



ORDINARY COUNCIL

ORD01

SUBJECT: PLANNING PROPOSAL - LOT 102 DP 1193881, 182 RABY ROAD, GLEDSDOOD HILLS

FROM: Director Planning and Environment

TRIM #: 18/276018

PROPERTY ADDRESS

Lot 102 DP 1193881

182 Raby Road, Gledswood Hills

PROPONENT

SJB Planning

OWNER

V & E Piscineri

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal to rezone land at 182 Raby Road, Gledswood Hills to facilitate the development of one additional residential lot, and to resolve to forward the draft Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination.

BACKGROUND

In November 2017, a Planning Proposal was lodged by SJB Planning on behalf of the landowners. The draft Planning Proposal is provided as an **attachment** to this report. The Planning Proposal seeks to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010) Land Zoning (LZN) and Lot Size (LSZ) Maps applying to the site to facilitate one additional residential lot.

From June 1 2018, Planning Proposals are referred to the Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 21 August 2018. The Panel's recommendations are discussed later in this report and are included as a **supporting document** to this report.

The draft Planning Proposal was notified for a period of 28 days from 23 January to 19 February 2018.

Councillors were briefed on this proposal on 10 April 2018.

MAIN REPORT

Locality

The site is part of the El Caballo Blanco Gledswood (ECBG) urban release area that was rezoned for residential development in 2013 and is adjacent to 'The Crest' development. The site is part of a larger lot that is partly located within the Campbelltown Local Government Area (LGA). However, the site which is subject to the rezoning is wholly within the Camden LGA. **Figure 1** shows the areas undergoing development in the locality.

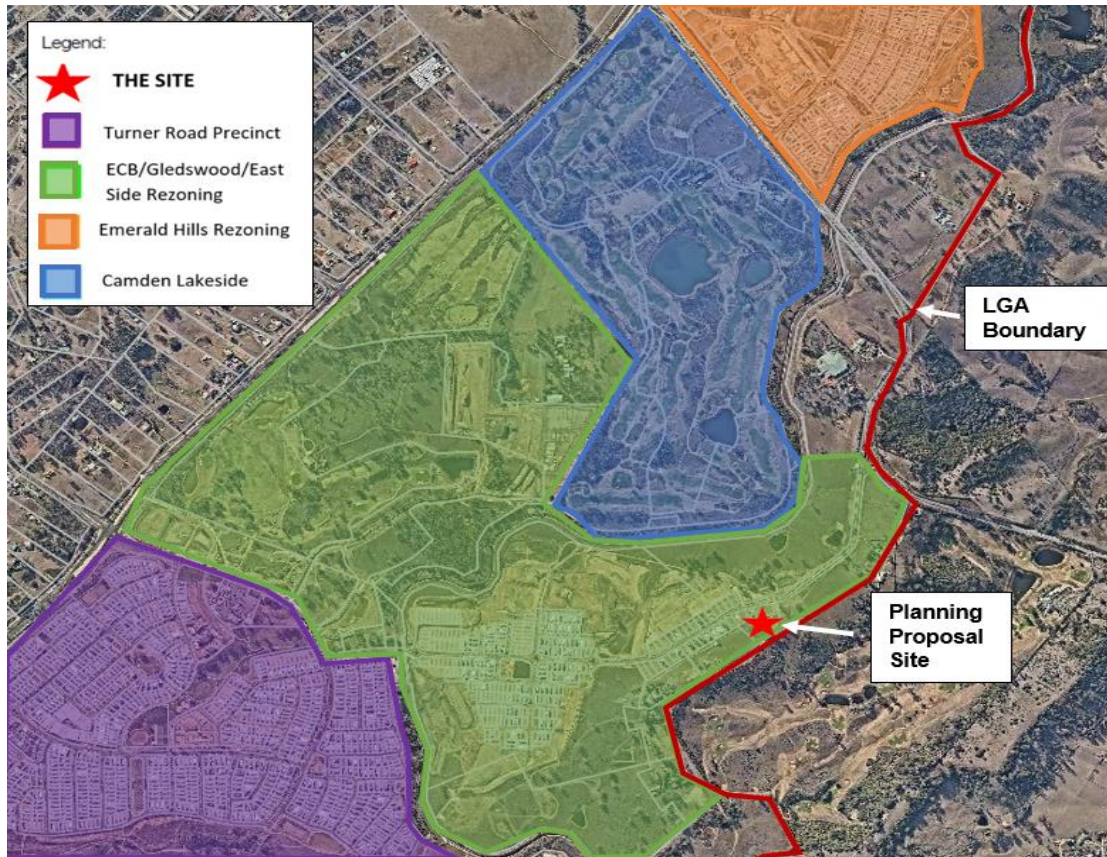


Figure 1: Site Context Map

Figure 2 shows the site and its surrounds. The site is irregular in shape and is located approximately 620m south of the Raby Road/Gledswood Hills Drive intersection.

An existing right-of-carriageway dissects the lot. The right-of-carriageway provides access to existing properties as well as an approved large lot residential subdivision of seven new properties.

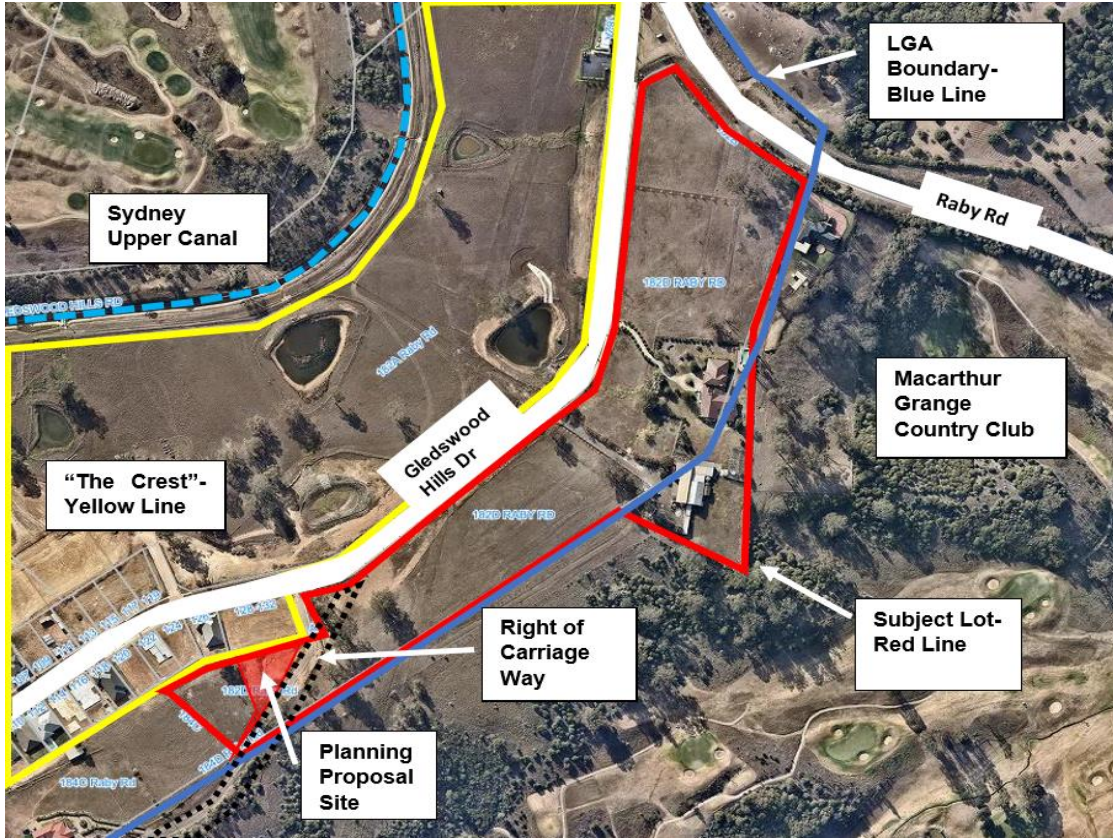


Figure 2: The site and surrounds

Zoning and Permissibility

The subject lot is predominantly zoned RU2 Rural Landscape with a small portion at the southern end zoned R5 Large Lot Residential under the Camden LEP 2010. The draft Planning Proposal seeks to amend the zoning and minimum lot size maps currently applying to the site as detailed in the table below.

	Existing	Proposed
Zone	RU2 Rural Landscape 6.69ha (approximately)	RU2 Rural Landscape 6.41ha (approximately)
	R5 Large Lot Residential 2,322sqm	R5 Large Lot Residential 5,119sqm
Minimum Lot Size	2ha (RU2 zoned portion)	4,000sqm (R5 zoned portion identified in Figure 4) 2ha (RU2 zoned portion)

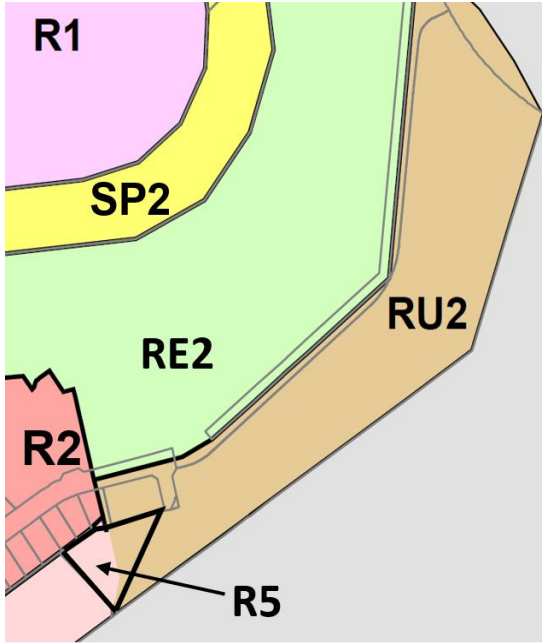


Figure 3: Existing Zoning

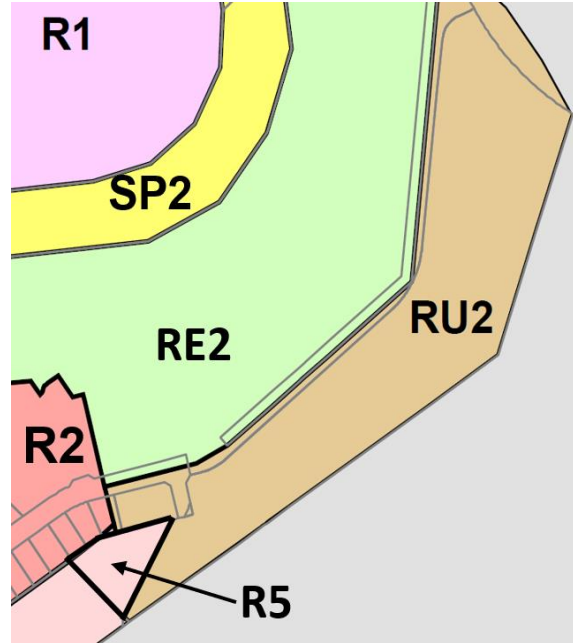


Figure 4: Proposed Zoning

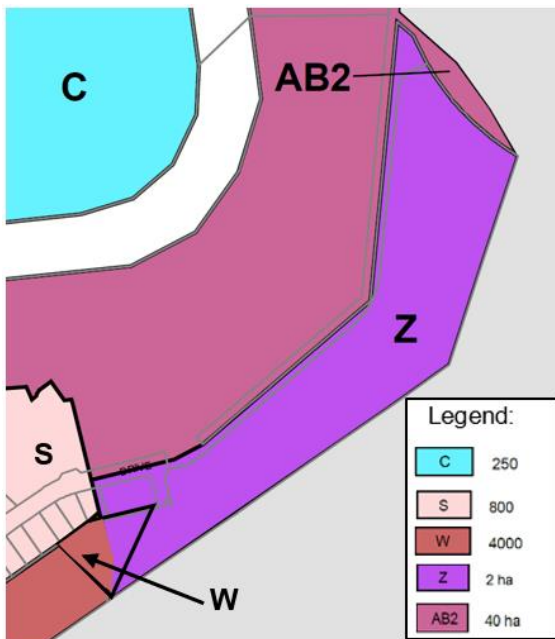


Figure 5: Existing Lot Size

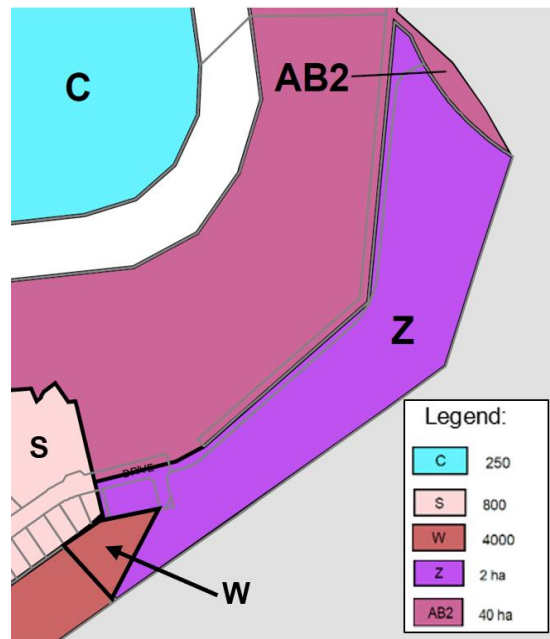


Figure 6: Proposed Lot Size

The draft Planning Proposal results in a reduction in the RU2 Rural Landscape zone from 6.69 ha to 6.41 ha (approximately) and an increase in the R5 Large Lot Residential zone from 2,322sqm to 5,119sqm. The draft Planning Proposal also seeks to change in the minimum lot size as shown in **Figure 6**. The proposal will facilitate one additional residential lot.

Under the proposed R5 Large Lot Residential zone (Camden LEP 2010) the highest residential use would enable an attached dual occupancy.



Specialist Studies

The draft Planning Proposal has been submitted with the following specialist studies:

- Visual Impact Assessment;
- Ecological Assessment; and
- Potential Contamination Investigation.

The studies are included as an **attachment** to this report.

Visual Impact Assessment

A Visual Impact Assessment (VIA) has been prepared by the proponent, along with additional supporting information.

The VIA concludes the visual impact of the proposal is acceptable, and provides the following recommendations:

- Exterior materials and finishes of any future development to be chosen from a colour palette to minimise visual impact when viewed from the public domain; and
- Screen planting to be provided along the Gledswood Hills Drive boundary.

The VIA found that existing vegetation and ridgelines provide a visual barrier to the site (including when viewed from the east in the Campbelltown LGA). The viewpoint looking towards the site from south-east (above The Macarthur Grange Country Club) provides distant partial views of the site which is interrupted by existing vegetation and ridgelines. The site is visible from the intersection of Raby Road and Gledswood Hills Drive however this viewpoint is also interrupted by existing vegetation.

In addition to the VIA, the proponent submitted further information to demonstrate that the site does not have an unacceptable detrimental visual impact on the surrounding area.

Furthermore, the proponent has confirmed that there was previously a hay shed on the site (approximate dimensions 47m long x 13m wide). The visual impact of a future dwelling would be no greater than the former hay shed.

Officer Comment

Council officers have reviewed the VIA and consider the proposal will have minimal visual impact on the surrounding area, including the Scenic Hills. Should the draft Planning Proposal proceed, and a favourable Gateway Determination be received, the recommended mitigation measure concerning external materials, finishes and colours will be incorporated as development controls as part of the comprehensive review of the Camden Development Control Plan 2011 (Camden DCP 2011).

In relation to the recommendation for additional screen planting, Council officers do not consider there is a need for additional controls within the DCP. There are existing street trees on Gledswood Hills Drive that will provide screening as they mature, along with vegetation on the eastern side of the Right of Way.

Ecological Assessment

The Ecological Assessment notes that most of the site is hard surface gravel or exposed soil with no vegetation cover. There are exotic grasses present on parts of the site that are of no ecological value.

The Ecological Assessment identifies three trees on the site. Two of the trees are representative of the Cumberland Plain Woodland (CPW) community. The Ecological Assessment confirms the trees are of limited habitat value for fauna, however recommends the trees be retained. The proponent has indicated the trees will be retained as part of the development proposal.

Officer Comment

One of the trees is located outside of the site (it is nearby to, or within the existing right-of-carriageway). The remaining two trees are located on the site and it is agreed they have limited value for fauna habitat. The retention of the trees would be a matter for any future Development Application.

Potential Contamination Investigation

A contamination investigation was undertaken to supplement the contamination investigations that were undertaken as part of the rezoning project for ECBG.

Officer Comment

Council officers have reviewed the contamination investigation and agree that the site is suitable for residential use.

Heritage Items in the Vicinity

The site is located approximately 270m south of the Sydney Water Upper Canal and 860m south-east of the Gledswood Estate, at its nearest points.

These two items are listed on the Office of Environment and Heritage's (OEH) State Heritage Register. The Gledswood Estate is also listed as a local heritage item under Camden LEP 2010.

Council officers are satisfied the draft Planning Proposal does not visually detract from the significance of these items.

Assessment against Key Strategic Documents

Rural Lands Strategy

The draft Planning Proposal proposes a reduction in the RU2 Rural Landscape zone area from 6.69 ha to 6.41 ha (approximately).

Council adopted the Rural Lands Strategy (RLS) in September 2017. The RLS applies to land zoned rural within the Camden LGA (excluding the South West Growth Area) (SWGA).

The RLS contains the following criteria to assist in the assessment of Planning Proposals for the rezoning of rural land:



1. Proposals must be consistent with state and local strategic plans

Camden DCP 2011 identifies the site for rural living (Precinct 6 of the ECBG release area). This precinct provides a transition between residential development to the west and rural landscapes to the east. Housing in this area is intended to be larger dwellings on large lots consistent with a transition from urban to non-urban land uses.

The draft Planning Proposal is consistent with the Camden DCP 2011 rural living objectives.

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

The site was previously used for hay storage as part of a rural enterprise, however this use is no longer operational on the site. Physically, the site is separated from the remainder of the larger lot by a right-of-carriageway and fencing.

Furthermore, the site is adjacent to existing and approved residential development that is consistent with the Camden DCP objectives for the land as a rural living zone. An approved large lot residential subdivision adjoins the site to the south-west (184C Gledswood Hills Drive, Gledswood Hills) which will result in additional traffic using the right-of-carriageway.

3. Proposals must be a logical extension to existing urban areas

The site forms part of the ECBG urban release area and 'The Crest' residential development (part of ECBG urban release area) directly adjoins the site. This development has facilitated services to the site.

In the context of the adjoining approved and existing residential development, the proposal would facilitate development that is complementary to its surroundings lands. The minor increase in development yield is supported by infrastructure upgrades, such as the Raby Road upgrade. Local infrastructure will be delivered as part of the ECBG urban release area.

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

Council officers have reviewed the VIA and consider the proposal will have an acceptable level of visual impact. Should the draft Planning Proposal proceed and a favourable Gateway Determination be received, the recommended mitigation measure concerning external materials and finishes will be incorporated into the Camden DCP 2011.

Greater Sydney Region Plan

The Greater Sydney Region Plan was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Greater Sydney Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters. The proposal is consistent with the relevant directions and objectives of the Plan as summarised below.

- Direction 4: Housing the City
Objective 10: Greater Housing Supply

The proposal seeks to increase housing supply by providing one additional lot catering for a rural-residential setting on a site with limited agricultural potential.

- Direction 8: A City in its landscape
Objective 28: Scenic and cultural landscapes are protected

Council officers consider the proposal will have minimal visual impact on the surrounding area, including the Scenic Hills. Should the Planning Proposal proceed, development controls will be prepared as part of the comprehensive review of Camden DCP 2011 to ensure the proposal will have minimal impact on scenic and cultural landscapes.

Western City District Plan

The Western City District Plan was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Western City District Plan guides the 20-year growth of the district to improve its social, economic and environmental assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions as summarised below.

- Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services

The proposal will provide the potential for one additional lot to increase housing supply and choice, which is close to existing and proposed infrastructure, jobs and services.

- Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage

The draft Planning Proposal will not visually detract from the significance of the heritage items within the vicinity of the Planning Proposal site.

- Planning Priority W16: Protecting and enhancing scenic and cultural landscapes.
The Planning Proposal site will have an acceptable level of visual impact, including minimal visual impact on the Scenic Hills.

- Planning Priority W17: Better managing rural areas.

The site is no longer used for the purposes of a rural enterprise and is separated from the remainder of the subject lot by a right-of-carriageway and fencing. The proposed development is unlikely to impact on existing rural enterprises in the vicinity. Furthermore, the site is adjacent to existing and approved residential development that is consistent with the Camden DCP objectives for the land as a rural living zone.

Community Strategic Plan (CSP)

The Community Strategic Plan (CSP) seeks to actively manage Camden LGA's growth by retaining Camden's heritage sites, scenic vistas and cultural landscapes.

Key Direction 1. Actively Managing Camden LGA's Growth.

- Strategy 1.1.1 seeks to ensure the provision of appropriate urban development for sustainable growth in the Camden LGA.

Officer Comment

As previously discussed, the site forms part of the ECBG urban release area. In the context of the adjoining approved and existing residential development, the Planning Proposal would facilitate development that is complementary to surroundings lands. The draft Planning Proposal demonstrates planning merit.



- Strategy 1.1.2 seeks to manage and plan for a balance between population growth, urban development and environmental protection.

Officer Comment

Camden DCP 2011 identifies the site for rural living (Precinct 6 of the ECBG release area) providing a transition between residential development to the west and rural landscapes to the east. Housing in this precinct is intended to be larger dwellings on large lots consistent with transition from urban to non-urban land uses.

- Strategy 1.2.1 of the CSP seeks to ensure rural land and associated landscape impacts are addressed.

Officer Comment

As previously discussed, Council officers have reviewed the VIA and consider the proposal will have minimal visual impact on the surrounding area, including the Scenic Hills. Should the draft Planning Proposal proceed and a favourable Gateway Determination be received, the recommended mitigation measure concerning external materials, finishes and colours will be incorporated into the Camden DCP 2011.

Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents, including the Sydney Region Plan, Western City District Plan, Community Strategic Plan and is not inconsistent with these plans and their objectives. Assessment of the RLS criteria for Planning Proposals demonstrates the draft Planning Proposal is consistent with the RLS.

It is considered that the draft Planning Proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The proposal is a logical extension of existing and approved residential development;
- The proposal has acceptable visual impacts; and
- The proposal is not inconsistent with Regional, District and local strategic plans and their relevant objectives.

Initial Notification of the Draft Planning Proposal

The draft Planning Proposal was initially notified for a period of 28 days from 23 January to 19 February 2018. Adjoining and nearby properties were notified by letter and notices were placed in the local newspaper. Campbelltown City Council were also notified during this period. No submissions were received in regards of the draft Planning Proposal.

A formal public exhibition period will occur at a later stage, subject to endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination.

Panel Recommendations

The Local Planning Panel (Panel) inspected the site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were consistent with that of Council officer's assessment of the proposal. Additionally, the Panel recommends

that consultation with Campbelltown Council be undertaken. A copy of the minutes are provided as a **supporting document** to this report.

Officer Comment

Campbelltown Council were notified during the initial notification period and no comment was received. Subject to endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination, Campbelltown Council will be further consulted at a future public exhibition stage.

LEP Delegation

Council intends to use its delegation pursuant to the EP&A Act 1979. This will enable Council to deal directly with Parliamentary Counsel for the making of the Plan. The request for delegation will be made as part of the Gateway submission. The General Manager is Council's nominated delegate.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to rezone and amend the minimum lot size for a portion of 182 Raby Road, Gledswood Hills to accommodate one additional residential lot.

In the context of the adjoining approved and existing residential development and proposed infrastructure and services, the rezoning of the site will facilitate development that is complementary to surrounding lands.

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

Should Council resolve to endorse the draft Planning Proposal, it will be forwarded to the DPE for Gateway Determination.

RECOMMENDED

That Council:

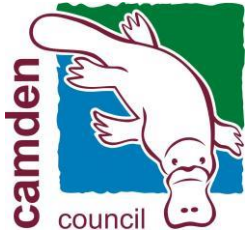
- i. endorse the draft Planning Proposal for land at 182 Raby Road, Gledswood Hills to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- iii. subject to no unresolved submissions being received, forward the Planning Proposal for Lot 102 DP 1193881, 182 Raby Road, Gledswood Hills to the Department of Planning and Environment for the plan to be made; or**



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- iv. **if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
 - v. **should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

ATTACHMENTS

1. Draft Planning Proposal for Lot 102 DP 1193881, 182 Raby Road, Gledswood Hills
2. additional information - Planning Proposal
3. Local Planning Panel Recommendations 21 August 2018 - *Supporting Document*
4. Ecological Assessment - 182 Raby Rd
5. Visual Impact Assessment - 182 Raby Road
6. LFA Landscape & Visual Analysis Central Hills- 2005
7. LFA Landscape & Visual Analysis Appendices Central Hills- 2005
8. Potential Contamination Investigation - 182 Raby Rd



Camden Council Minutes

Ordinary Council Meeting
25 September 2018

**Camden Council
Administration Centre
70 Central Avenue
Oran Park**



ORD01 PLANNING PROPOSAL - LOT 102 DP 1193881, 182 RABY ROAD, GLEDSWOOD HILLS

Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal for land at 182 Raby Road, Gledswood Hills to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and
- iii. subject to no unresolved submissions being received, forward the Planning Proposal for Lot 102 DP 1193881, 182 Raby Road, Gledswood Hills to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD184/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD02 INVESTMENT MONIES - AUGUST 2018

Resolution: Moved Councillor C Cagney, Seconded Councillor Morrison that Council:

- i. note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations and Council's Investment Policy;
- ii. note the list of investments for August 2018; and
- iii. note the weighted average interest rate return of 3.07% p.a. for the month of August 2018.

ORD185/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

ORD03 ACCEPTANCE OF GRANT FUNDING - RESTORATIVE MAINTENANCE AND IMPROVEMENTS TO THE RSL MEMORIALS IN CAWDOR ROAD, CAMDEN.

Resolution: Moved Councillor C Cagney, Seconded Councillor A Cagney that Council:

- i. accept the grant of \$14,096 (excluding GST) from the Australian Government's Armistice Centenary Grants Program to restore the rose garden and commemorative wall at the Camden RSL;