

## **2. ENVIRONMENTAL PLANNING**

### **2.1 Future Planning Directions for the East Edge Scenic Protection Lands**

#### **Reporting Officer**

Acting Manager Environmental Planning

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#### **Attachments**

1. Map showing the location and current zoning of the Landscape Units within the East Edge Scenic Protection Lands (Distributed under separate cover)
2. Preliminary List of Permissible Land Uses for the E4 - Environmental Living Zone (Distributed under separate cover)
3. Letter from Inspire Planning on behalf of Mr Fred Soldatic and Mr Alfie Dimarco (Distributed under separate cover)
4. Current Zoning Map and Aerial Photograph of the land owned by Mr Soldatic and Mr Dimarco (Distributed under separate cover)
5. Letter from Smec Urban on behalf of Mr Noel Gray and Mr Michael Hansen (Distributed under separate cover)
6. Current Zoning Map and Aerial Photograph of the land owned by Mr Gray and Mr Hansen (Distributed under separate cover)
7. Letter from Mr Arif Mohammad (Distributed under separate cover)
8. Current Zoning Map and Aerial Photograph of the land owned by Mr Mohammad (Distributed under separate cover)
9. Correspondence from Mr and Mrs Ackerley and Mr and Mrs Russo (Distributed under separate cover)
10. Current Zoning Map and Aerial Photograph of the land owned by Mr and Mrs Ackerley and Mr and Mrs Russo (Distributed under separate cover)
11. Current Zoning Map and Aerial Photograph of Lot 1, DP 795498 and Lot 2, DP 126471, Amundsen Street, Leumeah (Distributed under separate cover)

#### **Purpose**

The purpose of this report is as follows:

1. To provide Council with a detailed overview of the findings and recommendations of the *Visual and Landscape Analysis of the Scenic Hills and the East Edge Scenic Protection Lands* (the Edge Lands), for the six landscape units within the Edge Lands
  2. To examine the implications of further possible limited development within the Edge Lands on biodiversity, wildlife corridors and general conservation outcomes
  3. To advise Council about the representations that have been made by owners of land within the Edge Lands
  4. To seek Council's endorsement of the recommended future zoning and subdivision standards for the Edge Lands, for incorporation into the new comprehensive Local Environmental Plan for the Campbelltown Local Government Area (LGA).
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## History

At its meeting on 18 October 2011, Council considered a report on the Draft *Visual and Landscape Analysis of the Scenic Hills and the East Edge Scenic Protection Lands* (the Visual Study). The report provided a detailed overview of the findings and recommendations of the Visual Study. After considering the report, Council resolved as follows:

- “1. That Council receive and note the *Visual and Landscape Analysis of the Scenic Hills and the East Edge Scenic Protection Lands (the Visual Study)*.
2. That Council endorse the Visual Study as an important contributory element to help inform the preparation of the new comprehensive Local Environmental Plan for the Campbelltown Local Government Area.
3. That in regard to proposals for the [East] Edge Scenic Protection Lands, Council receive a further briefing which relates to the vegetation of these lands and to both Council's Biodiversity Study, and the existing fauna dispersal corridors.”

On 22 November 2011, Council was provided with a presentation on biodiversity and the Edge Lands, in the context of both Council's Biodiversity Study and the existing fauna dispersal corridors. This presentation was based on the findings of three key environmental studies that apply to the Edge Lands:

- the Natural Conservation Values Assessment – The Edge Scenic Protection Lands, Campbelltown, prepared by Conacher Travers in 2003 and 2004
- the Campbelltown Biodiversity Study, prepared by Eco Logical Australia in 2008 and
- the Visual Study, prepared by Paul Davies Pty Ltd and Geoffrey Britton, Environmental Design Consultant.

A detailed report on *Future Planning Directions for the East Edge Scenic Protection Lands* was presented to the Planning and Environment Committee (P&E Committee) on 6 December 2011. Mr Fred Soldatic addressed the P&E Committee and reinforced his previous requests for 4,000m<sup>2</sup> subdivision in the area. The P&E Committee resolved as follows:

*“That the decision of this matter be deferred and the location be listed for a future inspection.”*

The report, together with the P&E Committee's recommendation, was considered by Council on 13 December 2011. Council resolved to adopt the P&E Committee's recommendation to defer the report and undertake a site inspection.

A site inspection was undertaken on Tuesday 31 January 2012. Prior to the site inspection, two letters were received from owners of land within the Edge Lands. Another letter was received on 8 March 2012.

Earlier representations have also been made to Council staff by certain land owners who have now submitted letters to Council, and from other land owners, some of whom make regular verbal and some written enquiries regarding the future of the Edge Lands. All of the land owners who have made verbal or written representations to Council staff would like to have their land rezoned to allow subdivision and further development.

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On 20 March 2012, Council was provided with a briefing regarding the outcomes of the site inspection and an overview of the letters and enquiries that have been received from land owners.

## **Report**

This report addresses a comprehensive range of matters raised in previous reports and briefings to Council concerning the Edge Lands. The report is divided into four distinct parts:

Part 1: provides background information about the Edge Lands and sets a context for the remaining parts of the report.

Part 2: provides a detailed examination of the Visual Study and each of the six landscape units within the Edge Lands.

Part 3: provides a summary of the correspondence and enquiries that have been received by owners of land within the Edge Lands and other persons interested in the future planning for the Edge Lands.

Part 4: provides concluding comments and recommendations for Council's consideration in determining appropriate future planning directions for the Edge Lands.

## **PART 1 – CONTEXT**

### **The East Edge Scenic Protection Lands (The Edge Lands)**

The Edge Lands are located on the eastern edge of the existing Campbelltown urban area, and are separated from an extensive regional open space network (that runs along the Georges River) by a reservation for an arterial road that has not yet been built. The reservation is known as the Georges River Parkway Road Reservation. Both the Edge Lands and the road reservation also contain remnant Cumberland Plain Woodland and Shale Sandstone Transition Forest vegetation. Cumberland Plain Woodland is a critically endangered ecological community, and Shale Sandstone Transition Forest is an endangered ecological community as provided for under both the *NSW Threatened Species Act 1995* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999*.

The Edge Lands have been zoned for environmental protection purposes for over 30 years and have been recognised for their existing natural bushland and ecological values. The Environmental Planning Instrument (EPI) that applies to the area is Campbelltown (Urban Area) Local Environmental Plan 2002. The zones that currently apply to the Edge Lands are non-urban in their focus, with low-impact and small scale rural activities and rural-residential development, in an environmental setting, being permitted. The majority of the land is zoned 7(d4) Environmental Protection with a 2 hectare (ha) minimum lot size. A small proportion of the land is zoned 7(d6) Environmental Protection with a 0.4ha minimum lot size. Some of the existing allotments are already smaller than the minimum lot sizes, and almost all existing lots have a dwelling and/or other structures on them. There exists a small number of allotments that are vacant and have no or minimal development potential under the existing planning instrument. There are also some small pockets of land used for special purposes such as reservoirs and for public purposes.

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## 2.1 Future Planning Directions For The East Edge Scenic Protection Lands

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The Edge Lands also contain heritage items that should be conserved and any future development within the vicinity of these items will need to be carefully considered. These items include Stone Cottage, Eagleview House, and part of The Jug. It should also be noted that Keiraville is located in close proximity to the eastern boundary of this area.

### **Biodiversity and the Edge Lands**

A number of studies, undertaken over time, have examined different aspects of the environmental values of the eastern parts of the Campbelltown Local Government Area, including the Edge Lands.

In 1987, Wellings, Smith and Byrnes prepared *"An Environmental Study to Determine Possible Future Controls on Development in the Scenic Protection Area West of the Georges River Parkway"* which was updated in 1993. The study mapped the soils and vegetation types in the area from Macquarie Fields to Wedderburn, and concluded that some intensification of development in the Edge Lands for rural-residential development could be contemplated. The study was based on field work and was therefore considered to be accurate.

In 2003, Conacher Travers were engaged by Council to undertake a *"Natural Conservation Values Assessment – The Edge Scenic Protection Lands, Campbelltown"*. The Study was partly funded by Council and partly via funds that were collected from landowners with an interest in seeking to have their land rezoned and subdivided for either residential or rural-residential development. This study was further augmented in 2004 to include additional land and data. The study was based on field work. It identified areas of significant vegetation and environmental sensitivity and provided detailed information on flora and fauna for much of the land that comprises the Edge Lands. The study made recommendations relevant to Council's current considerations for future planning for the Edgelands. These included:

- All areas of native vegetation should be retained where possible (including within private allotments). The areas given a conservation value of medium or high should be retained and buffer zones of various widths should be provided
  - Where possible, individual native trees should be retained (including retention within future private allotments)
  - Applications for subdivision on land that has medium and high conservation value should be accompanied by a vegetation management plan
  - Additional targeted flora and fauna survey should occur within any area proposed for future development that have been assigned conservation values of medium or high. This is to provide more detailed assessment in the affected areas as opposed to the broad scale survey
  - The existing bushland areas that are part of existing corridors along Myrtle Creek and Peter Meadows Creek should be protected as part of any future development. Appropriate buffers should be protected for these areas and
  - The potential for areas to be revegetated, or existing degraded bushland areas to be regenerated to form corridors between existing remnants, should be considered in any future development rezoning proposals.
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More recently, a specialist ecological consultant (Eco Logical Australia) was engaged by Council to prepare a *Biodiversity Study* for the entire Campbelltown Local Government Area. The study is based on regional vegetation mapping and aerial photographs. The data that was used is broad in scale and has not been ground-truthed, given the limited resources that were available at the time. However, wildlife corridors were mapped as part of this study. The *Biodiversity Study* was endorsed by Council in 2008. It did not make specific recommendations about the Edge Lands but only broader recommendations stating that the Georges River area should be managed to ensure the protection and conservation of biodiversity.

### **PART 2 – THE VISUAL STUDY, LANDSCAPE UNITS AND DEVELOPMENT MODEL**

#### **The Visual Study**

In 2010, the Visual Study was prepared on behalf of Council by Paul Davies Pty Ltd, Architects and Heritage Consultants, and Geoffrey Britton, Environmental Design Consultant. The Visual Study was based on existing information, fieldwork and landscape analysis and referenced both the detailed environmental assessment in the Conacher Travers Study and the findings of the Biodiversity Study.

The aims of the Visual Study, as it relates to the Edge Lands, were to:

- identify areas within the Edge Lands that could be developed, those that could be developed subject to certain restrictions, and those that should not be developed due to visual and landscape sensitivity
- determine a definite boundary for urban growth between the existing urban area and the Edge Lands, and map this boundary so that it can be translated easily into Council's new LEP and
- recommend appropriate zones (in accordance with the Department of Planning and Infrastructure's (DPI) Standard LEP Template zones) land uses, subdivision standards and other development and environmental controls that will assist Council and the community in protecting the important values of the Edge Lands, and encourage the sustainable management of this area.

The Edge Lands were analysed as a cultural landscape to identify the topographical, historic, and cultural context of the area, major scenic landscape and environmental qualities and trends in development pressures on the area. The Edge Lands were then divided into six smaller landscape units reflecting the location of the lands, and the unique cultural landscape values, and each landscape unit was then analysed in detail with a focus on the existing vegetation and patterns of development on the identified scenic landscape values.

The Landscape Units within the Edge Lands are:

- E-LU1 – Evelyn Street to Oakley Road
  - E-LU2 – Oldsmobile Place
  - E-LU3 – Mercedes Road
  - E-LU4 – Eagleview Road
  - E-LU5 – Hansens Road and Junction Road
  - E-LU6 – Acacia Avenue.
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The Visual Study concluded that in terms of future planning for the purposes of preparing Council's new comprehensive LEP, that the E4 - Environmental Living zone is the most appropriate zone for the majority of land within the area. The E4 zone would allow low-impact rural-residential development, and limit other land uses that would be likely to have a greater impact on the sensitive environmental qualities of the area. A proposed preliminary list of permissible land uses within the E4 zone is shown as Attachment 2 to this report. In some parts of the Edge Lands, some increase in the density of development may also be possible, provided that the detailed subdivision design and siting of buildings does not compromise the overall environmental value and bushland qualities of the landscape, especially when other issues such as bushfire protection for any new dwellings is addressed. This possible development scenario will need to be discussed in detail with the DP&I during the preparation of the new comprehensive LEP.

It is important to note that the areas identified as being unsuitable for intensification of development in the Visual Study correspond largely with the environmentally sensitive areas identified in the Conacher Travers Study that was commissioned by Council in 2003. In addition, the wildlife corridors identified in the Biodiversity Study did not affect landscape units 1 to 5, while landscape unit 6 is identified as containing part of a wildlife corridor. These environmentally sensitive areas contain a large variety of native species and assist in preserving biodiversity within the Campbelltown LGA.

In addition, areas of critically endangered and endangered ecological communities occupy significant tracts of land within the Edge Lands. When taken into consideration, in conjunction with existing subdivision patterns and allotment boundaries, this means that in some parts of the Edge Lands, development potential is significantly constrained. Therefore, any attempt to seek to increase the development potential over such constrained land is likely to be met with resistance from the NSW Office of Environment and Heritage (OEH).

Given that the OEH has a statutory input into the preparation of the new comprehensive LEP, Council needs to be mindful that the extent and intensity of new development in areas occupied by vegetation which is of high and medium conservation value (ie, endangered ecological communities) may end up being nil or marginal at best.

The Visual Study also found, for the Edge Lands in general, that:

- the existing boundary between the existing urban and non-urban areas is generally correct, with some minor adjustments being considered appropriate
  - the Edge Lands should be seen as an area of environmental transition between the urban area of Campbelltown and the proposed Georges River Parkway Road which, when developed, would provide a clear and well defined urban edge
  - most of the land that is currently zoned 'environmental protection' should maintain a similar zoning in the future
  - some of the land that currently has a two ha minimum subdivision standard could be suitable for more intensive development (providing that strict development controls are used to preserve the landscape and environmental qualities of the land)
  - if the recommended design controls for development are not complied with, the two ha minimum subdivision standard should be retained in the areas where it currently applies
  - the land to which the existing 0.4ha subdivision standard applies should generally retain this minimum lot size
  - due to the existing vegetation and other natural constraints, not all land in this area would be capable of achieving subdivision and further development
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- any subdivision within this area should be subject to a site specific masterplanning process to ensure that optimal lot and appropriate planning outcomes are achieved, that are not overly restricted or constrained by existing property boundaries and ownership patterns.

The Visual Study includes "model" design controls for development that would allow for a potential increase in density whilst minimising the likelihood for harm to the landscape and environmental qualities of the area. It is based on the principle of protecting sensitive vegetation and 'clustering' dwellings in less sensitive areas, with access provided by a common driveway.

The Visual Study also made specific findings and recommendations for each landscape unit, which are summarised in the following sections of this report.

### 1. E-LU1 – Evelyn Street to Oakley Road

The prevailing character of this landscape unit is that of a substantially undeveloped bushland edge, with tall forest trees prominent in views and contributing to the environmental qualities of the landscape. It contains two substantial areas of vegetation of high conservation value, one area of vegetation that is of medium conservation value, and the remainder of the vegetation is of low conservation value. Existing development includes small rural-residential properties with dwellings and non intensive rural uses such as horse grazing. Existing allotments within this landscape unit range in size between 0.05ha and 2.4ha, with the majority of lots between one and two hectares in size.

This landscape unit provides a non-urban break between existing suburban residential development and the reservation for the proposed Georges River Parkway. The undeveloped paddocks and forest trees would continue to provide an effective buffer between the Georges River Parkway (when built) and the residential area of Macquarie Fields to the north.

Some parts of this landscape unit may have the capacity to accommodate some limited increase in the density of development, although it should be noted that, due to the identified environmental and scenic landscape constraints (as discussed above), these opportunities are not evenly distributed. It must be noted that due to the presence of native vegetation of high and medium conservation value, some lots are likely to have no or very little potential for an increase in density of development over that which is permitted already.

Current Zoning(s)	Proposed Future Zoning(s)
7(d4) – Environmental Protection	E4- Environmental Living
Current Minimum Lot Size(s) Standard	Proposed Minimum Lot Size(s) Standard
7(d4) – 2ha minimum	E4 – 1ha minimum (if urban bushland development model is used)  E4 – 2ha minimum (if urban bushland development model is not used)

Please note: The Urban Bushland Development Model is discussed later in this report.



## 2. E-LU2 – Oldsmobile Place

This landscape unit consists of one lot that is 2,248m<sup>2</sup> in area and which contains a recently constructed dwelling. The land has been generally cleared and does not contain any significant stands of native vegetation. There is no further subdivision potential at the present time due to the recent investment in improvements to the land. Any future redevelopment of the land could result in additional dwellings being located on the land, but access and noise issues would need to be carefully considered as the lot is located adjacent to the Georges River Parkway Road Reservation. The reason why this lot was excluded from the residential zoning during the preparation of LEP 2002 is not known.

The landscape unit does not demonstrate any notable scenic landscape or environmental values and should be managed as part of the urban area, and urban planning standards applied.

Current Zoning(s)	Proposed Future Zoning(s)
7(d4) – Environmental Protection	R2 – Low Density Residential
Current Minimum Lot Size(s) Standard	Proposed Minimum Lot Size(s) Standard
7(d4) – 2ha minimum	R2 – 500m <sup>2</sup> (current minimum lot size in the adjoining residential area)

## 3. E-LU3 – Mercedes Road

The prevailing character of this landscape unit is semi-rural with a good quality natural bushland edge. It contains significant stands of native vegetation, particularly at the southern end of the unit, where most of the vegetation is of high and medium conservation value. The northern and north eastern edges of the landscape unit also contain vegetation of medium and high conservation value respectively. The tall woodland and bushland trees provide a backdrop to views over the landscape. The southern-most portion of the area demonstrates a particularly high quality bushland edge character in addition to its high ecological value, with low density dwellings nestled under the tree canopy. There is also an open area and a significant stand of trees towards the centre of the unit, near Mercedes Road, that has been identified as having high landscape value. Existing lots within this landscape unit range in size between approximately 0.2ha and 3.24ha, with the majority of lots being between 1ha and 2.2ha in area.

A heritage item, an early stone cottage and its outbuildings, are located within this landscape unit, near the intersection of Bensley Road and Mercedes Road, and it contributes to the aesthetic qualities of the unit. The existing landscape qualities in the vicinity of this heritage item should be preserved.

Poultry farming, which is one of the few surviving intensive industries in the Edge Lands, is also evident in this landscape unit as it contains two existing chicken farms.

Some parts of this landscape unit may have the capacity to accommodate a slightly higher density of development, although it should be noted that, due to the identified environmental and scenic landscape constraints (as discussed above), these opportunities are not evenly distributed. Some lots have no or very little potential for increases in the density of development over that which is permitted already. Some land use conflicts may also arise due to the presence of active rural industries.



The current boundary between the urban and non-urban areas, in terms of character, aligns with the existing boundary between the 2(b) Residential and the 7(d4) Environmental Protection zones. It is recommended that this existing boundary be generally retained.

Current Zoning(s)	Proposed Future Zoning(s)
7(d4) – Environmental Protection	E4- Environmental Living
Current Minimum Lot Size(s) Standard	Proposed Minimum Lot Size(s) Standard
7(d4) – 2ha minimum	E4 – 1ha minimum (if urban bushland development model is used)  E4 – 2ha minimum (if urban bushland development model is not used)

#### 4. E-LU4 – Eagleview Road

This is a large landscape unit that demonstrates a rich diversity of scenic landscape character. The north-western area and southern-most tip are semi-urban or large-lot residential, whereas the north-east area reads as natural bushland, and is the location of significant stands of native vegetation of high and medium conservation value. There are also significant stands of native vegetation of high and medium conservation value towards the southern end of the unit, south of Ben Lomond Road. The central area is more rural in its character, with many recently constructed houses on open grassed slopes. The land to the west of Eagleview Road is currently being redeveloped as part of the major Minto Renewal Project.

In the area currently zoned 7(d4), the existing lot sizes range between 0.5ha and 3.3ha with the majority of lots between 2ha and 2.4ha. In the area zoned 7(d6), lots range in size between 0.08ha and 1.5ha, with the majority of the lots being between 0.4ha and 0.5ha in area.

The ridgeline within this landscape unit is significant and both local and distant views should be protected from encroachment by any potential future development through the use of appropriate landscaping.

The local heritage items “Eagleview House” and “The Jug” are also located within this landscape unit, and both the items and their settings should be conserved. However, it should be noted that the road reservation for the Georges River Parkway dissects the land on which “The Jug” is located and the construction of the Parkway may have a significant impact on the heritage item and its curtilage.

The area south of Ben Lomond Road is characteristic of Sydney’s traditional urban-bushland interface, with a range of lot sizes and land uses, including a place of public worship, all set in a tree-filled landscape. The southern-most tip of the landscape unit is more densely settled and is primarily large-lot residential.

Some parts of this landscape unit may have the capacity to accommodate some limited increase in the density of development, although it should be noted that, due to the identified environmental and scenic landscape constraints (as discussed above), these opportunities are not evenly distributed. Some lots have no potential for increases in the density of development over that which is already permitted.



The cleared land along much of the eastern edge of this unit will mean that the Georges River Parkway will be highly visible from many existing properties (particularly many of those located between Ashmead Road and Ben Lomond Road), unless screen planting is established.

Current Zoning(s)	Proposed Future Zoning(s)
7(d4) – Environmental Protection	E4- Environmental Living
7(d6) – Environmental Protection	E4 – Environmental Living
Current Minimum Lot Size(s) Standard	Proposed Minimum Lot Size(s) Standard
7(d4) – 2ha minimum	E4 – 1ha minimum (if urban bushland development model is used)  E4 – 2ha minimum (if urban bushland development model is not used)
7(d6) – 0.4ha minimum	E4 – 0.4ha minimum

#### 5. E- LU5 – Hansens Road and Junction Road

This landscape unit is dominated by its vegetation cover and low-density land uses. It has retained an environment that is high in scenic landscape and environmental values. The northern half of the unit, and particularly the land in the north-eastern part of that area, contains several stands of native vegetation that are of medium conservation value, with one significant area of vegetation of high conservation value. Most of the land in the north-western area is of low conservation value. The southern part of the landscape unit contains significant stands of native vegetation of high conservation value, one area of medium conservation value, and some areas of low conservation value. This landscape unit also includes a significant ridgeline that should be protected. The existing lot sizes within the landscape unit range between 0.02ha and 2.4ha, with the majority of the lots being between 1ha and 2ha in size.

The scenic landscape values extend beyond the current boundaries of the landscape unit and over the adjacent reserve on the western side of Amundsen Street (Biehler Reserve), part of Leumeah High School, the water reservoir, and two lots near the reservoir (accessed by Debenham Avenue). One of these lots has an 'urban' scale and character and could be considered as part of the urban area. The other lot extends further into the landscape unit and should be managed as part of the landscape unit, along with the other existing land uses referred to above.

It is also important to note that the local heritage item "Kiera-ville" is located just outside the north-eastern boundary of this landscape unit, and the construction of the Georges River Parkway will have a significant impact on the heritage item and its curtilage.

Some parts of this landscape unit may have the capacity to accommodate some limited increase in the density of development, although it should be noted that, due to the identified environmental and scenic landscape constraints (as discussed above), these opportunities are not evenly distributed. Some lots have no or very little potential for increases in the density of development over that which is permitted already.



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Current Zoning(s)	Proposed Future Zoning(s)
7(d4) – Environmental Protection  5(a) Special Uses (Reservoir)	E4- Environmental Living  SP2 – Infrastructure (to be discussed with Sydney Water)
Current Minimum Lot Size(s) Standard	Proposed Minimum Lot Size(s) Standard
7(d4) – 2ha minimum	E4 – 1ha minimum (if urban bushland development model is used)  E4 – 2ha minimum (if urban bushland development model is not used)

#### 6. E- LU6 – Acacia Avenue

This landscape unit is located in the south-eastern corner of the suburb of Ruse. The unit is small in area with modest residential dwellings and a local church lining its northern edge, and thick bushland surrounding the remaining edges. The unit contains some high quality old-growth eucalypts lining the carriageway of Acacia Avenue that contribute significantly to the aesthetic quality of this streetscape and carry the bushland quality of the surrounding landscape into the urban area. The Conacher Travers Study did not investigate this landscape unit. However, information derived from the Biodiversity Study shows that the majority of vegetation within this unit is of high biodiversity value.

The small area of open space immediately to the west of the church (Mary Doherty Reserve) contains a healthy stand of native trees. These trees add significantly to the visual quality of the unit, by terminating its western end and providing a buffer to the adjoining residential area. The trees also form part of a wildlife corridor identified in the Campbelltown Biodiversity Study.

The landscape unit 'reads' as including the whole of the area bounded by the existing roads, but the proposed Georges River Parkway will excise almost one third of this land.

The existing lot sizes within the landscape unit range between 0.035ha and 1ha, with approximately half of the lots under 0.5ha and the other half of the lots above this size.

Some parts of the landscape unit may have the capacity to accommodate a limited increase in the density of development. However, due to environmental and scenic landscape constraints (discussed above), this potential is not distributed evenly. Some lots have no or very little potential for an increase in the density of development over that which is permitted already.

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<b>Current Zoning(s)</b>	<b>Proposed Future Zoning(s)</b>
7(d4) – Environmental Protection	E4- Environmental Living
<b>Current Minimum Lot Size(s) Standard</b>	<b>Proposed Minimum Lot Size(s) Standard</b>
7(d4) – 2ha minimum	E4 – 1ha minimum (if urban bushland development model is used)  E4 – 2ha minimum (if urban bushland development model is not used)

### **The Bushland Development Model**

The Visual Study also includes a proposed model for development on the bushland edge, which establishes a set of principles to allow for some additional development whilst minimising the impacts of new structures on existing scenic landscape and environmental values. This model also establishes a template for providing for the rehabilitation of degraded vegetation and its long-term management, as part of future development schemes.

The principles of the Model are as follows:

1. The detailed design and theoretical development capacity of any individual property or group of properties within the Landscape Unit will be modified (and may be significantly reduced) by the circumstances of the site; including the presence of significant (high or medium value) ecological communities and landscape elements and/or the need to protect the integrity of the aesthetic qualities of the landscape, including views to and from ridgelines.
2. Significant vegetation is not to be cleared to create or enlarge a building area.
3. Any development on the bushland edge is to be undertaken in a co-ordinated manner. A masterplanned approach is encouraged for any development and land owners may need to work collaboratively in order to achieve an acceptable planning outcome.
4. Any development is required to be designed, constructed and maintained to conserve the environmental and visual qualities of the Landscape Unit (as identified in the Conacher Travers Study and the Visual Study).
5. The size and location of the 'build area' of any property will be determined taking into account the identified environmental and scenic landscape qualities of the landscape of the property and land in the vicinity, including the need to retain a viable buffer around areas of environmental significance (areas of high or medium conservation value, significant ridgelines or other visually significant trees or landscape elements).
6. The area available for building will also be constrained by the requirement to provide asset protection zones to prevent the spread of bushfire. The amount of land required for asset protection will depend on the location of the land being considered for development in relation to existing roads and the proposed Georges River Parkway. Development may not be possible if both appropriate 'build areas' and asset protection zones cannot be accommodated within a proposal.



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7. Internal access roads and driveways are to be shared to minimise their visual and physical impact on the aesthetic and environmental values of the landscape and prevent the introduction of additional driveways and infrastructure to the landscape unit.
8. A sound attenuation barrier be required between the Edge Lands and the Georges River Parkway. Any sound attenuation barrier is to be recessive in appearance and blend with the surrounding landscape. This barrier would need to be constructed as part of the design of the new road.
9. Planting of the roadside verges is to use indigenous bushland species planted in a non-regular pattern.
10. Any vehicular safety barricades required (along existing roads, any new roads and the proposed Georges River Parkway) should be designed and constructed to achieve a visually recessive appearance. Safety barricades are preferred instead of the removal of trees along roadsides.
11. Planting is required to be established between development areas and the roadsides to maintain the bushland setting and character of the area.
12. The Georges River Parkway will provide a partial fire break between the bushland to the east and the Landscape unit when constructed.
13. Requirements of the NSW Rural Fire Service for cleared areas or setbacks between vegetation and buildings are not to be used to justify significant clearing of vegetation and may therefore mean that development is not possible on a particular property.
14. Existing degraded vegetation is to be rehabilitated, as part of the subdivision process, and conserved and managed via private covenants over the land.

### **PART 3 – REPRESENTATIONS FROM LAND OWNERS**

A number of land owners within the Edge Lands have a keen and long-standing interest in having their land rezoned to allow further subdivision and more intensive development.

When the draft new comprehensive LEP is prepared, it will be placed on public exhibition and all land owners and members of the community will have the opportunity to lodge written submissions at that stage. Any submissions received during the exhibition period will be considered when the new LEP is being finalised.

While landowners have not been formally invited to make submissions to the report that was presented to Council on 13 December 2011, correspondence was received from some land owners who have an on-going interest in the future plans for the Edge Lands. The correspondence expresses the desire of seven land owners to pursue rezoning and subdivision opportunities in regards to their land.

The four letters that were received are from:

1. Inspire Urban Design and Planning on behalf of Mr Fred Soldatic and Mr Alfie Dimarco
  2. Smec Urban on behalf of Mr Noel Gray and Mr Michael Hanson
  3. Mr Arif Mohammad
  4. Mr and Mrs Ackerley and Mr and Mrs Russo.
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It should also be noted that other land owners have written to Council in the past regarding the possibility of having their land rezoned for subdivision. A number of letters have been received from Mr Clarke and the Lucas Property Group.

A number of other land owners have also made verbal enquiries to Council staff regarding both the future of the Edge Lands in general and specific parcels of land within their ownership.

In general, the letters referred to above, and the verbal enquiries, request planning changes to permit more intense forms of residential development than those that are currently permissible or those that are currently being contemplated by Council to be included in the new Comprehensive Local Environmental Plan (new LEP). In effect, the letters request development over and above that which is supported by the findings and recommendations of the Visual Study.

Before considering the land owner requests, it is important to note that the reasons why the area known as the Edge Lands was zoned for environmental protection purposes in the 1970s. It is important to note that at this time other land in nearby areas was being rezoned for urban development. These reasons include:

- Proximity to the Georges River
- That the vast majority of the land drains directly to the Georges River
- That the land contains some significant stands of remnant vegetation
- Proximity to the heavily vegetated Georges River Regional Open Space Corridor
- That the land adjoins the reservation for the proposed Georges River Parkway Road
- That the land provides an area of transition between urban and bushland areas
- The important visual and scenic landscape character, including the semi-rural bushland character of much the land.

These reasons have been derived and compiled from analysing topographic maps, aerial photographs and previous zoning maps.

Council has continued to value the importance of the Edge Lands since this time, and despite the aspirations of some of the land owners in the area, the land has never been earmarked for urban release. In addition, Council has not been approached by any major land or housing developer in relation to the Edge Lands.

It is also important to note that the development of the subject land is not required in order for Council to meet its subregional dwelling target for the provision of approximately 25,000 new dwellings by 2031. Significant residential land supply is already catered for in new urban release areas at Glenfield, Edmondson Park and Menangle Park, and in the South West Growth Centre which incorporates East Leppington.

#### **Letter from Inspire Urban Design and Planning**

The letter from Inspire Urban Design and Planning, on behalf of Mr Soldatic and Mr Dimarco puts forward a land use proposal for land bounded by Bensley, Oxford and Mercedes Roads, Ingleburn. Mr Soldatic owns Lot 47, DP 595243 which has an area of 3.242 hectares, a small portion of which will be required for the construction of the Georges River Parkway, and Lot 3, DP 597774 which has an area of 2.138 hectares. Both of these lots have frontage to Bensley Road. Mr Dimarco owns Lot 4, DP 261609, which has an area of 1.749 hectares, and is located behind the land owned by Mr Soldatic. Mr Dimarco's land has frontage to Oxford Road. The subject land forms part of Landscape Unit E-LU3 as identified in the Visual Study.

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## 2.1 Future Planning Directions For The East Edge Scenic Protection Lands

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The letter states that the subject land is generally cleared, unencumbered and currently used for grazing and rural residential pursuits, with part of the land being within the reservation for the proposed Georges River Parkway Road. Inspire Planning states that the land has little scenic landscape value, being substantially cleared and disturbed, and that any scenic landscape value will be further eroded when the Georges River Parkway is eventually constructed and the required sound attenuation barriers are established.

The letter refers to the Conacher Travers *Natural Conservation Values* Report (2003), which found that much of the land had low conservation value due to significant clearing, high level of disturbance and little potential for regeneration, and suggested the potential for a minimum lot size of 1 hectare. In 2004, Council resolved to support a proposal to rezone the land to allow 1 hectare subdivision, but the landowners requested that the subdivision standard be further reduced to 0.4 ha. Council did not support the landowners' request.

The letter proposes that the minimum subdivision size for properties bounded by Bensley, Oxford and Mercedes Roads be reduced to 0.4ha, on the basis that the proposed subdivision size and associated dwelling entitlement will not impact on the environmental and scenic landscape protection values and objectives that have been identified for the Edge Lands. This is consistent with the proposal put forward by the landowners in 2004 that was not supported by Council.

In addition, the letter states that the benefits of the proposal include:

- The proximity of the land to the Ingleburn Town Centre and Ingleburn Railway Station, and the associated facilities and services
- The positive economic impact of the development on the Ingleburn Town Centre
- The rarity of having large parcels of land that could be developed for housing proximate to a Town Centre with immediate rail access
- The land has good access to the local road network
- Developing the land would result in an increase in local housing and housing choice
- The land has access to a comprehensive range of facilities and services in the broader Campbelltown LGA
- The land is proximate to major investment in Growth Centre infrastructure
- The proposal is of a scale that is capable of achieving complementary environmental outcomes.

### **Comment:**

The subject land has been the focus of significant discussion and review for at least ten years. The natural and physical characteristics vary across the subject land. The vegetation cover is sparse over most of the land owned by Mr Soldatic and Mr Dimarco, but there are some stands of trees that are significant in size. The nature and extent of built improvements on the subject land also varies considerably, as does the fencing and landscaping treatment at the perimeter of these lots.

The subject land represents a significant open woodland remnant extension of the heavily vegetated Georges River Corridor and an edge that should be preserved. It should not be jeopardised by the encroachment of low density residential development on 4000m<sup>2</sup> allotments and the associated effects that such development could have on adjoining land. Such encroachment could affect the viability of remnant bushland and its biodiversity values. It should also be noted that the land drains towards the Georges River.

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Inspire Planning's view that the landscape unit has little scenic landscape value is not substantiated. The land represents an important transition landscape as is reflected in the comprehensively documented Visual Study.

It is acknowledged that the proposed future Georges River Parkway, inclusive of an integrated sound attenuation barrier, will disrupt the physical continuation of the landscape. This however, is not considered to be justification to support the comprehensive 4,000m<sup>2</sup> development of the landscape unit. There would be a significant number of people using the immediate local roads that have uninterrupted visual access to the local scenic landscape character.

If a subdivision standard of 4000m<sup>2</sup> were to be applied to the landscape unit, the subsequent development of the land would produce a landscape that is demonstrably urban in character, as people generally seek to build traditionally large footprint dwellings in largely manicured garden settings and accompanied by substantial outbuildings.

Scenic landscape character and biodiversity aside, the proposal is not considered to be justified on the other grounds put forward in the letter. At a distance of 1.9 kilometres from the Ingleburn Town Centre, the land cannot be considered to be in proximity to the centre, and development of the subject land is unlikely to have any discernable impact upon the economic viability of that centre.

Further, at a scale of approximately seven hectares, the subject land does not fulfil the typical criteria of a large parcel with development prospects and as noted above it is not considered to be proximate to a rail focussed town centre.

Development of the nature proposed in the letter would deliver diversity in housing types and accordingly lifestyle choice. At a lower density in an embellished woodland setting, as proposed in the Bushland Development Model, the lifestyle housing choice is likely to be more pronounced.

Any form of development in the locality would benefit from access to the comprehensive range of facilities and services that are available in the broader Campbelltown LGA. In addition, the benefits that are said to be achievable by the subject land adjoining a designated Growth Centre are considered modest and would also be available to development at a lower density.

The proposal to create 4,000m<sup>2</sup> blocks is likely to adversely impact scenic landscape protection and bushfire management. A lower density residential option as promoted in the application of the Bushland Development Model at a one hectare minimum lot size is likely to be more successful in achieving complementary environmental protection, retention of scenic landscape character and bushfire hazard management.

In light of the above comments, it is recommended that the contents of the letter from Inspire Planning and Urban Design be noted, but that Council not depart from the recommendations contained in the report on *Future Planning Directions for the East Edge Scenic Protection Lands* which was presented to Council on 13 December 2011. These recommendations are consistent with the findings of the Visual Study.

The Visual Study (2010), which was recently endorsed by Council as an important contributory element to inform the preparation of the new LEP, reinforced the findings of the Conacher Travers Study in relation to the subject land.

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### **Letter from Smec Urban**

This letter was prepared by Smec Urban on behalf of Mr Noel Gray and Mr Michael Hansen. The letter puts forward a land use proposal for the owners of the land extending between Evelyn Street and Oakley Road, Macquarie Fields. In brief, it proposes an extension of the "ribbon" of low density suburban scale residential development along the Evelyn Street frontage. Mr Gray owns Lot 305, DP 263295, which has an area of 9,500m<sup>2</sup> or 0.95 hectares. Mr Hansen owns Lot 8, DP 826459, which has an area of 1.654 hectares. The proposal as a concept also includes the front portions of the lots located between those owned by Mr Gray and Mr Hansen. The subject land forms part of Landscape Unit E-LU1 – Evelyn Street to Oakley Road as identified in the Visual Study.

The letter questions the qualities of the vegetation and the landscape setting put forward by Conacher Travers and Council and highlights the following matters:

- the landscape character and biodiversity value of Lot 305 has been substantially altered with the Council approved construction of a dwelling and related vegetation removal
- the prospects of recovering the lost conservation value is remote, given the impact of the dwelling, its associated improvements and ancillary circulation areas, and the need for asset protection zones
- the value of the remaining vegetation is diminished due to its reduction in size and connectivity with the larger environmental corridor extending to the Georges River
- the impact of sound attenuation structures associated with the Georges River Parkway on visual landscape connectivity.

The letter promotes the consistency of the proposal with existing residential development to the immediate east of the subject land on the southern side of Evelyn Street. It also espouses the broader benefits of further residential development in the area, including better utilisation of local infrastructure, accessibility to human facilities and services, and the acceptability of traffic impacts.

### **Comment:**

It is acknowledged that Mr Gray has recently erected a dwelling and undertaken related vegetation clearing on Lot 305, with Council approval. This should not, however, be considered to represent a precedent to remove the balance of the vegetation on other parts of Lot 305 and adjoining land so as to permit a strip of low density residential development.

Importantly, the vegetation on the subject land still retains a degree of intactness and would be capable of being embellished to further enhance its biodiversity and landscape qualities, without compromising the required bushfire protection measures. The vegetation to the rear still provides opportunities for an enhanced corridor linkage with the Georges River vegetation and habitat corridor. In addition, the land drains towards the Georges River.

The alignment of Evelyn Street is such that various viewing opportunities of the unique non-urban interface are available to people travelling along the street. These opportunities should not be further compromised by allowing additional residential development to occur.

It should be noted that the "Bushland Development Model" espoused in the Visual Study provides a limited opportunity for adjoining land owners to group together to realise some opportunity for subdivision and subsequent residential development at a very low non-urban density without completely compromising ecological and visual outcomes.

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The potential provision of a noise attenuation barrier attached to a future Georges River Parkway is not considered a solid justification for the proposal as outlined in the letter. The integration of a design for any future sound barrier with the surrounding environment would need to be paramount to the acceptability of proposals to construct the Georges River Parkway.

The arguments put forward regarding the proposed development capitalising on existing infrastructure and facilities and services are noted, but are considered to be of limited significance compared to the higher order ecological and visual landscape character considerations.

The heavily vegetated land to the immediate west of Lot 305 has not been diminished in terms of its biodiversity values and corridor linkage opportunities and should not be considered to have any residential opportunity for that component of the site fronting Evelyn Street.

Similarly, and despite not exhibiting any significant biodiversity values or landscape qualities, the land further to the west, including Mr Hansen's land (Lot 8) presents as an important non-urban area of open landscape and contributes to the important non-urban interface qualities of E-LU1. These lands may also have some limited development opportunities if a minimum lot size of one hectare and the Bushland Development Model are applied. Realisation of the benefits of applying the Model would require significant revegetation or conservation initiatives and collaboration between existing land owners to achieve an appropriate planning outcome.

In light of the above comments, it is recommended that the contents of the letter from Smec Urban be noted, but that Council not depart from the recommendations contained in the report on *Future Planning Directions for the East Edge Scenic Protection Lands* which was presented to Council on 13 December 2011. These recommendations are consistent with the findings of the Visual Study.

The Visual Study (2010) reinforced the findings of the Conacher Travers Report (2003) regarding the quality of the vegetation in the area. It noted the substantially intact bushland, with two important areas of vegetation of high conservation value, and the non-urban character of the break between existing suburban residential development and the reservation for the proposed Georges River Parkway.

#### **Letter from Mr Mohammad**

Mr Mohammad has submitted a letter to Council in which he requests that his land at Lot 11, DP 24328, No. 11 Oakley Road, Macquarie Fields, be rezoned to allow subdivision. Lot 11 is 3.277 hectares in size. Approximately one third of the site is within the reservation for the proposed Georges River Parkway and is zoned for a future arterial road. Parts of the subject land contains native vegetation, however, this vegetation has not been identified as being of high or medium conservation value.

Mr Mohammad puts forward the following preferences for the rezoning of his land:

1. Residential zoning that would allow the land to be subdivided into lots within a minimum size of 600m<sup>2</sup> with the possibility of some lots of 800m<sup>2</sup> and above in size
  2. The creation of eight lots of 0.4 hectares in size, each with a dwelling entitlement
  3. Four lots of 0.8 hectares.
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## 2.1 Future Planning Directions For The East Edge Scenic Protection Lands

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Mr Mohammad also states that if access from Evelyn Street can be achieved, any future development would have two access points and could have the potential to be a gated community.

Mr Mohammad makes the following points in support of his request:

- there is existing residential development on the opposite side of Evelyn Street
- further subdivision would be consistent with the current concept plans for a dwelling on the site
- the land does not have any notable scenic or environmental issues.

Mr Mohammad also expresses his ideas for developing the land in a sustainable manner. He discusses possible options for providing sewer and stormwater drainage, the sustainability of future dwellings in terms of their energy rating and the materials from which they could be constructed, and the collection of rain water. He also discusses the removal of old and dangerous trees and other vegetation as may be required by the proposed development, and the landscaping of the development with indigenous species.

### Comments:

Mr Mohammad's land forms part of landscape unit E-LU1 and adjoins the rear of Mr Gray's land and forms part of the non-urban interface that can be viewed from Evelyn Street. Mr Mohammad's land currently has access from Oakley Road. There is no existing access to Evelyn Street. The existing access is likely to be compromised when the Georges River Parkway is constructed.

The Visual Study (2010) acknowledged the important scenic landscape and environmental characteristics of the landscape unit and recommended that the current two hectare minimum subdivision standard that applies to E-LU1 could be reduced to one hectare, subject to implementation of the Bushland Development Model. However, it was not supportive of the creation of new lots smaller than one hectare in size.

Lot 11 contains some stands of remnant vegetation of low conservation value but the land forms an integral part of the landscape unit. The land also drains towards the Georges River.

Subdivision of land to enable the creation of one hectare lots, where appropriate, having regard to the existing vegetation and landscape, could also be carried out in a manner consistent with Mr Mohammad's ideas for creating an area of sustainable housing. In addition, the idea of creating a gated community is not supported as it would be inappropriate in a rural-residential context.

In light of the above comments, it is recommended that the contents of the letter from Mr Mohammad be noted, but that Council not depart from the recommendations contained in the report on *Future Planning Directions for the East Edge Scenic Protection Lands* which was presented to Council on 13 December 2011. These recommendations are consistent with the findings of the Visual Study.

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The Visual Study (2010) reinforced the findings of the Conacher Travers Report (2003) regarding the quality of the vegetation in the area. It noted the substantially intact bushland, with two important areas of vegetation of high conservation value, and the non-urban character of the break between existing suburban residential development and the reservation for the proposed Georges River Parkway.

#### **Correspondence from Mr and Mrs Ackerley and Mr and Mrs Russo**

Mr and Mrs Ackerley and Mr and Mrs Russo are the owners of lots in Eagleview Road at Minto. The Ackerleys own No. 223 Eagleview Road and the Russos own No. 225 Eagleview Road. Both properties are approximately 0.4 hectare (4200m<sup>2</sup>) in size. The landowners are requesting that their land be rezoned for residential purposes and subdivision into standard residential lots.

The landowners believe that their land should be rezoned as the required infrastructure is already in place. This infrastructure includes essential services such as electricity, gas, telephone, sewer and stormwater. Social infrastructure such as schools and recreation areas are also located nearby.

The landowners also believe that their land should be rezoned as the existing suburban development is in close proximity to the location of their properties, and the rezoning of their land for residential purposes would not impact on the 2 hectare lots within the Edge Lands as they are not visible from Nos. 223 and 225 Eagleview Road.

#### **Comment:**

The subject land has been zoned for environmental protection purposes since the 1970s. The decision to retain this land as part of the Edge Lands is likely to have been made due to the fact that the lots are located on a prominent ridge line. Each lot already contains a substantial dwelling.

The availability of physical and social infrastructure in itself is not grounds to justify rezoning the land for residential subdivision and subsequent development.

In many local government areas there are places where suburban development ends and the transition to land with a non-urban character begins. This transition area is often characterised by lots that are larger than standard residential lots and that have been designed to accommodate semi-rural or 'lifestyle' housing opportunities. Regardless of where this transition area is located, there will always be pressure from land owners in that area to allow the suburban area to expand outwards to include their land. If Council were to allow the subject land to be rezoned and subdivided for standard residential development, this would not resolve the issue of transition but would simply displace it, and risk creating a precedent.

In light of the above comments, it is recommended that the contents of the correspondence from Mr and Mrs Ackerley and Mr and Mrs Russo be noted, but that Council not depart from the recommendations contained in the report on *Future Planning Directions for the East Edge Scenic Protection Lands* which was presented to Council on 13 December 2011. These recommendations were based on the findings of the Visual Study. In particular it is recommended that Council retain an environmental zoning and a minimum lot size of 0.4 hectare (4000m<sup>2</sup>) over the land that is currently zoned 7(d6).

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### **Earlier Enquiries from other Land Owners**

Council staff are in receipt of regular telephone enquiries from the owners of land within the Edge Lands and in some cases from others who are either representing the interests of the land owners or their own interests in securing the land because they are most likely anticipating possible future development.

Some of the land owners who make regular enquiries have land which is already 0.4 hectares in size and which they would like to have rezoned for traditional sized residential lots and subsequent residential development. Others who make regular enquiries are owners of land with a two hectare minimum subdivision standard who are requesting either residential subdivision or the creation of smaller 'lifestyle' lots.

Landscape Unit E-LU5 contains some land (particularly in the north western part of the landscape unit) that is of low conservation value, as the land is largely cleared. A landowner in this area who has land fronting Amundsen Street, Leumeah, and a property developer with an interest in that land, have made regular enquiries about the possible future rezoning of the land for residential use over at least the last five years. This land is mostly clear of vegetation as the land was previously used for farming. The assumption could be made that the land is therefore suitable for urban development, however, this land is located on the ridgeline and it therefore visually prominent. Most parts of the land also drain towards the Georges River. These are some of the reasons why residential zoning, urban development or subdivision to 4000m<sup>2</sup>, is not appropriate in other parts of the Edge Lands.

However, it could be argued that the part of the land with direct frontage to Amundsen Street (namely part of Lot 1 DP 795498 and part of Lot 2 DP 126471) could be potentially be suitable for some increase in development density. The existing lots are respectively 1.84 hectares and 2.4 hectares in size.

This site is generally cleared and a significant portion drains away from the Georges River (directly). Land on the opposite side of Amundsen Street is developed for urban housing.

It is considered from initial investigation that some additional new lots may potentially be able to be created on that part of the land which drains away from the Georges River towards Amundsen Street and where no significant vegetation exists.

Any such development proposal for that part of the land would need to be more fully investigated and achieve a master planned outcome including:

- Drainage of stormwater from development to Amundsen Street and away from the Georges River
  - Connection to mains sewer
  - No new dwellings or outbuildings to be located on that part of the land, east of the ridgeline that traverses the site
  - That part of the site between the ridgeline and Hansens Road to be revegetated with appropriate endemic species reflective of existing endangered ecological communities in the locality, in accordance with a vegetation rehabilitation/management plan, taking appropriate account of the management of bushfire risk
  - A limit on the height of any future development to one storey only.
  - The design, siting and finish (materials and colours) of buildings and structures undertaken in such ways to minimise the visual prominence of development
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As Lots 1 and 2 were previously used for farming, an appropriate site contamination assessment would need to be carried out to establish whether or not any parts of the land need to be remediated. Such assessment would need to be carried out as part of the more detailed site investigation.

If Council were to support the investigation of additional limited development on the existing cleared land fronting Amundsen Street, in the terms described above, it would need to be made clear that such development is not a precedent for its consideration of other proposals for further encroachment into other parts of the Edgelands, for further subdivision and urban development.

Any such detailed investigation would need to be at no expense to Council and be submitted for formal consideration as soon as possible to enable co-ordination with Council's consideration of the preparation of the Comprehensive LEP.

## **PART 4 – CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusion**

The Visual Study supplements Council's on-going commitment to valuing the natural environment, biodiversity and habitat protection. The Study recognises Council's statutory obligation to protect areas of native vegetation of high and medium conservation value. It also acknowledges Council's previous decision to investigate a reduced subdivision standard (lot size) in parts of the Edge Lands.

The Edge Lands comprise an environmental protection area that has been zoned as such for over 30 years. It is not considered appropriate to rezone the land for urban development due to its environmental and scenic landscape qualities, and in some parts of the area, the proximity to the Georges River. The capacity of the land to accommodate urban development is heavily constrained. Furthermore, the land is not required to enable Council to meet its current metropolitan housing target of approximately 25,000 additional new dwellings by 2036, as most of this growth will be achieved in identified urban release areas, in existing centres and in areas close to railway stations.

A boundary for urban growth is required in the eastern side of the existing Campbelltown urban area, as it is considered important to strengthen the effectiveness of the spatial limits of the Campbelltown urban area inclusive of the 'eastern edge'. The Visual Study confirmed the appropriateness of the extent of the existing zone boundaries as generally being appropriate in this regard. The unique nature of the Edge Lands, their location and context, reinforce the importance of this area as a transition between urban and bushland areas.

The existing bushland character and biodiversity values already establish the Edge Lands as a transitional area between the existing Campbelltown Urban Area and the road reservation for the proposed Georges River Parkway. Confirming the role of this area as a buffer between full urban development, the proposed Parkway and the Georges River Bushland Corridor (and Holsworthy beyond) is considered appropriate, given the existing biodiversity in the area and the need to mitigate against the impacts of noise on residential areas that will be generated by the Parkway once it is constructed. Reinforcing the importance of the Edge Lands as an area of transition importantly permits limited opportunities for sensitively designed and located "lifestyle" housing whilst addressing statutory biodiversity conservation and bushfire management requirements.

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## 2.1 Future Planning Directions For The East Edge Scenic Protection Lands

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Given that opportunities for further subdivision and subsequent development within the Edge Lands are not evenly distributed, it is considered that an optimal and balanced outcome could be achieved if landowners worked together and masterplanned any future development within each landscape unit, using the Bushland Development Model. Using this model, 1ha subdivision can be achieved and a single dwelling entitlement could be given to each 1ha lot that is created, with the placement of dwellings, ancillary buildings and access ways having regard to the existing bushland and required fire control measures. If land owners choose not to adopt the siting recommendations of the Model, then the minimum lot size for the erection of a dwelling should remain at 2 hectares.

Attainment of the proposed planning outcome, via the Bushland Development Model, is heavily predicated upon the advocated precinct scale masterplanning approach and a commitment to introducing private conservation incentives as part of any future development within the Edge Lands. This could be achieved through the introduction of development controls in a development control plan and conditions on development consents.

It is considered that Council is in a position to finalise the strategic direction for the Edge Lands and so inform the preparation of the draft Campbelltown Local Planning Strategy and the draft new Comprehensive LEP.

Specifically, Council has:

- received a presentation on the biodiversity issues related to the area on 22 November 2011
- been provided with a comprehensive report about the Edge Lands on 13 December 2011
- conducted a site inspection on 31 January 2012
- received a presentation on the site inspection and possible future planning directions on 20 March 2012.
- via this report, been advised about both written correspondence and verbal enquiries from the owners of land within the Edge Lands.

In this context, the Officer's Recommendations contained in the report presented to Council on 13 December 2011 remain valid and are accordingly recommended for endorsement, apart from Council's consideration of an investigation into the possible development of land known as Lot 1 DP 795498 and Lot 2 DP 126471, Amundsen Street Leumeah. This investigation would be subject to discussion with the relevant landowners and the submission of documentation to Council addressing various planning issues, in accordance with the specific terms set out in this report.

Further, it is considered appropriate that the letters from Inspire Urban Design and Planning, and Smec Urban, on behalf of their respective clients, the letter from Mr Mohammad, and the correspondence from Mr and Mrs Ackerley and Mr and Mrs Russo be noted, but Council that not depart significantly from the recommendations based on the findings of the Visual Study and contained in the report to Council dated 13 December 2011.

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### **Officer's Recommendation**

That, for the purposes of the preparation of the new comprehensive local environmental plan for the Campbelltown Local Government Area, Council:

1. Receive and note the contents of the letters from Inspire Urban Design and Planning and Smec Urban on behalf of their respective clients, the letter from Mr Mohammad, and the correspondence from Mr and Mrs Ackerley and Mr and Mrs Russo.
  2. Adopt the E4 - Environmental Living zone generally for land within the East Edge Scenic Protection Lands (the Edge Lands) that is currently zoned 7(d4) – Environmental Protection 2 hectare minimum and 7(d6) – Environmental Protection 0.4 hectare minimum, except for the land within Landscape Unit 2 (Oldsmobile Place).
  3. Rezone the land within Landscape Unit 2, that is currently zoned 7(d4) – Environmental Protection 2 hectare minimum, to R2 – Low Density Residential, and apply a minimum lot size of 500m<sup>2</sup> to that land, which is consistent with that of the surrounding residential area.
  4. Retain a minimum subdivision standard of 0.4 hectare for land within the Edge Lands that is currently zoned 7(d6) – Environmental Protection 0.4 hectare minimum.
  5. Retain a minimum subdivision standard of 2 hectares for land within the Edge Lands that is currently zoned 7(d4) – Environmental Protection 2 hectare minimum, unless the Bushland Development Model (as established by the Visual Study) is used, with the exception of the land comprising of Lot 1, DP 795498 and Lot 2, DP 126471, Amundsen Street, Leumeah (located within Landscape Unit E-LU5).
  6. Permit the 2 hectare lots within the Edge Lands to be subdivided into 1 hectare lots, and to accommodate a single dwelling on each one hectare lot created, subject to the Bushland Development Model (as established by the Visual Study) being taken into account in the creation of any subdivision and subsequent development.
  7. That Council advise the owners of Lot 1 DP 795498 and Lot 2 DP 126471, Amundsen Street Leumeah, that it is prepared to consider the submission of a detailed investigation into the possible future development (for residential purposes) of part of the land, but only in accordance with the terms set out in the above report, and that such submission shall be received by Council by no later than 30 June 2012.
  8. Incorporate the principles of the Bushland Development Model into the new comprehensive Local Environmental Plan for the Campbelltown LGA, or the Campbelltown Sustainable City Development Control Plan, as appropriate.
  9. Advise Inspire Urban Design and Planning, Smec Urban, Mr Mohammad, Mr and Mrs Ackerley and Mr and Mrs Russo that Council does not propose to vary the recommendations in respect of future planning directions for the East Edge Scenic Protection Lands in response to their letters.
  10. Advise the owners of the land in Landscape Unit 2 (Oldsmobile Place) of Council's intention to rezone their land R2 - Residential to reflect the current use of the land.
  11. Advise the owners of Lot 1, DP 795498 and Lot 2, DP 126471, Amundsen Street, Leumeah, of Council's resolution in respect to their land.
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**Committee Note:** Mr Soldatic, Mr Gray and Mrs Russo addressed the Committee regarding the proposal.

**Committee's Recommendation: (Bourke/Oates)**

That the Officer's Recommendation be adopted.

**Amendment: (Greiss/Matheson)**

That a decision in this matter be deferred to allow further investigation and discussions.

**LOST**

The **Motion** on being put was **Carried**

**Council Meeting 10 April 2012**

Having declared an interest in regard to Item 2.1, Councillors Glynn, Rowell and Rule left the Chamber and did not take part in debate nor vote on this item.

**Council Meeting 10 April 2012 (Borg/Kolkman)**

That the Officer's Recommendation be adopted.

**Amendment: (Greiss/Matheson)**

That a decision in this matter be deferred to allow further investigation and discussions.

**LOST**

**Council Resolution Minute Number 48**

That the Officer's Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 2.1 - Future Planning Directions for the East Edge Scenic Protection Lands with those voting for the Resolution being Councillors Borg, Bourke, Chanthivong, Dobson, Kolkman, Lake, Oates, Thomas and Thompson.

Voting against the Resolution were Councillors Greiss, Hawker and Matheson.

At the conclusion of the discussion regarding Item 2.1, Councillors Glynn, Rowell and Rule returned to the Chamber for the remainder of the meeting.

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