in developments to date and on-going functioning of the site without significant constraint.

11 Conclusion

The subject Proposal has initially sought to understand the Proponent's long term sustainability objectives for the diverse educational programs conducted on-site and natural environment and cultural landscape aspirations.

A proposed amended planning framework has been established, including zone changes and minimum lot size provision changes. Such framework was subject to rigorous review; with the review concluding with positive strategic and site-specific planning outcomes.

Importantly, the underpinning change to the proposed local planning controls is compatible with the prevailing adjoining/nearby planning framework.

Council is accordingly petitioned to support this Proposal as the framework for the compilation of a relevant Planning Proposal for advancement to the Department of Planning, Infrastructure and Environment, initially for a Gateway Determination.

As a concluding step in the event of making a relevant LEP amendment Council (as the likely PPA), is encouraged to exercise its local plan making functions under Section 3.36(2) of the Act