

2 Planning Proposal - Glenmore Park Stage 3

Compiled by: Danielle Fox, Senior Planner
Abdul Cheema, City Planning Co-ordinator

Authorised by: Kylie Powell, Director - City Futures

Outcome	<i>We plan for our future growth</i>
Strategy	<i>Facilitate development in the City that considers the current and future needs of our community</i>
Service Activity	<i>Plan for and facilitate development in the City</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

Council is in receipt of a Planning Proposal that seeks to amend the Penrith Local Environmental Plan (LEP) 2010 for a 206-hectare site located south of the established residential suburb of Glenmore Park, known as “Glenmore Park Stage 3” (the rezoning area). This site was also identified by Council through its Accelerated Housing Delivery Program.

The Planning Proposal seeks to amend the current rural and environmental management planning controls for the rezoning area to facilitate urban development. The rezoning area will provide approximately 2,550 - 2650 dwellings on varying lot sizes, a network of public open space and environmental corridors, a new neighbourhood centre, a primary school, retail shops and sporting fields.

Council officers and the proponents have worked together to make revisions to the Planning Proposal to address a complexity of key matters including, appropriate zones, minimum lot sizes and dwelling density across the site, biodiversity, visual and environmental impacts and, transition of the development to adjacent rural areas to achieve an innovative and appropriate outcome for the site.

The Local Planning Panel has provided advice on the Planning Proposal. The Panel generally supported the Planning Proposal in terms of site-specific merit and strategic consistency. The Panel have provided advice regarding traffic matters and future funding of road upgrades, minimum lot sizes and managing traffic noise.

Council officers have completed an assessment of the proposal and the justification and rationale for the proposed changes are supported. It is recommended that Council endorse the Planning Proposal to commence the Gateway process. A Gateway Determination will allow the public exhibition and community and agency consultation to occur, once any Gateway conditions are met.

Background

Glenmore Park Stage 3 is one of two sites selected by Council in November 2017 to pursue its Accelerated Housing Delivery Program, which investigated potential sites for new release housing delivery over the next 5 years, to supplement Penrith’s currently planned and established residential areas. Glenmore Park Stage 3 satisfied the criteria for this program as it is a logical extension of the existing suburb of Glenmore Park, has manageable

environmental constraints, existing infrastructure allowing future servicing to be cost effective, and its location can capitalise on improved access by road and public transport via upgrades to The Northern Road and Chain-O-Ponds Road.

On 28 May 2018, Council received a Planning Proposal from Mirvac which seeks to amend the LEP for a 206-hectare site located south of the existing suburb of Glenmore Park. The Planning Proposal is seeking to amend the existing rural-residential and environmental management zoning and planning controls to allow for urban development. A location map identifying the rezoning area is provided at Attachment 1.

During the assessment of the Planning Proposal a complexity of matters have arisen that council officers and the proponents have worked together to address. These matters have included:

- early engagement and consultation with the Mulgoa Landcare Group,
- results from an independent peer review of the Planning Proposal's Ecological Issues and Assessment Report,
- preliminary recommendations from the Scenic and Cultural Landscape Study and the Rural Lands and Villages Strategy,
- dwelling density and yield, minimum lot sizes and building separation,
- appropriate location of the retail centre and school,
- affordable housing
- interfaces with The Northern Road and Chain-O-Ponds Road,
- the treatment of the Northern Dam, and
- mechanisms to provide certainty of outcome for the development including built form and urban heat responses.

The proponents have provided a revised Planning Proposal and masterplan for the rezoning area, provided separately as an enclosure for the information of Councillors and on Council's website. Details of the revisions made to the Planning Proposal will be outlined later in this report.

Site Description

The rezoning area contains a total of 25 lots. It is bounded by the existing suburb of Glenmore Park in the north, The Northern Road in the east, Chain-O-Ponds Road in the south and the Mulgoa Nature Reserve and rural-residential properties to the west. The rezoning area is located approximately 6 km from the Penrith CBD. Two major groups own and/or control the majority of these lots.

At present the rezoning area is zoned RU2 Rural Landscape and E3 Environmental Management and lots are currently utilised for residue grazing, rural residential properties, equipment storage and equestrian uses, and one lot used for crop production.

Revisions to the Planning Proposal

A suite of revisions has been made to the Planning Proposal and masterplan to date and are included in the table below.

Key Matters	Planning Proposal revisions
Residential flat buildings (RFB)	The Planning Proposal has been amended to apply low and medium density residential

Key Matters	Planning Proposal revisions
<p>The original Planning Proposal applied zones (including R1 General Residential zone) that permitted RFB's. It also allowed for RFB's in the Local Centre B2 zone.</p>	<p>zones to R2 and R3. These zones will prohibit RFB's.</p> <p>RFB's have also been prohibited in the Local Centre B2 zone. However, it should be noted that shop-top housing is permitted in the B2 zone.</p> <p>The site was considered unsuitable to support RFB's due to:</p> <ul style="list-style-type: none"> - the site's distance from good public transport, - the desire for the site to respond to rural and visual amenity on the 'rural edge', and - the proposed 15m height of buildings to provide RFB's was not appropriate in this location.
<p>B2 Local Centre</p> <p>The original Planning Proposal applied a 15m height of building for the B2 zone and located the retail centre fronting The Northern Road.</p>	<p>The Planning Proposal has been amended to apply a 12m height of buildings control for the B2 Local Centre. Shop-top housing will be permitted in this zone.</p> <p>To provide for a more walkable and central location, the neighbourhood centre (including the retail centre and other community uses) was re-located to the west of the biodiversity corridor.</p> <p>This amended location was identified as the most suitable location based on site constraints.</p>
<p>Mulgoa Valley boundary</p> <p>The original Planning Proposal encroached on the Mulgoa Valley boundary (mapped in the Penrith LEP) with the inclusion of 161-173 Chain-O-Ponds Road (Lot 17) as the most westerly lot.</p>	<p>The Planning Proposal was amended to remove Lot 17 from the rezoning area, removing any encroachment on Mulgoa Valley boundary.</p> <p>The Mulgoa Valley contains significant rural landscape, including cultural heritage values, scenic values and is the setting for the villages of Mulgoa and Wallacia. Penrith LEP clause 7.18 <i>Mulgoa Valley</i> seeks to protect and enhance the rural landscape of the valley, and to ensure development in the valley is consistent with conserving its rural and natural landscape, heritage and agricultural qualities. Any erosion of the Mulgoa Valley for urban development was not supported.</p>
<p>Environmental Corridors</p>	<p>Council engaged Abel Ecology to undertake a</p>

Key Matters	Planning Proposal revisions
<p>The original Planning Proposal provided environmental corridors looping through the site. These corridors were zoned E2 Environment Conservation. However, these areas were interrupted with sections zoned RE1 Public Recreation.</p>	<p>peer review of the Planning Proposal's Ecological Issues and Assessment Report. This was initiated by council to ensure important environmental areas and riparian corridors were protected.</p> <p>The environmental corridors identified in both reports largely align and have been carried over into the amended Planning Proposal in an E2 zone. RE1 zones are located adjacent to these corridors but do no longer interrupt them.</p> <p>The amended Planning Proposal provides a 20m buffer to the Mulgoa Nature Reserve in the north-west of the site.</p> <p>The peer review recommendation supports the E2 zones having a dual purpose to allow passive recreation.</p> <p>The E2 corridors now provide an intact area of vegetation allowing for fauna movement, habitat connectivity, an ongoing food resource and, the vegetation of this area will aid in protecting water quality in the broader catchment.</p>
<p>Treatment of the Northern Dam</p> <p>The original Planning Proposal sought to relocate and modify the Northern Dam. The Northern Dam is the largest water body within the rezoning area and is located in the north western part of the site.</p>	<p>The Planning Proposal was amended to retain the Northern Dam in its current location, as recommended by the Abel Ecology peer review report.</p> <p>The proponents have advised that some works will need to be made (including modifications to the footprint and lowering the water level to avoid high retaining walls) in order to allow recreational activities and provide a safe environment for the community in an urban setting.</p> <p>The retention of the dam will provide habitat and a food resource for wading birds, aquatic fauna and other species utilising the water body, as well as serving an aesthetic and recreational function.</p>
<p>Building Separation</p> <p>The original Planning Proposal did not provide controls to manage building separation.</p>	<p>The Planning Proposal has been amended to provide certainty of outcome for building separation as follows:</p> <ul style="list-style-type: none"> - For lots zoned E4 the side setbacks will be 5m for lots fronting Chain-O-Ponds Road,

Key Matters	Planning Proposal revisions
	<ul style="list-style-type: none"> - For R2 zoned lots wider than 12.5m, side setbacks of 900mm are proposed. This would result in a separation of at least 1.8m between external walls of dwellings on adjoining lots of the same width. - For R2 zoned lots with a width of 12.5m or less, a zero-lot line model is proposed. Easements for access and maintenance (900mm wide) will be created on the adjoining lot to allow dwellings to be constructed on the zero-lot line boundary to provide separation for future dwellings. A second storey dwelling setback of 1.5m is also proposed. This will further reduce the bulk and scale of any dwelling and provide increased building separation. - For lots zoned R3, an integrated development model for delivery of subdivision and dwellings will be provided. Further detail on the integrated development model is provided later in this report. <p>Building separation will contribute to a quality streetscape and improved liveability for future residents.</p>
<p>Urban Heat</p> <p>The original Planning Proposal did not contain any commitments for future dwellings or master planning to address urban heat into their designs.</p>	<p>The Planning Proposal has been amended to include a suite of measures to address urban heat matters including:</p> <ul style="list-style-type: none"> - approximately 20% of the site to be zoned either E2 Environment Conservation or RE1 Public Recreation, and embellished with trees, native grasses and other landscape elements, - Mature 100 litre street trees to provide shade canopy, - A suite of measures for the medium density sites such as, solar panels, inverters and battery storage, metal non-reflective roofs to provide heat reflection, - Promote the use of prefabricated material to assist in waste minimisation, thermal massing and comfort, - Tree cover to line all hard surfaces and cycleways, - DCP controls for tree planting in front and rear yards, - Water bodies and water courses being incorporated into the estate design, and - Water sensitive urban design principles

Key Matters	Planning Proposal revisions
	<p>These measures will be secured in a DCP site-specific chapter for the Glenmore Park Stage 3 site.</p> <p>Council in its recently adopted Local Strategic Planning Statement, contains Planning Priority 20-Cool our city. Penrith is susceptible to urban heat impacts due to the climate, topography, geographical position, large and growing residential population and urban development. Specific and targeted building and design responses can go a long way to mitigating urban heat.</p>
<p>The Northern Road interface</p> <p>The original Planning Proposal, proposed controls for lots fronting The Northern Road as follows:</p> <ul style="list-style-type: none"> - Lots zoned R1 had no minimum lot size - Lots were within 40m from the edge of the trafficable carriageway. 	<p>The Planning Proposal was amended to provide a minimum lot size of 4,000m² fronting The Northern Road and zoned E4 Environmental Living.</p> <p>Further amendments include:</p> <ul style="list-style-type: none"> - A new internal road network will result in the removal of driveways along The Northern Road, - a 10m landscape screen along the entire site frontage, except in front of the sports field where existing views can be maintained, - setback housing to address an internal perimeter road. Dwelling houses will be setback approx. 41.8m from the RMS boundary and approx. 60m from the edge of the trafficable carriageway. - Cross-sections have been provided to better demonstrate the landscape / urban design treatment to The Northern Road. <p>A rural gateway into Penrith is a longstanding planning objective. The amendments support this objective by providing a high urban design/ landscape treatment to The Northern Road.</p> <p>Further discussion on The Northern Road interface is provided later in this report.</p>
<p>Interface with Chain-O-Ponds Road</p> <p>The original Planning Proposal included controls for lots fronting Chain-O-Ponds Road as follows:</p> <ul style="list-style-type: none"> - five road connections to Chain-O-Ponds Road. 	<p>The amended Planning Proposal includes lots sizes and controls that reinforce an open landscape and important visual characteristics, to provide an effective transition on the periphery of the rezoning area.</p> <p>Lots fronting Chain-O-Ponds Road will be</p>

Key Matters	Planning Proposal revisions
<ul style="list-style-type: none"> - Lots zoned R1 had a minimum size of 550m², - Lot widths were proposed to be 25m with side and front setbacks of 3m and 8m respectively. 	<p>zoned E4 Environmental Living and have a minimum lot size of 2,000m². Lot frontages will be 50m wide.</p> <p>Front and side dwelling setbacks will be 15m and 5m minimum respectively.</p> <p>Specific DCP provisions will be introduced for rural fencing and mature street trees to provide a transition to the rural land to the south of Chain-O-Ponds Road.</p> <p>The number of road connections to Chain-O-Ponds Road has been reduced from 5 to 3.</p> <p>These amendments provide an appropriate transition from the rezoning area to adjacent rural properties.</p> <p>Further discussion on the Chain-O-Ponds Road interface is provided later in this report.</p>
<p>Interface with Mulgoa Nature Reserve (MNR)</p> <p>In previous versions of the Planning Proposal, the minimum lot size for lots adjacent to the MNR and the most westerly lot (Lot 18), have ranged from 800m² to 1000m². Zones were originally R1 and were revised to R5.</p>	<p>The Planning Proposal has been amended to provide an E4 Environmental Living zone for lots fronting the MNR.</p> <p>Lots adjacent to MNR & Lot 18 will have a minimum lot size of 2,000m². The dwelling setback will be 15m minimum.</p> <p>Lots in the north-west that are adjacent to the MNR will have a minimum lot size of 1,000m².</p> <p>These amendments provide an appropriate transition from the rezoning area to adjacent rural properties and the MNR.</p>
<p>Lot Size and Housing Density</p> <p>The original Planning Proposal included:</p> <ul style="list-style-type: none"> - no minimum lot size, except for lots on the periphery, - a R1 General Residential zone across the majority of the site (other zones were RE1, B2, E2), - a maximum lot cap of 3,200 residential lots for the release. 	<p>The Planning Proposal has been amended to provide:</p> <ul style="list-style-type: none"> - residential and environmental zones R3, R2 and E4, - assigning minimum lot sizes across the site, - removing the maximum lot cap of 3,200 residential lots for the release and introducing a maximum dwelling cap of 2,558 dwellings plus provision for some shop top housing in the local centre. <p>The intention for the Planning Proposal will be to map development precincts or areas across all residential zones and assigning dwelling caps for each precinct. The mechanism to</p>

Key Matters	Planning Proposal revisions
	<p>achieve this (LEP control and/or DCP controls) will be finalised through the Gateway process.</p> <p>In addition to the minimum lot size control, the dwelling cap is provided to ease concerns that the minimum lot size would be delivered throughout the development and to provide certainty that a mix of lot sizes will be provided for a broader range of housing product.</p> <p>In the <u>E4 Environmental Living zone</u> approx. 91 dwellings are proposed. These lots will provide the opportunity for executive housing. A control to disincentivise dual occupancies in the E4 zone will be provided, to manage the dwelling yield and reduce unplanned pressure on infrastructure. A minimum lot size of 8000m² will required to do an attached or detached dual occupancy.</p> <p>In the <u>R2 Low Density Residential zone</u>, the proposal will deliver:</p> <ul style="list-style-type: none"> • approx. 1830 dwellings, • a minimum lot size of 300m², • dwelling caps for precincts will mean that the average lot size will be approx. 400m². <p>In the <u>R3 Medium Density Residential</u> zone, the proposal will deliver:</p> <ul style="list-style-type: none"> • approx. 637 dwellings • a minimum lot size of 180m². <p>However, the average lot size will be 210m².</p> <p>Further work will be undertaken to refine the delivery of R3 housing relating to Fonzie Flats (20 dwellings) above garages where there is a secondary street frontage that provides vehicular access (corner blocks).</p> <p>To ensure certainty of outcome an integrated housing development model is proposed for all R3 development. This would require the subdivision and the dwelling that sits on each lot zoned R3 to be assessed and approved at the same time. A LEP clause is proposed to provide certainty regarding integrated housing development.</p>

Planning Proposal

The main features of the proposed masterplan for the rezoning area, and a summary of the LEP amendments required to achieve these outcomes is discussed below.

The masterplan proposes the following:

- 2,558 dwellings in the residential (R2 and R3) and environmental living (E4) zones.
- Housing diversity through a combination of dwelling caps, minimum lot sizes and residential development controls,
- A neighbourhood centre comprising a retail centre, school and sports fields and new pedestrian connections. The retail shops will have provision for shop-top housing. Open space has been designed to maintain the primary view line from The Northern Road,
- A green spine of environmental corridors (zoned E2) that loop through the site and connect the Mulgoa Nature Reserve, existing suburb of Glenmore Park, Chain-O-Ponds Road, the school, sports fields and shops. These corridors will provide a dual purpose of environmental conservation and passive recreation. Key dams will be retained for aesthetics and stormwater management.
- Five playing fields and local parks within 400m walking distance of all residents.
- A 10m wide landscape zone in a widened perimeter road reserve adjacent to The Northern Road. This will remove existing driveway access points with The Northern Road and visually separate the rezoning area and The Northern Road.
- Collector road connections to the north, The Northern Road and Chain-O-Ponds Road.
- Allocate low impact residential development (in an environmental living zone) on the periphery of the site where there is special aesthetic and environmental values and to provide appropriate land use transitions to adjoining non-residential interfaces.
- Provision of Affordable Housing and community facilities is proposed and will be developed with the proponent during the Gateway process.

The Planning Proposal seeks the following amendments to the PLEP 2010 in the rezoning area.

Element	Current	Proposed
Land zoning map	<ul style="list-style-type: none"> • RU2 Rural Landscape • E3 Environmental Management 	<ul style="list-style-type: none"> • R2 Low Density Residential • R3 Medium Density Residential • RE1 Public Recreation for local open space areas, parks and playing fields • E2 Environmental Conservation for the environmental corridors • E4 Environmental Living for large lots on the periphery • B2 Local Centre for the neighbourhood centre
Lot size map	AB2 (20 ha) AB3 (40ha)	<ul style="list-style-type: none"> • R2 – 300m2 • R3 – 180m2 • E4 – U1 (1,000m2), V (2,000m2) and W (4,000m2) • E4/E2 – Y2(1.25ha) – for northwest

Element	Current	Proposed
		<p>corner of Lot 18. To provide an appropriate transition, incorporate Asset Protection zones, to manage the long-term ownership and management of this area.</p> <ul style="list-style-type: none"> • Mapped residential precincts to inform dwelling caps
Height of buildings map	Not Applicable	<ul style="list-style-type: none"> • M1 (12m) for the B2 Local Centre zone • C (5m) for lots fronting The Northern Road • I (8.5m) for the remainder of the R2, R3 and E4 zones
Clause application map	Not applicable	<p>Clause Application Map Sheet CAP_002</p> <p>This map will link with the new Additional Local Provision clause (Clause 7.xx), for the rezoning area. More detail as to the purpose of this new clause is provided later in this table.</p> <p>This map will identify the release as Glenmore Park Stage 3.</p>
Scenic and Landscape Values map	Applies from the middle of the rezoning area to The Northern Road	<p>Scenic and Landscape Values Map Sheet SLV_007</p> <p>Remove the land mapped as scenic and landscape values</p>
Urban Release Area map	Not applicable for rezoning area	<p>Urban Release Area Map Sheet URA_007</p> <p>Identify the land as an urban release area to enable designated State public infrastructure under Clause 6.1 of the Penrith LEP.</p>
Schedule 1 Additional Permitted Uses map	Not applicable for rezoning area	<p>Urban Release Area Map Sheet APU_007</p> <p>Introduce Clause 35 to Schedule 1 Additional permitted use to enable a temporary business premises to be used as a sales office for the duration of the release area on land zoned RE1 Public Recreations.</p> <p>It is the proponent's intention to build a sales suite that is designed to be dedicated to Council as a community</p>

Element	Current	Proposed
		and/or amenity building at the completion of the release.
Part 7 Additional Local Provisions Clause 4.6 Exceptions to Development Standard	Rezoning area not identified in the Clause Application Map	<p>Clause 7.xx Glenmore Park Stage 3 to provide controls regarding:</p> <ul style="list-style-type: none"> • dwelling caps in mapped precincts, • exceptions to the height of buildings map on slopes greater than 1 in 8 • an integrated housing development provision for R3 zones, requiring the subdivision and the dwelling that sits on each lot zoned R3 to be assessed and approved at the same time. Provision is intended to ensure innovative and sustainable housing targets are committed to upfront by the developer. • Dual occupancies in the E4 zone to be disincentivised through 8000m2 minimum lot size control. <p>Amend Clause 4.6(ca) to reference the new Clause 7.xx Glenmore Park Stage 3 so that controls within this clause including maximum building heights and dwelling caps in that clause are development standards that cannot be varied.</p>

The Planning Proposal is supported by a suite of technical studies examining the capability of the site including potential constraints. These address matters such as biodiversity, bushfire, noise (from The Northern Road), scenic and landscape values, stormwater, traffic, and economic and social considerations.

Key considerations

Local Strategic Planning Statement

The Planning Proposal is consistent with Council's Local Strategic Planning Statement (LSPS), that was adopted by Council in March 2020, after a rigorous assurance program undertaken by the Greater Sydney Commission.

The LSPS provides a line of sight with the Western City District Plan, and the Region Plan. These strategic plans define the Metropolitan Rural Area (MRA), and identify significant planning initiatives including the Western Sydney Aerotropolis, urban investigation areas and the Greater Penrith to Eastern Creek Growth Area (GPEC).

To give local context to these plans and manage competing interests, Council in the LSPS has defined a 'rural edge'. The LSPS commits to reinforce the 'rural edge' to protect the MRA from urban development.

The rezoning area is part of GPEC (enabling its consideration for growth). It is also identified in the LSPS as a council-nominated urban investigation area. Chain-O-Ponds Road (the portion fronting the rezoning area) represents the 'rural edge'. Defining the 'rural edge' signals the Councils' clear intention that further urban development south of the rezoning area will not be supported. Housing delivery over the next 20 years will transition from greenfield new release development to a more centres-based model around public transport.

This represents an opportunity for the delivery of housing in the rezoning area to consider its unique context and the desired outcomes for development on the urban edge. The Planning Proposal is sensitive to this intention and contains a suite of measures to achieve this including, a commitment to upgrade Chain O Ponds Road to meet the urban need whilst maintaining a high-quality rural interface, large lots on the periphery and appropriate land use transitions to adjoining non-residential interfaces.

The Planning Proposal demonstrates consistency with the LSPS specifically:

- Planning Priority 3 Provide new homes to meet the diverse needs of our growing community (Action 3.4 Investigate urban investigation areas at Glenmore Park South, Mt Vernon and Orchard Hills South),
- Planning Priority 5 Facilitate sustainable housing
- Planning Priority 17 Define and protect the values and opportunities within the metropolitan rural area.

Traffic and transport

The proponent has undertaken a Stage 1 traffic and transport study in order to identify the key issues and opportunities of the site and to assist the scoping of detailed traffic modelling required for the Stage 2 traffic and transport assessment to support the Planning Proposal. Council and Transport for NSW (TfNSW) have agreed that the Stage 2 assessment is to be conducted post-Gateway determination but to be finalised prior to exhibition of the Planning Proposal.

To facilitate the preparation of the Stage 2 traffic and transport assessment and associated traffic modelling a multi-agency steering group will be convened, including members of TfNSW, Council and the proponent.

Scenic and Landscape Character

PLEP 2010 currently shows part of the rezoning areas as having scenic and landscape values. In addition, Council has had long held planning objectives for The Northern Road corridor that date back to the mid-1980s and prior to the release of land for Glenmore Park. These objectives include the:

- preservation of the attractive rural approach along The Northern Road as an important entry to Penrith (a rural gateway); and
- conservation of the open, semi-rural environment that provides a high visual amenity in the locality.

During the assessment of the Planning Proposal, preliminary findings from the Scenic and Cultural Landscape Study and the Rural Lands and Villages Study were received. Council officers have worked with the proponents to address the matters arising from these LGA wide studies. Recommendations were made to the proponents to revise the Planning Proposal to address interfaces with The Mulgoa Nature Reserve, Chain-O-Ponds Road and

The Northern Road to ensure consistency of the Planning Proposal with the emerging strategy documents.

Council's consultants (City Plan / Envisage) identified the section of The Northern Road corridor north of Chain-O-Ponds Road as a visually sensitive gateway, warranting a high urban design / landscape presentation to the road, that does not necessarily require a 'rural outlook'.

The site is identified within the GPEC, under the Western City District Plan and LSPS. The Northern Road is currently undergoing major upgrades as part of the Western Sydney Infrastructure Plan. The Northern Road, when complete, will be the main north south connection to the Western Sydney Airport from the M4 Motorway and growing population centres in North West Sydney. In this regard, there needs to be a balanced view of growth, infrastructure delivery and visual amenity.

The scenic quality and amenity of the subject site is predominately as a result of the raised hillside landform either side of the Nepean River which provides a backdrop to the site when viewed from select locations along Chain-O-Ponds Road and The Northern Road. The Planning Proposal's visual assessment notes that any land use change for housing will be generally obscured from vantage points along adjoining roads by topography. This has enabled the visual assessment to focus on the road interfaces.

The Planning Proposal will incorporate larger residential lots with greater setbacks as a transition to rural residential lots to the south. To the west of the site adjacent to Mulgoa Nature Reserve and recreation areas will be larger lots of approx. 1,000m². On the western edge of the most westerly lot larger lots of approx. 2,000m² will be provided. These larger lots will act as a transition zone with setbacks appropriate to deal with bushfire hazard. Larger setbacks and lot sizes of a minimum of 4,000m² have been provided along The Northern Road. The sports field fronting The Northern Road will preserve the significant backdrop view to Riley's Mountain. A dense contiguous landscape treatment will visually separate the development from The Northern Road.

The visual analysis presented in the Planning Proposal finds that:

- there will no longer be the opportunity to stop and park a car on the unformed verge and enjoy the view. A large landscaped median on the upgraded The Northern Road will largely obscure views for traffic heading south,
- views will not be impacted by the residential development. Dwellings up to 110m from the site boundary will sit at or below existing sightlines or the view is already obscure by vegetation of existing landform/dwellings.

Acoustics

The major noise source to affect the rezoning area would be road traffic noise from The Northern Road. The Planning Proposal incorporates large 4,000m² lots fronting an internal perimeter road that runs parallel to The Northern Road. Council and Transport for NSW have provided a direction that acoustic barriers would not be supported along this section of The Northern Road.

The Planning Proposal's acoustic analysis states that unmitigated traffic noise onto the development site would mean high exposure to road traffic for residences near The Northern Road. To deal with this, noise attenuation measures would apply for dwellings up to 100-150m from The Northern road (approx. 2-3 rows of dwellings from The Northern Road).

Council have reviewed the acoustic analysis and have identified the need for further investigation regarding:

- achieving appropriate external noise amenity in the private open spaces of dwellings,
- road traffic noise exposure for recreation areas, and
- whether the burden to be placed on future purchasers to include noise attenuation measures in dwellings is reasonable.

The proponents are willing to work through these matters with Council throughout the Gateway process.

Open space and riparian corridors

The Planning Proposal contains open space linkages looping through the site to connect to the Mulgoa Nature Reserve in the west and the existing suburb of Glenmore Park in the north. The linkages follow and connect riparian corridors and new open space areas, providing a green spine through the release area.

The Planning Proposal includes a total of 12.5ha of active open space. Five playing fields will be provided on site, positioned to serve walkable neighbourhoods and local parks within 400m walking distance of all residents adjacent to the central green spine. Three of the playing fields are proposed to be located on the eastern side of the site along The Northern Road and co-located with the school and retail centre.

The master plan is proposing a total of 8.4ha of passive open space. Post Gateway, council will continue to work with the proponents to ensure the provision of open space is appropriate. It is proposed that the E2 corridors will provide a dual purpose that includes passive open space. Any shortfall can be met through any surplus active open space in addition to the passive open space surrounding basins and riparian corridors. It is considered that the proposed provision of total open space is adequate to meet the needs of the future community on the site.

Other Land use Considerations

Management of the Environmental values on Lot 18.

The northern end of Lot 18 contains an environmental area that is part of a wildlife corridor that connects to Mulgoa Nature Reserve. The northern end of Lot 18 will be zoned as E2 Environmental Conservation and form part of a biodiversity corridor connecting north to the Mulgoa Nature Reserve. To ensure council is not burdened with the long-term ownership and management of this E2 land, a dwelling entitlement adjoining this E2 zoned land on Lot 18 is proposed.

Local Planning Panel's Advice

Under the requirements of Section 2.19 of the *Environmental Planning and Assessment Act 1979*, this Planning Proposal was presented to the Local Planning Panel for advice on the 13 May 2020.

The Panel generally support the Planning Proposal and recommended that further consideration be given to certain matters. These matters and their planning responses are provided below:

1. *Panel advice: Further consideration be given to the potential for future urban or rural/residential expansion south of Chain-O-Ponds Road. The location of this road does not reflect the topography of the area. There are ample historical examples where the urban perimeter determined in one decade is breached in a later decade. Consideration should be given to whether the current Planning Proposal will not prejudice future options.*

Planning Response: It is acknowledged that the delivery of Greater Sydney's housing needs post 2040, may result in a revision of the directions in the current Western City District Plan and Region Plan. However, there are currently a suite of measures in place to safeguard land south of Chain-O-Ponds Road from urban development including:

- Penrith LEP 2010 Clause 7.18 Mulgoa Valley. The objective of this clause is to ensure development in the valley is consistent with conserving its rural and natural landscape, heritage and agricultural qualities.
- The LSPS is Council's highest-level strategic planning document. This planning proposal and any future proposal needs to demonstrate consistency with this plan. The LSPS clearly identifies the 'rural edge' as the southern boundary of the rezoning area. Any future proposal for development south of Chain-O-Ponds Road would not be consistent with the LSPS and therefore not supported.
- Penrith LEP 2010, E3 Environment Management zone applies to the land south of Chain-O-Ponds Road. One of the objectives of this zone is to ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or facilities.

It should be noted that the panel's advice relates to land south of Chain-O-Ponds Road while this planning proposal only relates to land north of Chain-O-Ponds Road.

The Panel's comment is noted.

2. *Panel advice: Further consideration be given to the potential for traffic movement between Mulgoa Rd and Chain-O-Ponds Road via St Thomas Road with particular regard to heritage values of the Mulgoa Valley and also with regard to the intersections of Mulgoa Road and Chain-O-Ponds Road.*

Planning Response: The Planning Proposal provides a Stage 1 traffic and transport study. A Stage 2 assessment will be conducted post-Gateway determination and will be finalised prior to public exhibition. This matter will be considered in Stage 2 assessment.

3. *Panel advice: The Panel was strongly of the view that the minimum lot size in Glenmore Park Stage 2, in developments more generally, and in this particular Planning Proposal are unacceptably small. The Panel believes to ensure an attractive and viable living space, new residents to this exciting new suburb ought to have a reasonably sized living space without being pressed in one upon the other.*

Accordingly, the Panel strongly recommends to staff and Councillors that the minimum lot size for the R2 zone be set at 450m² and that a DCP protocol be put in place to prevent and discourage developers from using the current broader LEP to create dual occupancy lots. In this way the Panel believes Glenmore Park Stage 3 has the potential to be a model modern suburb. The Panel suggests consideration be given to setting a figure of 900m² as the minimum lot size for a dual occupancy in R2

zone.

Planning Response: The Planning Proposal's approach to address housing diversity, housing affordability and a quality-built form combines a suite of measures including:

- Minimum lot size in the R2 zone of 300m²,
- Mapped precincts across the R2 zone and corresponding dwelling caps for each precinct, and
- DCP controls to address building separation, streetscape and building design.

Providing dwelling caps for precincts will ensure that a mix of lot sizes will be delivered. It will also prevent the minimum lot size being provided across the R2 zone. For example, if the minimum lot size is provided within a precinct, larger lots will also need to be provided to meet the dwelling cap for that precinct. The average lot size for the R2 zone will be approximately 400m².

Lot size and width is a key determinant of housing form and diversity. A mix of lot sizes will also provide attractive and interesting streetscapes, as well as different housing forms. A range of lot sizes will enable different affordability touch points to meet new entrants to the housing market as well as second and third generation homeowners.

Future DCP controls will be used to address concerns surrounding separation between homes and spatial living requirements. Discussions with the proponents to incorporate Design Guidelines (to be attached to the title of each lot) to embed building separation and building envelope controls have been undertaken. The detail of this option will be investigated further post Gateway determination.

The Panel's advice recommends a minimum lot size for the R2 zone to be set at 450m². The Panel's reasoning is to ensure new residents have a '*reasonably sized living space without being pressed in one upon the other*'. However, the 300m² minimum lot size in combination with the measures discussed above will be able to address this concern.

If the 450m² minimum lot size is provided there is the potential risk that, the 450m² lot size will be delivered across the R2 zone. The resulting development would see a lack of housing diversity, with contract housing displaying little variation in height or design, that can be delivered using the SEPP (Exempt and Complying Development Codes) 2008. There is also risk of homogenous and monotonous streetscapes. Housing diversity and housing affordability will be impacted in this scenario.

The Greater Sydney Region Plan, the Western City District Plan and Council's Local Strategic Planning Statement all state that delivery of housing must align with the demand for different housing types, tenure, price point, preferred location and design. The Planning Proposal's approach to deliver housing diversity and housing affordability using a minimum lot size for the R2 zone of 300m² (and a resulting average lot size of 400m²), mapped precincts and dwelling caps, and DCP controls demonstrates consistency with these State and local strategic plans.

It is therefore recommended that the minimum lot size be retained as proposed in the planning proposal.

4. Panel advice: In relation to the substantial upgrade of The Northern Road, the Panel is concerned about what maybe inadequate noise attenuation measures explored and

suggested in the Planning Proposal. Accordingly, the Panel recommends that a noise attenuation earth mound be built within the landscape setback of not less than 2.5m high and not more than 3.5m high measured from the level of the road carriageway along the whole boundary with The Northern Road.

In the event that the acoustic experts and council staff believe that further noise attenuation is required, then consideration be given to the DCP setting out design controls for homes directly fronting those large lots which adjoin The Northern Road boundary.

Planning Response: The Planning Proposal originally proposed a perimeter road adjacent to The Northern Road and required the first row of houses facing this road on small residential properties to be two storey and incorporate noise attenuation. This would shield the next row of houses further back into the release.

As outlined in this report, the proponent has provided large 4,000m² lots, an internal perimeter road and associated landscaping along The Northern Road to address Council's desire to preserve the visual and scenic amenity of this corridor and provide a high urban design treatment for this City gateway into Penrith. This will now result in traffic noise travelling into the site and requiring noise attenuation measures to be incorporated into dwellings 100 – 150m into the site.

The Panel has recommended earth mounds as a method to manage traffic noise from The Northern Road.

As outlined in this report, managing traffic noise from The Northern Road requires further investigation. This will include agency consultation with the Environment Protection Authority post Gateway determination and further detailed acoustic assessment (as suggested in the Panel's advice). Should this work involve amendments to the masterplan, there will be opportunities to do this. The Panel's advice is noted and will be considered.

5. **Panel advice:** *That Council ensure there are sufficient funds from contributions and any VPA to ensure both local and State roads are upgraded as recommended by the report of 24 March 2020 from the Transport Planning Partnership.*

Planning Response: The Panel's advice is noted. A developer contribution plan and a Voluntary Planning Agreement will be prepared post Gateway determination. This process is outlined in this report below. The Panel's advice is noted.

The copy of the full Local Planning Panel's advice is provided in Attachment 2.

Development Control Plan (DCP)

A site-specific DCP will be created for the site to support the Planning Proposal and will include site specific development controls. The DCP will reflect the proposed development and the changes sought to the LEP. The DCP will take important themes and issues identified in the studies supporting the Planning Proposal and embed them with appropriate development controls. The following provides a likely structure for the DCP with the broad approach for dealing with themes and issues:

- Urban Structure – to outline the main elements of the urban structure and the way the planning and land use has responded to the natural features of the land.
- Dwelling caps and minimum subdivision sizes - to manage yield relating to the dwelling cap under the LEP.

-
- Dwelling Diversity – to support a range of housing options. Maps will reinforce where these will be proposed across the site together with principles underpinning their location.
 - Bushfire Hazard and Management – to outline the retention and regeneration of riparian corridors and open space areas. The DCP will set road widths and setbacks to meet the Planning for Bushfire Guidelines.
 - Water Management – to outline the requirement for a combination of dry and wet basins to treat and detain water.
 - Trees, Landscape Character and Preservation of View Shed - will identify tree retention and preservation, as well as street tree planting adjacent to The Northern Road to screen or enable the preservation of substantial views.
 - Access and Movement - will highlight the access and movement hierarchy and provide cross sections for different road hierarchies and cycleway routes.
 - Acoustic Environment - will address the acoustic environment including potential incorporation of noise attenuation upgrades in the design of dwellings in proximity to The Northern Road.
 - Open Space - will highlight the location and function of open space within the site and for regeneration as riparian or other environmental management purposes.
 - Local Centre Precinct - will provide detailed planning and staging requirements for the B2 Local Centre.
 - Subdivision and dwelling construction - will address the more detailed subdivision controls including preferred block dimensions and lot size and shape for the different areas within the site.
 - Provisions for reducing Heat Island Effects – will address how urban heat and cooling will be managed across the site and in the medium density areas.

Developer contributions

Council officers will work with the proponents to prepare a contribution plan once a Gateway Determination has been issued. It is expected that the contributions plan will incorporate the following elements:

- Dedication and embellishment of local open space
- Upgrade of local roads and intersections outside the rezoning area
- Delivery of key collector roads and other related traffic infrastructure within the rezoning area
- Monetary contributions towards district/regional active open space
- Monetary contributions towards a community facility (unless delivered through works-in-kind)

A contributions plan will establish a baseline for infrastructure provision across the site. The proponents anticipate to ultimately enter into a Voluntary Planning Agreement (VPA) with council to deliver their proportion under the contributions plan.

The rezoning area covers 25 lots and multiple landowners. A small number of owners are not part of the current developer consortia. A contributions plan for the whole site will provide a consistent structure and framework for future VPA negotiations and the collection of contributions from the non-consortia landowners.

This approach will be explored with the fractured land ownership of the site in mind, so that infrastructure, that benefits the broader development is apportioned across all landowners. This may include infrastructure such as:

- Dedication and embellishment of detention basins and water quality devices
- Construction and dedication of collector/local roads within the rezoning area.

This approach would provide certainty for the delivery of works within the proponent's control and confidence that the precinct will be developed in an orderly manner. It is anticipated that further discussion will be progressed regarding a VPA prior to finalising the rezoning of the land.

Whilst this is the intention of the landowners, if this approach does not occur, Council will levy cash and deliver the works required.

Council have written to DPIE to include Glenmore Park Stage 3 in Schedule 2 of Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012 (as amended), enabling a monetary contribution of up to \$30,000, or greater where an IPART reviewed contributions plan applies.

However, to minimise the potential for any future funding gaps, Council will be seeking the removal of the cap for this development, ahead of finalisation.

Financial Implications

There are no financial implications associated with this report.

Conclusion

Council is in receipt of a Planning Proposal for Glenmore Park Stage 3 which seeks changes to planning controls to facilitate residential development. Council officers have completed an assessment of the proposal and the justification and rationale for the proposed changes are supported. The Local Planning Panel generally support the Planning Proposal in terms of site-specific merit and strategic consistency. There is sufficient information to commence the Gateway Process.

The revisions made to the Planning Proposal up to this point have resulted in a superior masterplan and demonstrates the proponent's willingness to work with Council to provide a high-quality development.

It is recommended that Council endorse the Planning Proposal to commence the Gateway process.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal - Glenmore Park Stage 3 be received.
2. Council endorses the Planning Proposal (provided under separate cover and tabled tonight), which is subject to further changes as referred to in resolution 5.

3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. A report be presented to Council following receipt of the Gateway Determination seeking resolution to publicly exhibit a Development Control Plan and Contributions Plan with the Planning Proposal.
5. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - a. prior to Council's submission of the Planning Proposal to the Minister for Planning.
 - b. as a result of negotiated changes sought by DPE in the lead up to the Gateway Determination.
 - c. prior to public exhibition in response to the conditions of the Gateway Determination or negotiations with public authorities and other stakeholders.

ATTACHMENTS/APPENDICES

- | | | |
|--|---------|----------|
| 1. Glenmore Park Stage 3 - Rezoning Area | 1 Page | Appendix |
| 2. Glenmore Park Stage 3 Local Planning Panel Advice | 2 Pages | Appendix |

**CONFIRMED MINUTES
OF THE ORDINARY MEETING OF PENRITH CITY COUNCIL HELD REMOTELY USING
AUDIO VISUAL LINKS AND AUDIO STREAMED ON THE COUNCIL WEBSITE ON
MONDAY 25 MAY 2020 AT 7:05PM**

DELIVERY PROGRAM REPORTS

2 Planning Proposal - Glenmore Park Stage 3

96 RESOLVED on the MOTION of Councillor Tricia Hitchen seconded Councillor Todd Carney

That:

1. The information contained in the report on Planning Proposal - Glenmore Park Stage 3 be received.
2. Council endorses the Planning Proposal (provided under separate cover and tabled tonight), which is subject to further changes as referred to in resolution 5.
3. Council officers forward the Planning Proposal to the Minister for Planning with a request to issue a Gateway Determination. The submission will include a request to issue Council with Delegation for plan making authority.
4. A report be presented to Council following receipt of the Gateway Determination seeking resolution to publicly exhibit a Development Control Plan and Contributions Plan with the Planning Proposal.
5. Noise attenuation measures along The Northern Road be in place prior to the balance of the subdivision of land and this be further explored during the Gateway process.
6. The General Manager be granted delegation to make any necessary changes to the Planning Proposal referred to in resolution 2:
 - a. prior to Council's submission of the Planning Proposal to the Minister for Planning.
 - b. as a result of negotiated changes sought by DPE in the lead up to the Gateway Determination.
 - c. prior to public exhibition in response to the conditions of the Gateway Determination or negotiations with public authorities and other stakeholders.
 - d. prior to public exhibition, should there be any major changes with respect to the planning proposal, a further report be presented to Council with the General Manager to advise of those changes.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For

Councillor Greg Davies
Councillor Todd Carney
Councillor Aaron Duke

Against

Councillor Kath Presdee
Councillor Robin Cook
Councillor Karen McKeown OAM

Councillor John Thain
Councillor Brian Cartwright
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Ross Fowler OAM

Councillor Kevin Crameri OAM
Councillor Mark Davies