7 Results of the Public Exhibition of amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014

Compiled by: **Owen Lay, Planner**
Glen Weekley, Principal Planner

Authorised by: **Christine Gough, City Planning Manager**
Kylie Powell, Director - City Futures

Outcome	*We plan and shape our growing City*
Strategy	*Undertake strategic planning that will ensure balanced growth and liveability*
Principal Activity	*Facilitate and plan for housing diversity and liveability*

Previous Items: **Amendments to the Orchard Hills North, Glenmore Park Stage 2 and Glenmore Park Stage 3 Development Control Plan- Ordinary Meeting- 11 Dec 2023**

Executive Summary

The purpose of this paper is to report to Councillors the outcomes of the public exhibition of amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014.

Amendments to Chapter E17 Orchard Hills North consist of minor changes to address formatting errors, omissions, and other minor discrepancies. Amendments to Chapter 7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 include updated figures and minor formatting matters as well as the addition of a development staging section to Part C.

The proposed changes are minor or administrative in nature and do not introduce or amend any existing policy position in either DCP chapter.

The DCP chapters were placed on public exhibition from Monday 29 January 2024 to Monday 26 February 2024. Notification was placed on Council's website, Council's 'YourSay' page and in the local Western Weekender newspaper. Notification letters were sent to affected landowners and stakeholders.

A minor change to Figure E7.93 Indicative Development Staging Plan of Chapter E7 Glenmore Park Stage 3 is being proposed to facilitate the supply of housing in the short term. This change is expected to facilitate the earlier release of 75 Dwellings and only impacts one landowner in the precinct, who requested the amendment.

This report also seeks Councillors endorsement of the amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014.

Background

Chapter E17 Orchard Hills North and E7 Part C Glenmore Park Stage 3 were endorsed by Council at its Ordinary Meeting of 12 December 2022. These chapters provide development controls for land that had been rezoned for urban development in Orchard Hills North and Glenmore Park Stage 3.

Several formatting errors, omissions and minor inconsistencies have since been identified and amendments to Chapter E17 Orchard Hills North and E7 Part C Glenmore Park Stage 3

were required. Due to minor changes the boundary between Glenmore Park Stage 2 and Glenmore Park Stage 3, Chapter E7 Part B Glenmore Park Stage 2 also needed to be amended. The amendments to these chapters that were publicly exhibited are discussed in further detail below.

Amendments to Chapter E17 Orchard Hills North DCP

The amendments that were publicly exhibited included:

- updating the detailed masterplan to add two 'compact lots' areas to align with the Penrith LEP 2010 height of buildings and minimum lot size maps,
- updating references to the most recent flood management strategy dated February 2023,
- address inconsistencies relating to:
    - requirements for bus shelters,
    - maximum heights for tiered retaining walls and standard retaining walls,
    - minimum distances between driveway crossings and street trees,
    - address formatting matters to:
        - correct page and figure references, and
        - align with Council's DCP template.

Amendments to Chapter E7 Part B Glenmore Park Stage 2

The amendments that were publicly exhibited included:

- updates to the Structure Plan figure legend, to identify the indicative landscape buffer,
- identify the connection of an existing Collector Road with Glenmore Park Stage 3 on the road hierarchy and road network figures, and
- refine the subject land figure to be consistent with the broader DCP.

Amendments to Chapter E7 Part C Glenmore Park Stage 3 DCP

The amendments that were publicly exhibited included:

- a new section that addresses the development staging of the release area and satisfies Clause 6.3 Development Control Plan of LEP 2010, and
- updated figures and minor formatting matters.

Public exhibition

The proposed amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014 were publicly exhibited from 29 January 2024 to 26 February 2024.

Letters were sent to the affected landowners notifying them of the exhibition period and how to make a submission. Newspaper advertisements were published in the Western Weekender on weekly intervals during the exhibition period and a notice placed on Councils

webpage. Exhibition material could be viewed on the Council's 'YourSay' webpage, and at Penrith Library and Council's Administration Centre.

Council Officers were available to answer enquiries during the exhibition period.

Public submissions

One public submission was received during the exhibition period. This submission related to Figure E7.93 Indicative Development Staging Plan of Chapter E7 Glenmore Park Stage 3.

The submission was made by Cityscape Planning + Projects on behalf of Vianello Holdings and requested that the Figure E7.93 Indicative Development Staging Plan be amended to include the northern part of Precinct G, which will be released in 2 -8 years, in Precinct E, which is ready for release now. This request is being sought to allow for the immediate development of the land as Sydney Water had advised the landowner that there was additional capacity available to service this area immediately. Council officers were provided a letter from Sydney Water indicating that capacity is available now and relates to the main sewer line on James Riley Drive. It is also noted that this amendment only relates to land owned by one landowner and does not impact the ability of any adjoining landowner to develop their land in accordance with the LEP and DCP.

Post exhibition amendments.

It is recommended that Chapter E7 Part C be amended to contain a revised staging plan to include the northern part of Precinct G in Precinct E. This amendment responds to the submission received from Cityscape Planning+ Projects. This amendment has been made as it facilitates the supply of housing in the short term. This change is expected to facilitate the earlier release of 75 Dwellings. The change to the staging plan also represents a logical extension or expansion of development from Glenmore Park Stage 2 to commence development of Glenmore Park Stage 3.

Other Matters

Subsequent to the exhibition of the DCP, the proponent updated the flood management strategy that is referenced in Sections E17.7.2 and E17.8 of the DCP. While this flood management study does not change any of the controls, it is considered best practice for the DCP to refer to the most recent Strategy that has been updated to respond to changes to State Government Policy and has been reviewed by Council engineers.

Next Steps

Should Council resolve to endorse the recommendations of this report, the next steps are for the amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 (provided as an attachment) to be included in the Penrith DCP 2014.

In accordance with *Environmental Planning and Assessment Regulation 2021,* the DCP will come into effect on the day on which a notice of the council's decision to approve the plan is published on Council's website. A copy of the amended DCP will be provided to the Department of Planning and Housing in accordance with *Division 2 Clause 20(1) of the Environmental Planning and Assessment Regulation 2021.*

Financial Implications

There are no financial implications for Council associated with this report.

Risk Implications

There are no risk implications for Council associated with this report.

Conclusion

The draft amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014 were placed on public exhibition from January 29, 2024, to February 26, 2024, for community and stakeholder feedback.

During the exhibition, one (1) submissions was received and have been reviewed. All matters raised in the submission have been resolved as outlined in this report.

This report recommends that the draft amendments to the Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 (provided as an enclosure to this report) are adopted as an amendment to the Penrith DCP 2014.

RECOMMENDATION

That:

1. The information contained in the report on Results of the Public Exhibition of amendments to Chapter E17 Orchard Hills North, and Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014be received,
2. Council endorse the draft amendments to the Chapter E17 Orchard Hills North (attachment 1), Chapter E7 Part B Glenmore Park Stage 2 (attachment 2) and Part C Glenmore Park Stage 3 (attachment 3) of Penrith DCP 2014, and
3. The General Manager is granted delegation to make any necessary changes to the draft amendments to the Chapter E17 Orchard Hills North, Chapter E7 Part B Glenmore Park Stage 2 and Part C Glenmore Park Stage 3 of Penrith DCP 2014 of the Penrith Development Control Plan 2014, if necessary ahead of commencement.

ATTACHMENTS/APPENDICES

1.	Draft Chapter E17 Orchard Hills North	79 Pages	Attachments Included
2.	Draft Chapter E7 Part B	75 Pages	Attachments Included
3.	Draft Chapter E7 Part C	89 Pages	Attachments Included