



Camden Council
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ORD06 Planning Proposal - Emerald Hills, 1100-1150 Camden Valley Way Leppington

Resolution: Moved Councillor Funnell, Seconded Councillor Anderson that Council:

- i. support the Planning Proposal to amend the Camden Local Environmental Plan 2010 as outlined in this report;
- ii. forward the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination;
- iii. upon receipt of a favourable Gateway Determination:
 - a. obtain written agreement from the proponent to fund all the costs associated with the Planning Proposal,
 - b. consult relevant Public Authorities in accordance with the terms of the Gateway Determination;
- iv. subject to (iii (a)) above and following the conclusion of further studies and technical advice, prepare a further report to Council prior to the public exhibition period.

ORD1/12 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Anderson, Cagney, Dewbery, Funnell, Symkowiak and Warren voted in favour of the Motion. Councillor Campbell voted against the Motion.)





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BINDER: Emerald Hills

29 February 2012

Peter Gogh
Department of Planning and Infrastructure
Locked Bag 5020
PARRAMATTA NSW 2124

Dear Sir,

Planning Proposal – Draft Local Environmental Plan – Emerald Hills.

Please find attached Planning Proposal – *Draft Local Environmental Plan – Emerald Hills* and all its supporting documents. Council resolved to support the Planning Proposal and forward to Gateway for determination at its Ordinary Meeting of 14 February 2012. As you would be aware, the subject site was also nominated as part of the Housing Land Review. The Planning Proposal has been amended since the Council meeting to reflect the report to Council and Council's resolution on the matter.

This package includes a CD which contains the revised planning proposal and planning proposal attachments. Hard copies of the Planning Proposal and Council resolution are also included. Council looks forward to hearing from you soon on this matter.

If you have any questions, or require further information, please contact the undersigned on 4654 7804.

Yours Sincerely,

Jeff Williams
Team Leader – Growth Areas
Strategic Planning



PLANNING PROPOSAL

Draft Local Environmental Plan

Emerald Hills, 1100 – 1150 Camden Valley Way, Leppington

- Part Lot B in DP418632;
- Part Lot 1 in DP301830; and
- Lot 2 in DP 650698.

29 February 2012

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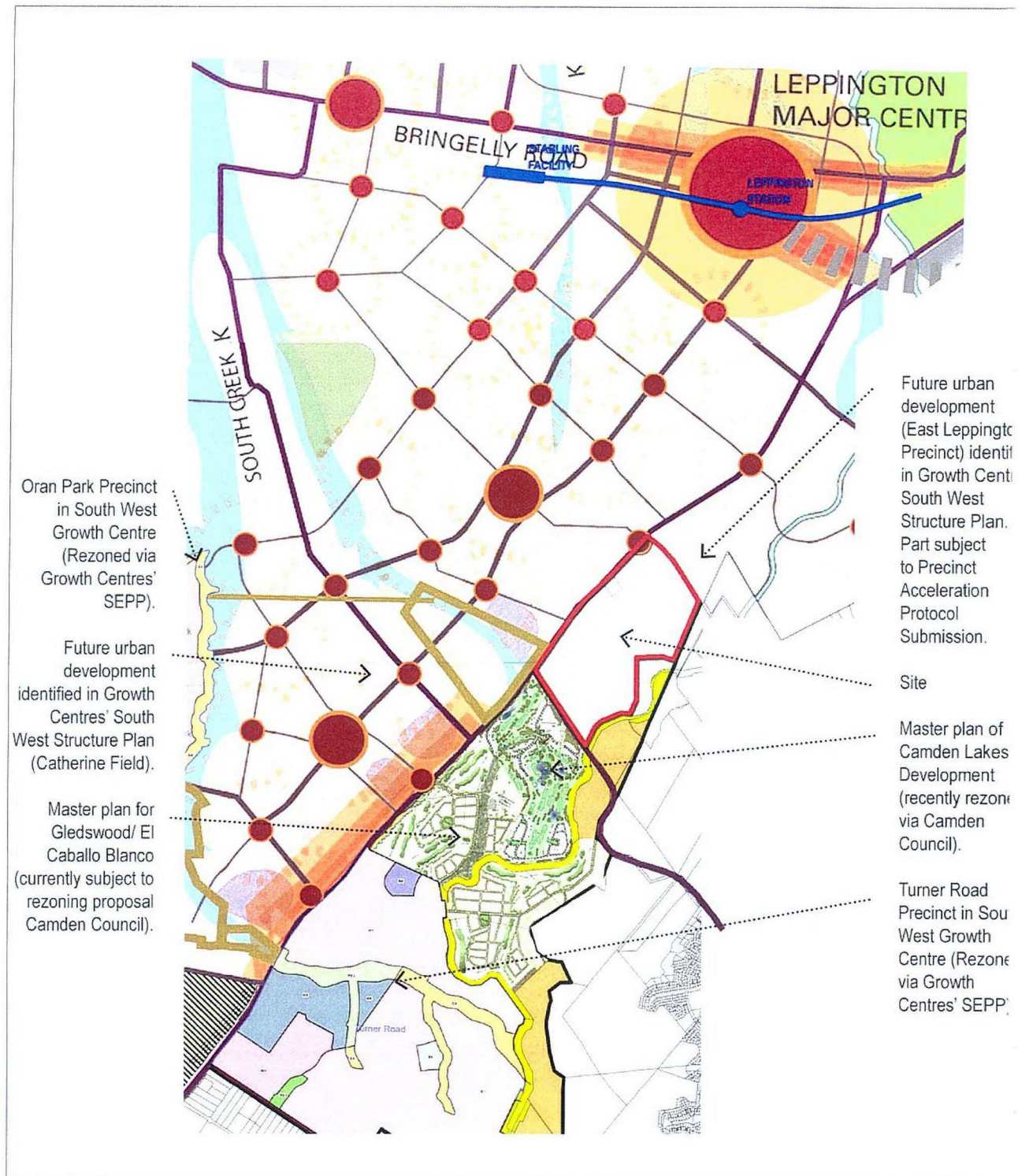
APPENDICES

1. Achievement of State Plan 2021 Goals and Strategies.
2. Achievement of Metropolitan Plan 2036 Strategic Directions, Objectives and Actions.
3. Achievement of Metropolitan Plan Sustainability Criteria.

Executive Summary

Emerald Hills comprises 151 hectares of land at No. 1100 – 1150 Camden Valley Way in Leppington. It is located 3.2 kilometres from the Leppington Town Centre. It adjoins the South West Growth Centre and lands subject to recent rezoning for urban purposes on Camden Valley Way, Leppington.

It is located in the heart of a committed development corridor in the Camden Local Government Area in South Western Sydney that is being transformed by new residential communities, infrastructure construction and employment precincts.



> Map showing location of site and the proposed urban development surrounding the site

There is significant un-met demand for new housing in the Sydney Metropolitan Area. The property is generally cleared, unconstrained and unencumbered and preliminary planning suggests that it can deliver approximately 1200 dwellings. This yield will meet the 15 dwellings per hectare benchmark density sought by Government. Evolving market preferences that indicate greater acceptance of smaller lots suggest that there is potential scope to achieve a higher density than this benchmark.

Importantly, the property has extensive frontage to Camden Valley Way and Raby Road. Both roads are proposed to be upgraded. Recently, ramps to the Hume Highway / M5 were added to Raby Road to enable direct northbound access onto the M5/M7. The ramps are 5 kilometres from Emerald Hills.

Thus the site can easily be serviced by existing road and bus based public transport and is located only 3.2 kilometres from the new Leppington Station, when construction finishes in 2016. It can also be efficiently serviced by sewer, water and power.

With these foundations it presents a new opportunity to augment the supply of affordable housing in South West Sydney. It also provides a new opportunity to assist in the funding of infrastructure and income via rates to contribute to ongoing maintenance of community assets.

Development of the site can be served by a full range of education, community, recreation and retail and commercial services (and associated local employment) within existing neighbouring centres and the future Leppington Town Centre. Adoption of contemporary technologies and design can ensure water quality objectives and other environmental considerations can be met.

In this context, the current rural zoning of the property is an anomaly. The zoning is clearly not the highest and best use for the land. Furthermore, the property remains the only land on the eastern side of Camden Valley Way not identified, or zoned, for urban development in the future.

There is significant strategic support for the proposed rezoning of the property to urban purposes. Specifically:

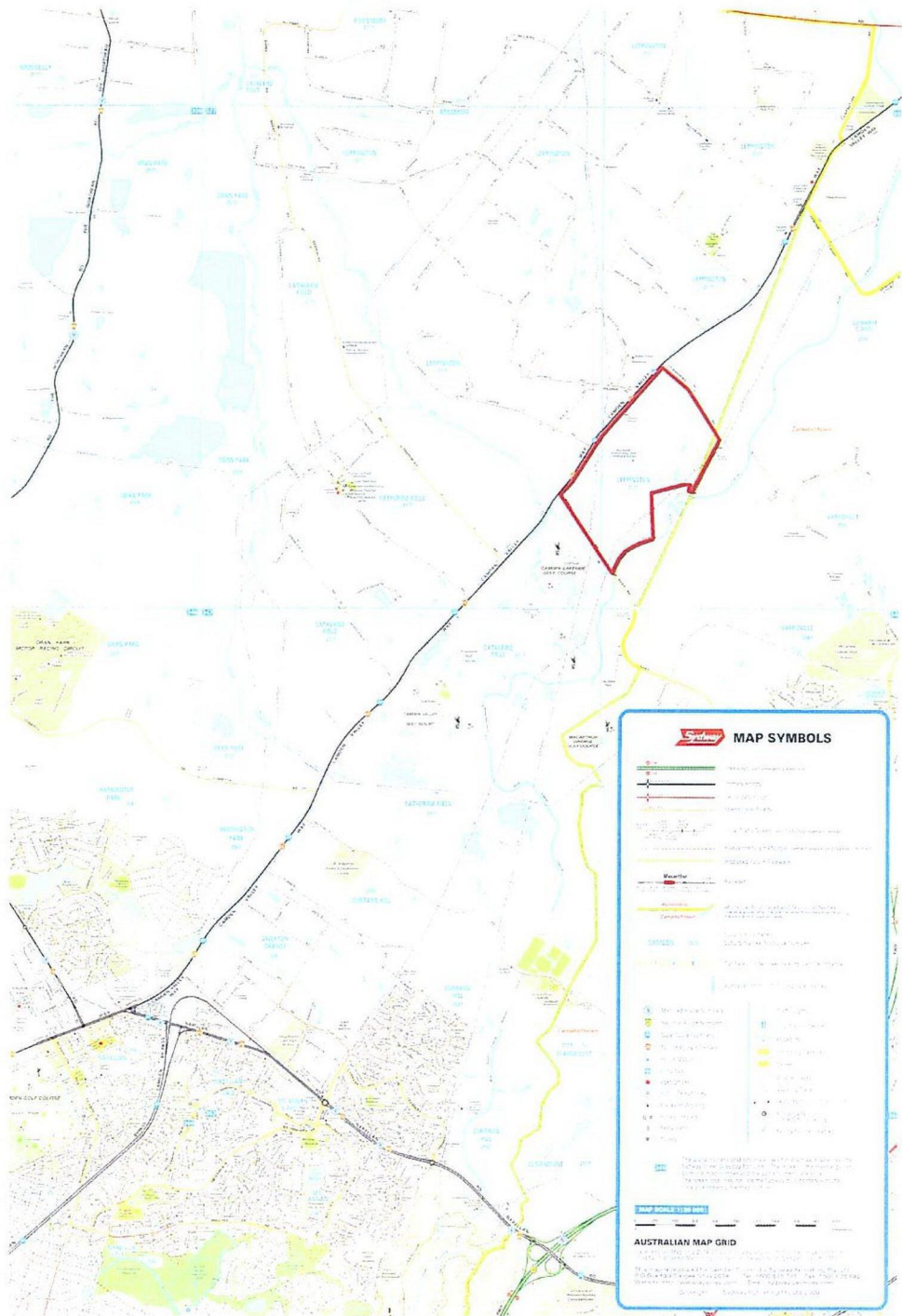
- The Strategic Directions of the Metropolitan Plan for Sydney 2036 and the Draft South West Sub-regional Strategy both recognise that an adequate supply of land for residential purposes is required to meet Sydney's growth. Sites for new homes should be within 30 minutes by public transport to jobs and services in a major centre and should be located where there is available or planned public transport capacity. The location of the site meets these directions; and
- Both Strategies apply the Sustainability Criteria of the Metropolitan Strategy 2005 to test the appropriateness of locations for new urban development. The proposed rezoning of the property is assessed against the criteria and found to achieve the criteria in all respects.

In recognition of the opportunity, Emerald Hills Estate has embarked on a Gateway Rezoning Proposal to amend the zoning of the property to enable urban development. A Planning Proposal report has been prepared in accordance with the Department of Planning's Guidelines and is supported by a positive assessment of the proposal against the Sustainability Criteria in the Metropolitan Strategy 2005. The ability of the property to achieve State Government objectives and deliver significant public benefits with minimal environmental and economic impacts is the genesis of the draft LEP amendment contained in this Planning Proposal and support for the rezoning proposal is requested.

Introduction

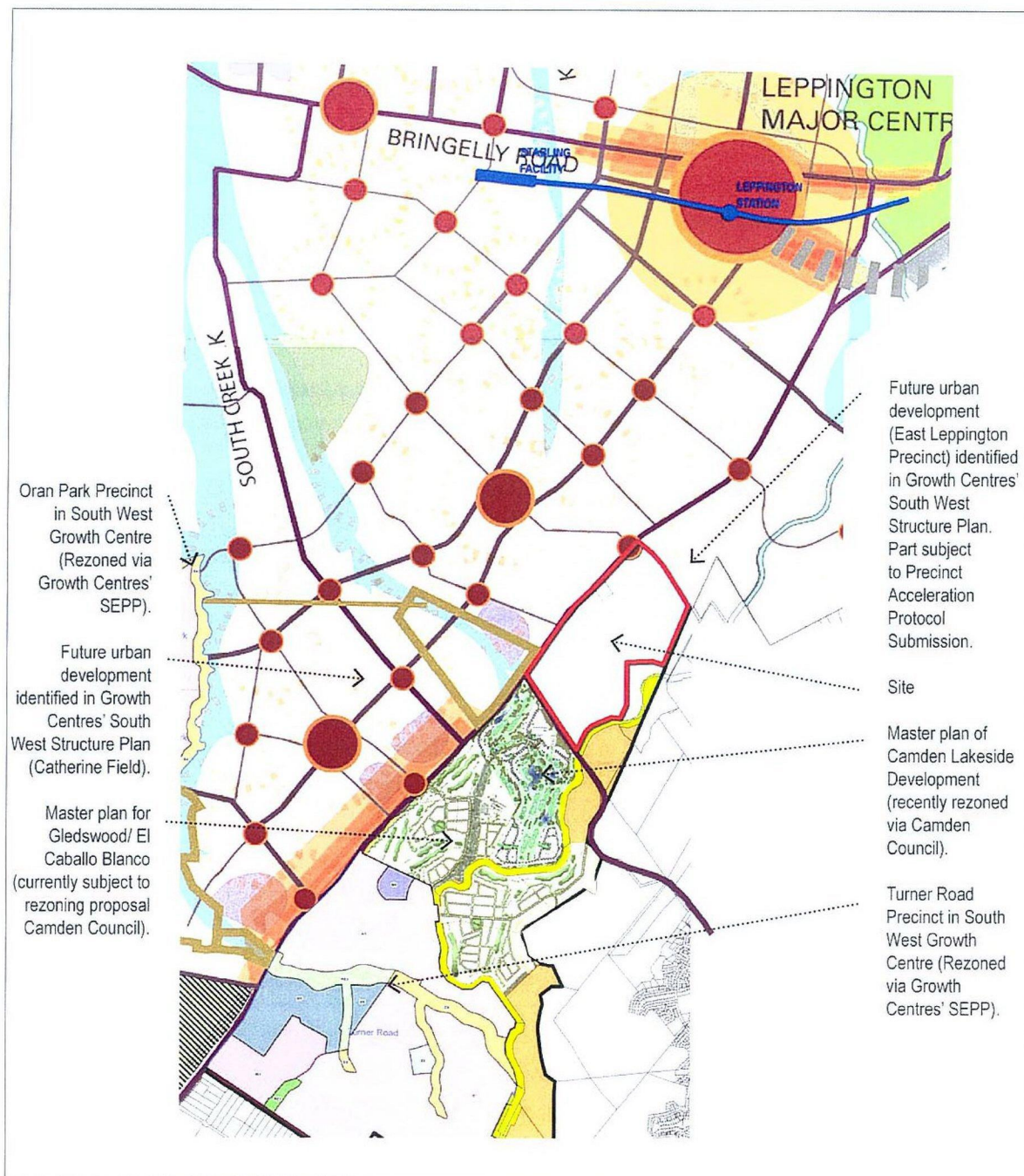
1. Background

Emerald Hills, No. 1100 - 1150 Camden Valley Way, is located in the suburb of Leppington in the Camden Local Government Area in south west Sydney. A small part of the site in the north east corner is also located within the Campbelltown LGA. However it does not form part of this proposal.



> The Site on Camden Valley Way in the Camden LGA

Emerald Hills is located 3.2 kilometres from the future Leppington Town Centre. It lies on the eastern edge of the South Creek Valley on Camden Valley Way in Leppington. It is located in the heart of a committed development corridor in the Camden Local Government Area in South Western Sydney that is being transformed by new residential communities, infrastructure construction and employment precincts. The lands to the north and west of the site are located in the South West Growth Centre and are earmarked to be rezoned for urban development in the near future. Land to the south has recently been rezoned for urban development and subdivision development applications have been approved to commence development.



> Map showing proposed urban development surrounding site

It has extensive frontage to Camden Valley Way (1.7 km) and Raby Road (0.85 km). Camden Valley Way is subject to proposals for its upgrading by the RTA in the near future. Raby Road is also proposed to be upgraded as part of the development of the South West Growth Centre. Recently, ramps to the Hume Highway / M5 were added to Raby Road to enable direct northbound access onto the M5/M7. The ramps are 5 kilometres from Emerald Hills.

The property is generally cleared, unconstrained and unencumbered. Preliminary planning suggests that the site can deliver approximately 1200 dwellings. This target will meet the 15 dwellings per hectare benchmark density sought by Government. The density promotes sustainable development underwritten by a viable and convenient public transport service. Evidence from recent market preferences from sales at nearby Oran Park and Gregory Hills indicate that smaller lots are enjoying greater acceptance. This, in turn, suggests that there may be potential scope to exceed the 15 dwellings per hectare density target.

Thus the site will provide new opportunities for, and additional supply of, affordable housing in South West Sydney. It also provides new opportunities to assist in funding of infrastructure and income via rates to contribute to ongoing maintenance of infrastructure.

However, with its remarkable position, elevation and distinctive landscape character, the site can not only increase supply of housing but also increase the choice in housing types and living environments available to households in South West Sydney.

Development of the site can be served by a full range of education, community, recreation and retail and commercial services (and associated local employment) within existing neighbouring centres and the future Leppington town Centre. Adoption of contemporary technologies and design can ensure water quality objectives and other environmental considerations can be met.

The site can easily be serviced by existing road and bus based public transport and is located only 3.2 kilometres from the new Leppington Station, when construction finishes in 2016. It can efficiently be serviced by sewer, water and power. Construction of the upgrading of Camden Valley Way from a two lane rural road to a four lane highway is to commence shortly.

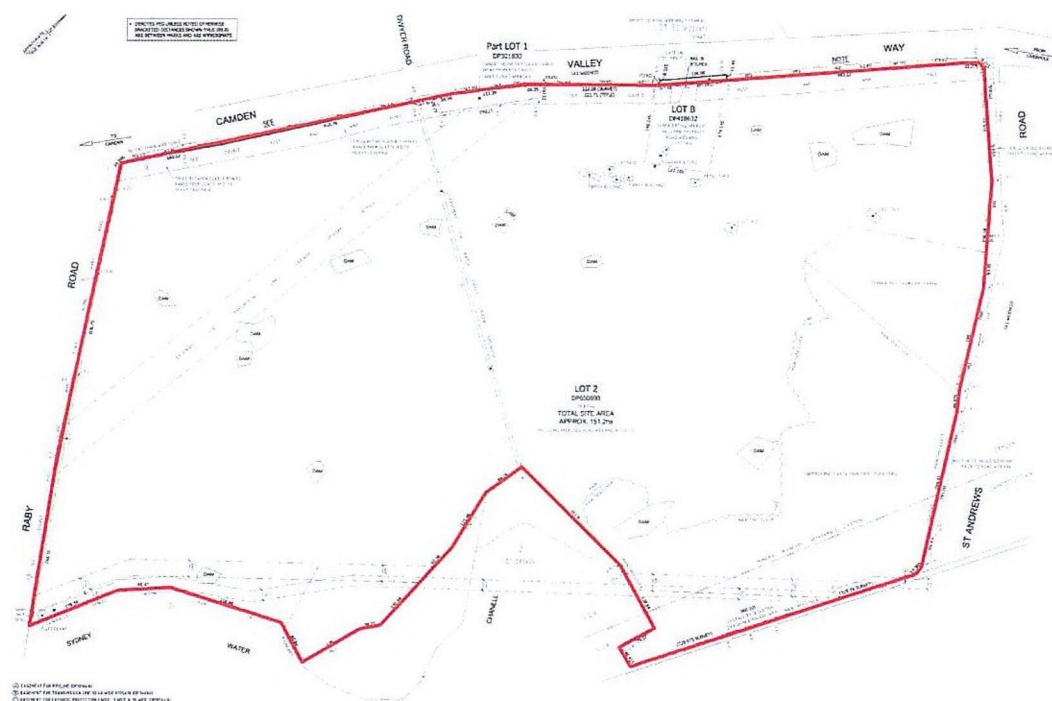
In this context, the current rural zoning of the property is an anomaly. The zoning is clearly not the highest and best use for the land. Furthermore, the property remains the only land addressing, and on the eastern side of, Camden Valley Way not identified, or zoned for urban development in the future.

Therefore it is a leading candidate for rezoning to urban purposes.

2. Site Details

Emerald Hills Estate is a Partnership comprising the Directors of D&AI Pty Ltd that owns the land.

The Site comprises an irregularly shaped rectangular parcel of land generally situated along a SW to NE alignment. It has a total area of 151.1 ha and is bounded by Camden Valley Way to the west, Raby Road to the south and St Andrews Road to the north (much of which is an unmade road comprising a gravel track). The eastern side of the site generally follows the alignment of the water canal owned by Sydney Water Corporation.



> Copy of Survey and Aerial View of Site Looking North East

It is legally described as:

- Part Lot B in DP418632;
- Part Lot 1 in DP301830; and
- Lot 2 in DP 650698.

The survey plan indicates a number of existing easements on the title including two aligned roughly along the eastern boundary for a 132kV electrical transmission line and a gas pipeline and a major 60 metre wide easement for a 330 kV Transgrid power line that crosses the south west corner of the site, which must be considered in any master planning. There is an opportunity to realign the 132kV easement with the gas pipeline easement.

The landowners have undertaken a number of studies:

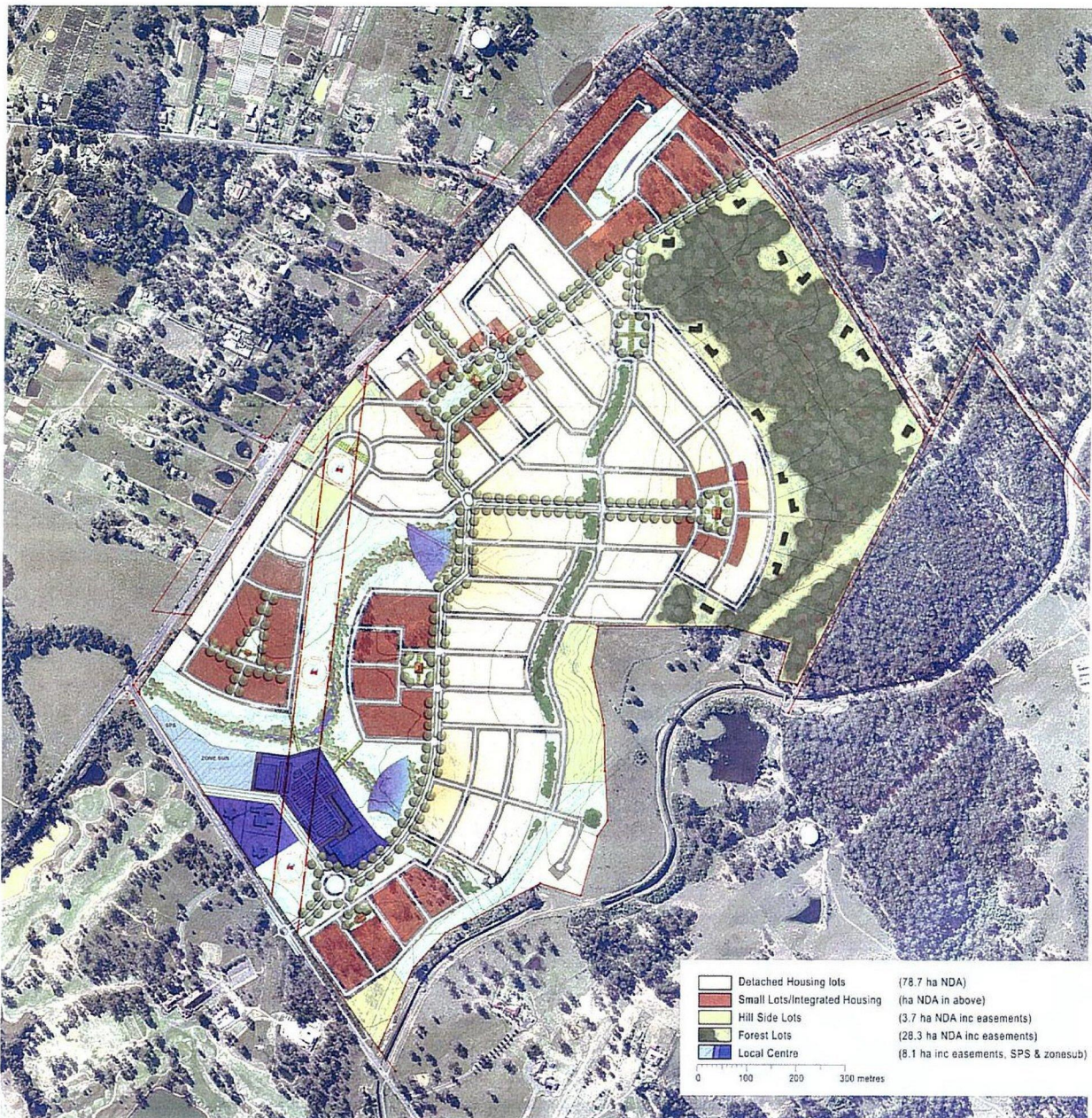
- Ecological investigation confirms the presence of Cumberland Plain Woodland on site in the north east corner. It will need to be protected;
- Lean Lackenby and Heyward investigation confirms that infrastructure connections may be available;
- Creek corridors and classifications have been mapped;
- The RTA is to upgrade Camden Valley Way in stages. It will improve the road access and provide a new bus based public transport corridor adjoining site;
- Camden Council investigations as part of preparation of its new LEP 2010 show no heritage or significant flooding;
- Some Bushfire Hazard is expected at the Cumberland Plain woodland interface;
- There is no known contamination and none expected.

Generally the site is cleared and unencumbered, with good access and proximity to services and facilities.

Existing use is a working farm and previously it also included a boy's home. A number of former school buildings constructed in the 1960-70s remain on the site.

3. Development Vision

The development vision for Emerald Hills comprises an integrated residential development of nine mini neighbourhoods oriented around parkland with a local shopping centre and encircled by public open space. It provides for a mix of dwellings and includes retention of large areas of land for environmental protection, riparian corridor improvement and landscape protection.



> The Urban Design Vision for the Site

The proposed urban development is consistent with the form, density and character being supported in other neighbouring greenfield land releases such as Oran Park and Turner Road in South West Sydney.

The Vision is described in detail in the report that accompanies this Planning Proposal. Key elements comprise:

- A Plan that adopts, as a guide, the Growth Centres Development Code to inform the layout of land uses and character and configuration of access, public transport service, and the configuration and preservation of areas with environmental value;
- An indicative yield of 1200 dwellings and a minimum density of 15 dwellings per hectare net developable area (NDA as defined in the Code); and
- Neighbourhood retail focussed in a local centre to serve residents.

Master planning indicates that the development vision can be achieved without offending the environmental and landscape values of the area. It can also be achieved whilst minimising amenity impacts (traffic, access to services etc.). Traffic and access issues can be addressed by providing direct access to Camden Valley Way via Raby Road and St Andrews Road.

The proposed release of the land for urban development satisfies State Government housing supply and metropolitan planning objectives with regard to appropriately located and serviced land for new housing.

It is these opportunities to achieve State Government objectives and deliver a significant public benefit (cost effective supply of serviceable land for housing) with minimal environmental impacts that are the genesis of the draft LEP contained in this planning proposal.

Part 1 - Objectives or Intended Outcomes

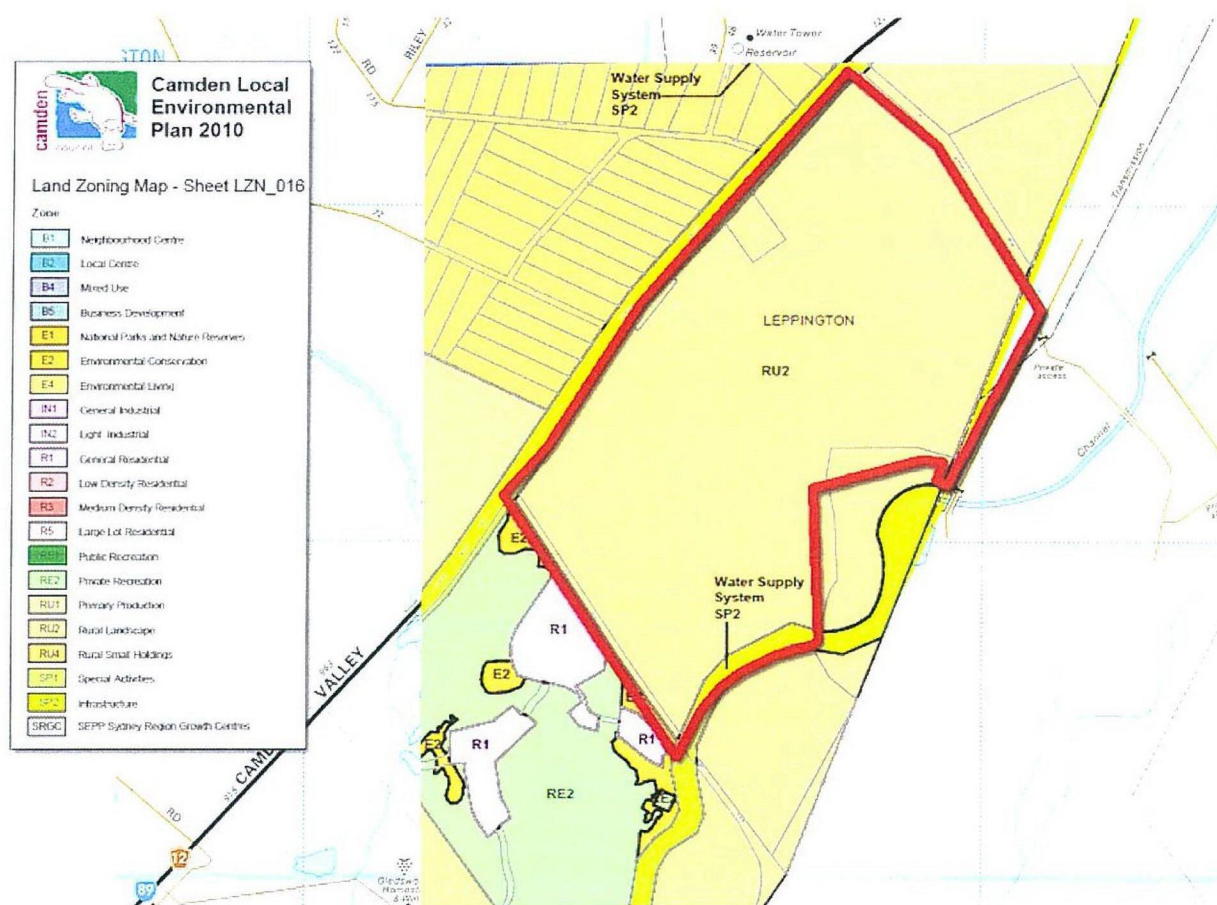
The intended outcome of this proposal is the development of a large parcel of land on the east side of Camden Valley Way for a mix of residential, retail, open space and environmental protection purposes.

The objectives of the development are:

- To satisfy State Government objectives in the Metropolitan Plan for Sydney 2036 to locate the majority of new housing within walking catchments of centres and enable residential growth in areas where there is good public transport service;
- To satisfy State Government priorities in the NSW State Plan to increase housing supply; and
- To achieve compliance with the NSW State Government's current Sustainability Criteria contained in the 2005 Metropolitan Strategy (Table G2), pending their replacement with new criteria in accordance with the Delivery Plan in the Metropolitan Plan 2036 (Action I 6.4).

Part 2 - Explanation of Provisions

The current zoning map is reproduced below.



> The Current Zoning of the Site

The site is subject to zoning by Camden LEP 2010. It zones the majority of the land "RU2 Rural Landscape."

The objectives of the Camden RU2 zone are:

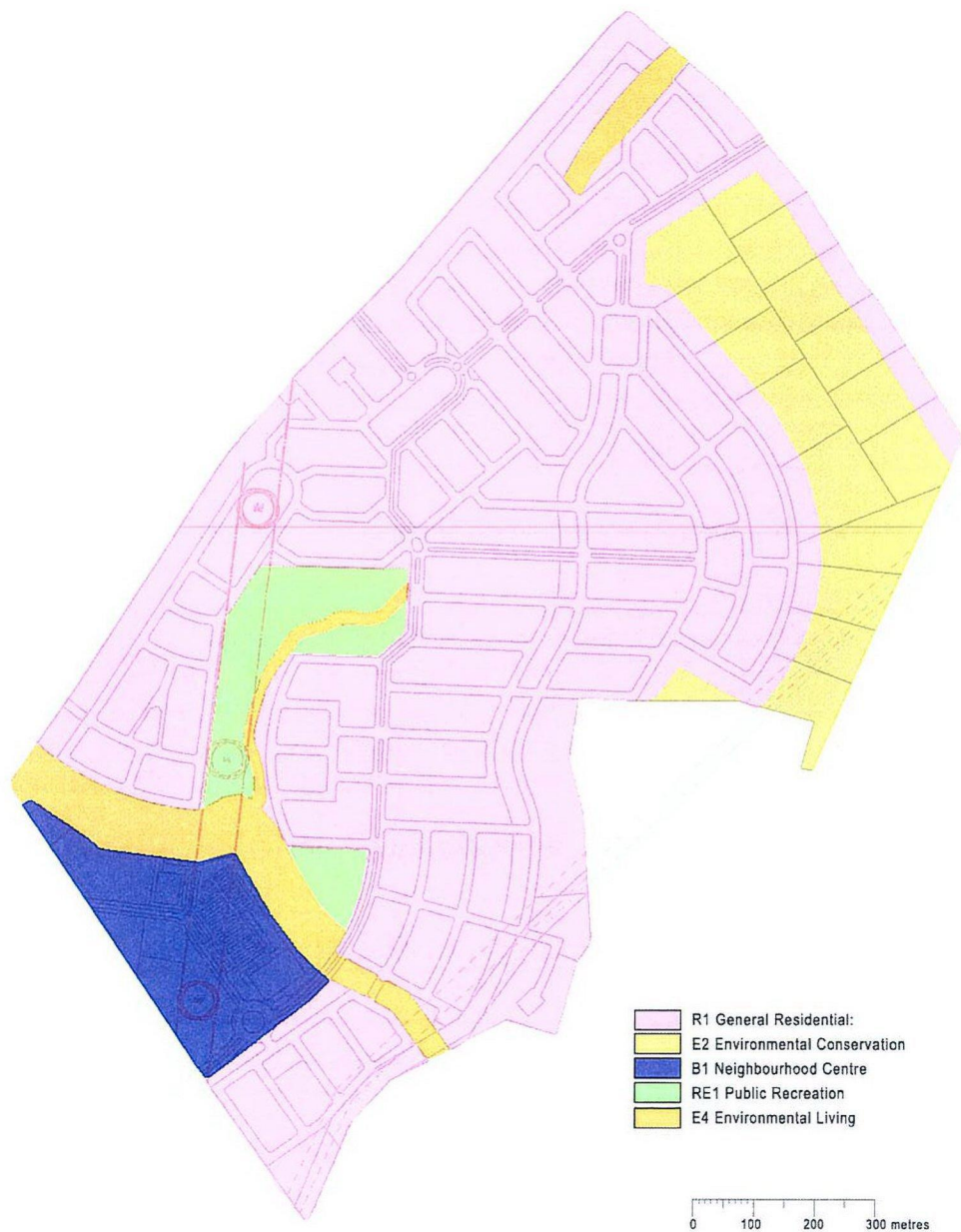
- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To protect and enhance areas of scenic value by minimising development and providing visual contrast to nearby urban development.
- To maintain the visual amenity of prominent ridgelines.
- To permit non-agricultural uses which support the primary production purposes of the zone.

The zone is limited in terms of the range of permissible land uses and subdivision that may take place. Urban subdivision and development is prohibited in the zone.

None of the existing planning controls facilitate the achievement of the objectives and outcomes listed in Part 1 of this proposal.

The Planning Proposal seeks, therefore, to amend the LEP for the site based on the Urban Design Vision in the accompanying document that:

1. Rezones the site as follows (as generally indicated in the plan on the following page):
 - Residential areas to '*R1 General Residential*';
 - The forest residential area to '*E2 Environmental Conservation*';
 - The local centre to '*B1 Neighbourhood Centre*';
 - The parkland areas to '*RE1 Public Recreation*'; and
 - The riparian corridors to '*E4 Environmental Living*'.
2. Introduces a floor space control clause that specifies a maximum floor space of 10,000 sqm gross floor area for retail premises for buildings in the land zoned B1 Neighbourhood Centre; and
3. Introduces a minimum lot size map that: (1) applies a minimum lot size of 125 sqm over the majority of the R1 zoned land; and (2) an average lot size based on a maximum of 2.5 dwellings per hectare with a minimum of 2,000 sqm and a maximum of 6,000 sqm in the following locations:
 - Visually prominent R1 zoned land in the south east corner of the site (the hillside lots) and;
 - Land within and immediately adjoining the E2 zoned land in the north east corner of the site.



> The Requested Zoning of the Site in this Planning Proposal

Part 3 – Justification

Section A – Need for the planning proposal

1. Is The Planning Proposal a Result of any Strategic Study or Report?

The proposal itself has not been the result of a specific strategic study or report. However the existing zoning of the site does not reflect a number of State Government strategic initiatives that will impact on the potential future use of the site, and the planning proposal responds to these initiatives. These strategies are discussed in Section B below.

2. Is The Planning Proposal The Best Means of Achieving The Objectives or Intended Outcomes, or is There a Better Way?

Yes. The planning proposal is the most appropriate method to enable development applications to be submitted for development within the site. Other methods investigated will not achieve the intended result that is sought.

Other options identified:

(i) A site specific provision enabled by inclusion of the site in Schedule 1 of Camden LEP 2010

This option was considered. However, due the geographical size of the area and the precedent such an approach would set, the approach advocated in the Planning Proposal was considered to be the most appropriate method.

(ii) A Planning Proposal to amend the boundaries of the South West Growth Centre shown in the maps of State Environmental Planning Policy (Sydney Region Growth Centres) 2006

This option was not considered viable. The amending process would have been significant, and would have exceeded generally accepted parameters for the consideration of such matters.

(iii) Await a review of the Growth Centre Boundaries in the future.

This option was considered. However, the process whereby the landowner awaits a review at an unknown time introduces too much uncertainty in terms of timeframe and outcome. The uncertainty jeopardise the opportunity for the achievement of the objectives identified in Part 1 above in the short term.

Rather, it is considered that the progress of this Planning Proposal is the most suitable mechanism to achieve the objectives in Part 1.

3. Will The Net Community Benefit Outweigh The Cost of Implementation and Administering The Planning Proposal?

Yes. The outcome of the Planning Proposal will be an increase in the supply of new housing in the Camden LGA. New residents will be able to support existing and proposed public investment in public transport, road and service infrastructure.

Residents will also support the Government's recent commitment to commence, and invest public monies in, the Leppington Town Centre by increasing the number of households within the Centre's catchment.

The increased demand on new infrastructure generated by the additional population is negligible and can be achieved without costly augmentation of existing services, or provision of new services. Rather it will facilitate the viability of, and supports the investment in, infrastructure in the locality.

Thus the net community benefit is considered to far outweigh the cost of implementing the proposal.

Section B – Relationship to Strategic Planning Framework

4. Is The Planning Proposal Consistent with the Objectives and Actions Contained Within the Applicable Regional or Sub-Regional Strategy (Including The Sydney Metropolitan Strategy and Exhibited Draft Strategies)?

Yes. There are a number of State Government Strategies and Policies that provide the strategic context for the development of the Precinct. They comprise:

- The NSW State Plan; and
- The Metropolitan Plan for Sydney 2036 (The new 'Metro Strategy'); and
- The Draft Subregional Strategies

The NSW State Plan

The NSW State Plan 2021 was recently released. It replaces the previous Plan of 2010 as "the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation" (p.2). The rezoning and development of the site is consistent with many of the 32 goals in the five strategies of the Plan; particularly with regard to improving the NSW economy, growing patronage on public transport, and placing downward pressure on the cost of living. This is detailed in **Appendix 1**.

The Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 was released on 16 December 2010. It comprises the "new" Metropolitan Strategy for Sydney and replaces the previous "*City of Cities – a Plan for Sydney's Future*" prepared in 2005 (Metropolitan Strategy 2005).

Of relevance to the Proposal:

- It's policy settings reinforce the targets of the State Plan including the enabling of residential and employment growth in areas where there is available or planned public transport capacity;
- It advises that the current sustainability criteria (contained within the Metropolitan Strategy 2005) will be replaced with new criteria to help assess land release options outside the Growth Centres during the annual

land supply assessment. Government will consult stakeholders on the new criteria before they are adopted. The criteria will aim to:

- > maintain the integrity of urban containment;
- > achieve efficient use of land and cost effective development;
- > ensure the continuity of significant rural and resource activities;
- > avoid use of biodiversity rich land and high risk areas; and.
- > provide certainty about delivery of dwellings in the short term.

The rezoning and development of the site contributes to the achievement of a number of the Plan's strategic directions and objectives. This is detailed in **Appendix 2**. Rezoning and Development is also consistent with the current sustainability criteria as summarised in the table in **Appendix 3**.

Draft South West Subregional Strategy

The site is located in the Draft "South West Subregional Strategy." The aim of the Subregional Strategy is to translate the objectives of the NSW Government's Metropolitan Strategy 2005 and State Plan to the local level.

The Draft Strategy remains a draft document and will be superseded/updated by new investigations required as part of the Metropolitan Plan 2036. Notwithstanding this, it remains today the only document that provides any published advice on State Government objectives at a local level.

Of relevance to this proposal, the Subregional Strategy:

- Seeks to ensure adequate supplies of land and sites for residential development and applies the Sustainability Criteria of the Metropolitan Strategy 2005 for new urban development; and
- Seeks to focus residential development around centres, town centres, villages and neighbourhood centres.

In summary, the Strategy seeks increased housing supply in the subregion on well-located sites. The Planning Proposal is consistent with the Strategy as it can contribute to the achievement of all of these goals.

5. Is The Planning Proposal Consistent with The Local Council's Community Strategic Plan, or Other Local Strategic Plan?

Yes. There is one relevant principal Strategic Plan:

- The Camden Residential Strategy 2008.

The Camden Residential Strategy 2008 aims to "*guide the form and character of housing in Camden into the future*" (p.7). It superseded the Residential Strategy for Camden, undertaken in 1997. The 2008 Strategy outlines the challenges facing Camden today and in the future and responds to these challenges by identifying a "New Model for Change" and presenting a series of recommendations to implement the approach.

The proposed rezoning and development of the site advocated in the Urban Design Vision achieves the recommendations of the Strategy and is consistent with The Strategy's intent as illustrated in the table below.

Strategy Recommendation	Comment on Planning Proposal
That Council further promote, in appropriate locations, alternative and affordable housing forms.	The development proposed in the rezoning of the site achieves this recommendation by offering the potential for a range of housing types appropriately located within walking distance of a local centre open space and public transport. Furthermore, by increasing supply and choice of housing, affordability is assisted via improvements to the housing demand and supply equation.
That Council include within its development control framework appropriate locational criteria for housing redevelopment as outlined in this Strategy.	The proximity of the site to public transport, the Leppington Town Centre and existing and future employment and commercial areas satisfies locational criteria.
That Council consider the inclusion of appropriate adaptable housing controls in the Camden DCP 2006.	Development in the site would comply with the controls in the Camden DCP.
That Council explore appropriate mechanisms for any necessary upgrading of public domain areas adjoining redevelopment sites.	The Urban Design Vision seeks the development of high quality public domain areas and the proponent of the Planning Proposal would support such endeavours.
That Council investigate alternative methods, for the provision of alternative and affordable housing.	As noted above, by increasing supply, the proposed rezoning facilitates affordable housing.
That Council adopt the new model for housing change as outlined in this Strategy, by: - Supporting housing diversity through a review of planning controls; - Supporting a greater distribution of diverse housing in appropriate locations through a review of LEP and DCP controls; - Supporting fine-grained planning of existing residential areas, where redevelopment is proposed, by requiring site-specific controls to be developed in accordance with the locational criteria; - Supporting improved local character as a result of housing redevelopment, by the development of high quality housing and landscaping controls and the development of appropriate mechanisms for the funding of public domain improvements.	The Urban Design Vision supports these recommendations through the design approach advocated for master planning and public domain establishment. In particular, the careful placement of open space areas and revegetation of prominent hillsides is intended to preserve and improve the recognised character of Camden along the Camden Valley Way streetscape and from further afield at vantage points that offer views to the ridgeline.
That Council encourage mixed use development, including residential-commercial development, within town centres.	While not providing for vertical mixed use development, the Urban Design Vision seeks a mix of uses by the placing of higher density residential with retail and commercial uses in close proximity (within comfortable walking distance).
That Council encourage a range of housing opportunities for seniors, from independent living in retirement villages through to nursing homes, in appropriate locations.	These housing forms could be accommodated within the development of the site, and are not excluded by the Urban Design Vision.
That Council, when considering any applications for rezoning of land to permit rural residential or large-lot residential development, have regard to the on-going viability of Camden's rural landscapes and economy.	The Urban Design Vision seeks a density of a minimum of 15 dwellings per hectare to satisfy Government Sustainability Criteria. As part of this approach it seeks to preserve the landscape and visual character of the environs of the site, due to its visually prominent location (elevated character and frontage to major arterial roads).

6. Is The Planning Proposal Consistent with Applicable State Environmental Planning Policies?

The following State Environmental Planning Policies are relevant to the planning proposal:

SEPP	Requirement	Planning Proposal	Consistent
No. 19 - Bushland in Urban Areas	The making of LEPs must consider the aims of the Policy, and give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland	The planning proposal is consistent with SEPP 19 by seeking to reserve remnant vegetation, riparian corridors and associated areas of environmental significance.	Yes
No.55 – Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land. If the land is unsuitable, remediation must take place before the land is developed. Clause 6 of the SEPP requires consideration of contamination in any change in use that may permit residential use.	The known history of the use of the lands in the site suggests that they have not contained any activities that would have generated any unreasonable contamination that cannot be readily remediated.	Yes
No. 65 – Design Quality of Residential Flat Development	This Policy aims to improve the design quality of residential flat development in New South Wales.	Detailed compliance with SEPP 65 will be demonstrated at the time of making an application for development should any development trigger consideration of the SEPP.	Yes
(BASIX)2004	Aims to encourage sustainable residential development. SEPP relates to certain kinds of residential development which must be accompanied by a list of commitments by the applicant as to the manner in which development must be carried out.	Detailed compliance with BASIX will be demonstrated at the time of making an application for development consent.	Yes
(Exempt and Complying Development Codes) 2008	The Exempt and Complying SEPP applies to the site and permits development of minor environmental significance without the need for development consent. The SEPP lists developments that are exempt development and do not require consent and some developments which are complying development for the purposes of the EP&A Act.	The provisions of the SEPP in permitting developments of minor environmental significance without the need for development consent will be considered in future development of the site.	
(Housing for Seniors or People with a Disability) 2004	The SEPP aims to increase the supply and diversity of residences suitable for seniors or people with a disability while making efficient use of existing infrastructure and services.	Any future applications for seniors' housing projects on the site will be made with consideration of the provisions of the SEPP. Criteria and standards relating to such developments will be addressed in the relevant development application.	
(Affordable Rental Housing) 2009	The SEPP facilitates the delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards. It also facilitates an expanded role for not-for profit providers of affordable rental housing.	Any future applications for affordable housing projects on the site will be made with consideration of the provisions of the SEPP.	
(Infrastructure) 2007	The relevant matters for consideration include the requirement to address traffic impact and acoustic impact	Detailed compliance with the SEPP will be demonstrated at the time of making an application for development consent. In particular, the impact from noise generated by traffic on Camden Valley Way will be required to be addressed in detailed subdivision and building design.	Yes
Sydney Region Growth Centres 2006	The lands to which the policy applies do not encompass the site. However the neighbouring South West Growth Centre has an influence on the development within the site, which can contribute to the achievement of the SEPP's aims.	The SEPP does not apply to the site. However development within the site can contribute to the SEPP's aim of: “(d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity.”	Yes

7. Is The Planning Proposal Consistent with Applicable Ministerial Directions (S.117 Directions)?

The S.117 Directions that are relevant to a Planning Proposal lodged under the LEP Gateway are:

S.117 Direction	Contents	Planning Proposal	Consistent
3.1 Residential Zones	Planning proposals must broaden the choice of building types in the housing market, make more efficient use of infrastructure and services, reduce consumption of land on the fringe, and are of good design.	The Planning Proposal provides a new opportunity for increased housing choice, efficient use of infrastructure and services, reduces consumption of land on the fringe by seeking higher residential densities, and can provide good urban design to improve the locality.	Yes
3.4 Integrating land use and transport	Planning proposals must be consistent with DUAP publications "Improving Transport Choice" and "The Right Place for Business and Services".	The Planning Proposal is consistent with these documents in providing an opportunity for development of a new community in close proximity to the Leppington Town Centre in an area well served by existing infrastructure, transport and services.	Yes
4.1 Acid Sulphate Soils	The relevant planning authority must consider the Acid Sulphate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulphate Soil Risk Maps prepared by the Department of Natural Resources.	The elevated character of the site and its landform is such that it is considered that there will be a low probability of the presence of acid sulphate soils. Detailed investigation will be undertaken at the time of making an application for development consent.	Yes
4.3 Flood Prone Land	LEP provisions to ensure that development on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Only a minor part of the site in the creek corridor is understood to be flood affected. Development is located away from this area and would have no impact on hydrological regimes.	Yes
4.4 Planning for Bushfire Protection	The objectives of this direction are to protect from bush fire hazards, by discouraging the Establishment of incompatible land uses in bush fire prone areas, and encourage sound management of bush fire prone areas.	The configuration of land uses, roads and access in the Urban Design Vision considers bushfire hazard and protection from bushfire events.	Yes
6.2 Reserving Land for Public Purposes	Planning proposals (where relevant) are to facilitate the provision of public services and facilities by reserving land for public purposes.	The Proposal does not reduce the area of land reserved for public purposes. Rather, it improves the use of and access to this land adjoining and within the site.	Yes
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The proposed LEP zoning, height and FSR standards are not considered to be particularly restrictive and therefore are consistent with this Direction.	Yes
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	The Planning Proposal is considered to be consistent with the Plan as described in Part 3B above.	Yes

Section C – Environmental, social and economic impact

8. Is There any Likelihood That Critical Habitat or Threatened Species, Populations or Ecological Communities, or Their Habitats, Will Be Adversely Affected as a Result of The Proposal?

Ecological investigation confirms the presence of Cumberland Plain Woodland on site in the north east corner. Given the modified character of the remainder of the site, and the proposal to preserve and protect the vegetation that has been identified by consultants as having environmental value, it is considered that there is no critical habitat, and no threatened species, populations or ecological communities or their habitats on the lands that will be adversely affected as a result of the proposal.

9. Are There any Other Likely Environmental Effects as a Result of The Planning Proposal and How are They Proposed to be Managed?

The proposed development of the precinct in accordance with the Vision will require consideration of the following potential environmental impacts:

- noise;
- Access, traffic and parking;
- Visual;
- built character;
- streetscape and public domain;
- Safety and security; and
- Environmental protection.

The Vision contained in the document that accompanies the proposal considers that all potential impacts are minor and manageable. In particular:

- **Noise:** subdivision and building design will ensure that the noise standards for internal rooms are achieved, particularly for dwellings adjoining Camden Valley Way;
- **Access, Traffic and Parking:** Access to the site will be achieved via upgraded intersections to Camden Valley Way and Raby Road already identified and/or agreed. These roads are planned to be upgraded as part of the development of the Growth Centre and the additional traffic generated by the increase in housing in the site is considered to be negligible and manageable;
- **Visual:** The layout of roadways within the site will celebrate and promote local landmarks, recreation and amenity features and elevated land. These considerations will contribute to a development with high visual quality. Where land is elevated along the ridge a woodland corridor is proposed in order to retain a green treed canopy along the edge of both the site (for internal local views) and South Creek Valley (for more distant views);
- **Built Character:** Building guidelines to be incorporated within a site specific part of Camden DCP 2010 will provide the mechanism to promote buildings with architectural character;

- **Streetscape and Public Domain:** Attention to streetscape public domain works (trees, noise attenuation measures, relationship to open space design and siting etc.), particularly along Camden Valley Way to address noise, and internally to promote a high level of neighbourhood amenity, will reinforce the visual contribution of the site to the character of the Camden LGA;
- **Safety and Security:** Subdivision and building design (guided in the site specific DCP) will adopt the principles of Crime Prevention Through Environmental Design (CPTED), particularly with regard to the layout and design of roads, parks and other public domain areas, as well as the non-residential buildings within the local neighbourhood centre; and
- **Environmental Protection:** All areas with recognised environmental value (existing woodland areas and riparian corridors) are proposed to be protected and kept free from development. Protection will comprise a mix of measures already adopted and used in the Growth Centre including physical rehabilitation and improvement of key areas and preservation by the application of appropriate zones and subdivision controls.

A thorough assessment of the environmental impacts will be undertaken in accordance with S.97C of the Environmental Planning and Assessment Act following lodgement of the development applications for subdivisions and development, should the proposal be supported and published.

10. How Has The Planning Proposal Adequately Addressed any Social and Economic Effects?

A successful planning proposal will:

- Satisfy demand for increased housing supply and housing choice in Metropolitan Sydney (and resulting construction multiplier effects) providing positive social and economic benefits;
- Facilitate the integration of land use and transport satisfying sustainability criteria; and
- Facilitate monetary contributions and works in kind public benefits achieved through a Voluntary Planning Agreement, thus providing positive social and economic benefits.

In accordance with recognised planning strategies, the proposal will provide convenient access to public transport and encourage walking and cycling. It will, thereby, reduce dependence on private vehicles, provide opportunities for healthy lifestyles and enhance and provide improved access by the community to public open space and recreation facilities in the Camden LGA.

Section D – State and Commonwealth interests

11. Is There Adequate Public Infrastructure for the Planning Proposal?

Public Infrastructure encompasses:

- Public transport;
- Civil Infrastructure (sewer, stormwater, power, potable water, gas);
- Emergency Services; and
- Road

Access.

Public Transport

Currently existing services are underutilised and level of service reflects the low patronage. However, as the South West Growth Centre progresses, particularly the neighbouring suburbs of Oran Park and Gregory Hills (and their respective employment centres) in the short term, and the Leppington Town Centre and Railway Station to the north in the longer term, public transport networks servicing the Camden LGA will improve to meet the new demands placed upon them by new residents and activities. In this context development of the site can capitalise on (and assist justification in) Government investment in improvements in transport infrastructure.

Civil Infrastructure

All civil infrastructure networks can serve the site. This is discussed in detail in the Vision Document that accompanies the proposal. The proposed development within the site can connect to these networks. Augmentation of services will require resolution via discussion with relevant agencies and corporations.

Emergency Services

Existing fire and police emergency services are located in Narellan and can effectively service the site.

Road Access

The site is bound on all three sides by roads and the upgrading of Camden Valley Way is to commence in the near future. Amendments and improvements to the existing and approved intersections to accommodate the increased volumes of traffic accessing and egressing the site are expected. This will require liaison with, and concurrence of, the RTA.

12. What are The Views of State and Commonwealth Public Authorities Consulted in Accordance with The Gateway Determination?

As part of the Gateway rezoning process Council will consult with a range of government agencies that are relevant. No consultation with Commonwealth authorities has been undertaken to date on the Planning Proposal.

Part 4 – Community Consultation

The rezoning will be the subject of reporting to Council and endorsement by Council for exhibition in accordance with the Act and Regulation.

Appendix 1:

Achievement of State Plan 2021 Goals and Strategies

Strategy and Goal	Contribution to Achievement	Comment
Rebuild the Economy		
1. Improve the performance of the NSW economy	Yes	Rezoning in accordance with this planning proposal will be the catalyst for significant investment by the private sector in development and construction. Construction that responds to the rezoning of the site will provide access to increased locally based employment and potential 'on-the-job' and apprenticeship training opportunities. Furthermore, there will be enhanced investment and economic benefits achieved by the multiplier effects of the injection of wages into the economy and the increased business confidence and certainty that may emerge in undertaking investment in South West Sydney and the Camden LGA.
2. Rebuild state finances		
3. Drive economic growth in regional NSW		
4. Increase the competitiveness of doing business in NSW		
5. Place downward pressure on the cost of living		
6. Strengthen the NSW skill base		
Quality services		
7. Reduce travel times	Yes	Due to the close proximity of the Leppington Town Centre, and siting of higher density residential environments adjoining a proposed local centre within the site, trip generation and travel times for access to local and wider services will be reduced. The attractiveness and viability of public transport that serves the Leppington Centre for local trips due to the diminished need to commute out of the area to gain access to services and employment will also be enhanced.
8. Grow patronage on public transport by making it a more attractive choice		
9. Improve customer experience with transport services		
10. Improve road safety		
11. Keep people healthy and out of hospital	Yes	Rezoning of the site provides greater opportunities for active, healthy lifestyles by the promotion of healthy planning principles in urban design.
12. Provide world class clinical services with timely access and effective infrastructure	n/a	
13. Better protect the most vulnerable members of our community and break the cycle of disadvantage		
14. Increase opportunities for people with a disability by providing supports that meet their individual needs and realise their potential	n/a	
15. Improve education and learning outcomes for all students		No impact.
16. Prevent and reduce the level of crime	Yes	Contemporary urban design will incorporate 'Crime Prevention Through Environmental Design' (CPTED) design principles offering improved performance in reducing the propensity for crime.
17. Prevent and reduce the level of re-offending		
18. Improve community confidence in the justice system		No impact.
Renovate infrastructure		
19. Invest in critical infrastructure	Yes	Development undertaken in response to the rezoning in this planning proposal will: • Result in more efficient use of existing infrastructure; and • Justify and support Government investment in road and public transport infrastructure, and other costs to investments to support planned urban growth in the Camden LGA and South West Growth Centre.

Strategy and Goal	Contribution to Achievement	Comment
20. Build liveable centres	Yes	Increased patronage in the catchment of the Leppington Town Centre will encourage a wide range of conveniently accessible, locally based services, reducing travel times, enhancing personal and household quality of life and improving the functionality and attractiveness of urban areas.
21. Secure potable water supplies	Yes	Contemporary development will incorporate water saving and other 'green building' measures.
Strengthen our Local Environment and Communities		
22. Protect our natural environment	Yes	Contemporary urban design will incorporate measures that seek to protect areas with recognised environmental value.
23. Increase opportunities for people to look after Their own neighbourhoods and environments	Yes	Development undertaken in response to the rezoning in this planning proposal will provide greater opportunities for social interaction and community pride by providing a range of local meeting places focused on open space and local neighbourhood centre.
24. Make it easier for people to be involved in their communities		
25. Increase opportunities for seniors in NSW to fully participate in community life		
26. Fostering opportunity and partnership with Aboriginal people		Will not hinder achievement of goal.
27. Enhance cultural, creative, sporting and recreation opportunities	Yes	Development undertaken in response to the rezoning in this planning proposal will provide greater opportunities for social interaction and community pride by provision of a range of passive recreation opportunities.
28. Ensure NSW is ready to deal with major emergencies or natural disasters		Will not hinder achievement of goal.
Restore Accountability to Government		
29. Restore confidence and integrity in the planning system	Yes	The Gateway Rezoning Process is a transparent and accountable process. Emerald Hills Estate has been liaising with both Camden Council and the NSW State Government prior to the lodgement of the proposal.
30. Restore trust in State and Local Government as a service provider		
31. Improve government transparency by increasing access to Government information		
32. Involve the community in decision-making on Government policy, services and projects	Yes	The rezoning proposal, should it receive preliminary support by Council and the State Government will be placed on public exhibition for community comment prior to any decision being. Community comments will be considered in the assessment of the rezoning proposal.

Appendix 2:

Achievement of Metropolitan Plan 2036 Strategic Directions, Objectives and Actions

Strategic Directions, Objectives and Relevant Actions	Contribution to Achievement	Comment
C: Transport for a Connected City		
Objective C2: To Build on Sydney's strengths by further integrating transport and land use planning and decision-making to support increased public transport mode share.	Yes	The density of development proposed, coupled with the proximity of the Leppington Town Centre (3.2 km from the site) will enhance the attractiveness and viability of public transport that serves the centre for local trips.
D: Housing Sydney's Population		
Objective D1: To ensure an adequate supply of land and sites for residential development.	Yes	The dwelling target for the South West Subregion is 155,000 dwellings, of which only 83,000 are identified within the South West Growth Centre. The development of the site will provide an additional well located opportunity to assist in the achievement of the target.
Objective D3: To improve housing affordability.	Yes	The proposal meets this objective by providing for the development of lands for new housing, therefore increasing supply and providing the mechanism for improved affordability by reducing the scarcity of land and providing greater competition between land and housing developers that provides greater potential to lower prices or restrain price increases.
E: Growing Sydney's Economy		
Objective E4: To provide for a broad range of local employment types in dispersed locations.		The construction sector is a major provider of jobs. Development will provide employment opportunities in the housing and construction industries in South West Sydney. The local neighbourhood centre will also provide jobs in the retail sector.
F: Balancing Land Use on the City Fringe		
Objective F1: To contain Sydney's urban footprint.	Yes	The proposal essentially represents an infill rezoning opportunity of a well serviced site adjoining lands identified for future urban development and an rail based town centre. It will not result in any outward expansion of the urban footprint.
Objective F2: To maintain and protect agricultural activities and resource lands.	Yes	The land is an unconnected pocket of rural zoned land distant from other large rural areas. As the South West Growth Centre develops its isolation will magnify. The land has no known resource value.
G: Tackling Climate Change and Protecting Sydney's Natural Environment		
Objective G1: To reduce Sydney's greenhouse gas emissions.	Yes	Rezoning improves the viability of public transport as a convenient alternative to car use, reducing trip generation and private car's contribution to greenhouse gas production.
Objective G6: To protect Sydney's unique diversity of plants and animals.	Yes	Areas with recognised environmental value (riparian zones and Cumberland Plain Woodland areas) within the site will be protected and enhanced by the proposed appropriate application of environmental conservation zones
H: Achieving Equity, Liveability and Social Inclusion		
Objective H3: To provide healthy, safe and inclusive places based on active transport.		Rezoning of the site provides greater opportunities for active, healthy lifestyle by the promotion of greater use of public transport and walking due to an improved concentration of homes and locally based range of services.

Appendix 3:

Achievement of Metropolitan Plan Sustainability Criteria

Table G2 Threshold Sustainability Criteria for Listing of Site on MDP	Measurable Explanation of Criteria	Comment
1 Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way.	- Development is consistent with any relevant residential development strategy, subregional strategy, regional infrastructure plan and Metropolitan Strategy. - The provision of infrastructure (utilities, transport, open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure contribution. - Preparedness to enter into development agreement.	- The proposal will provide 1,200 dwellings and jobs in construction, services and the local centre that will support the housing and employment targets of the Sydney Metropolitan Strategy. - It will also promote intensification around centres, by locating a new community close to the Leppington Town Centre and Railway Station, thus integrating land use and transport generally. - Only minor augmentation of existing infrastructure services will be required, which will be cost effective and economically feasible. - The Proponent is prepared to enter into a Voluntary Planning Agreement to deliver agreed public benefits and works.
2 Access Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provide.	- Accessibility of the area by public transport and appropriate road access in terms of: - Location/land use; to existing networks and related activity centres. - Network: the areas potential to be serviced by economically efficient public transport services. - Catchment: the area's ability to contain, or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals. - No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network.	- The development site is located 3.2 kilometres from the new Leppington Railway Station, which will offer regular services to Parramatta and Central Sydney. - Bus services will be re-oriented towards the public transport interchange adjacent to the station when it commences operation in 2016 enabling bus access to surrounding suburbs and centres. - Comprehensive pedestrian access is provided across the site to link homes with the local centre, bus routes on roads adjoining the site (as well as any that may be located within the site) and the Leppington and Narellan town centres. - The location of the site adjacent to public transport services will support the viability of such services. - Development within the site will contribute to the new centre at Leppington, thereby supporting the viability of public transport services within that centre.
3 Housing Diversity Provide a range of housing choices to ensure a broad population can be housed.	Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.	- As noted above, the proposal will contribute towards the achievement of Sydney Metropolitan housing targets, - Increase the variety of housing types available in the Camden LGA and South West Sydney generally and facilitate the increase the supply of affordable housing.
4 Employment Lands Provide regional/local employment opportunities to support Sydney's role in the global economy.	- Maintain or improve the existing level of subregional employment self-containment. - Meets subregional employment capacity targets: - Employment related land is provided in appropriately zoned areas.	As noted above, the proposal will provide 1,200 dwellings and an 8 hectare local centre. Activity will provide associated jobs in construction, services and the local centre that will support the employment targets of the Sydney Metropolitan Strategy.

Table G2 Threshold Sustainability Criteria for Listing of Site on MDP	Measurable Explanation of Criteria	Comment
5 Avoidance of Risk Land use conflicts, and risk to human health and life, avoided.	- Available safe evacuation route (Flood and Bushfire). - No residential development within 1:100 floodplain. - Avoidance of physically constrained land: high slope; highly erodible. - Avoidance of land use conflicts with adjacent, existing or future land use and rural activities as planned under regional strategy.	- Land on the majority of the site is not bushfire prone and the connected pattern of roads advocated in the urban design concept will offer choice and safety in evacuation routes. - A small part of the site in the South West corner where the creek meets Camden Valley Way is understood to be subject to minor flooding. - The proposal will not cause significant flood impacts on other properties. - The urban design vision does not advocate development on land that is constrained by slope. - Residential uses along Camden Valley Way and Raby Road will incorporate building layouts and construction details to enable sufficient mitigation for noise impacts on the site and that the relevant noise criteria can be achieved. - Any noise walls required along roads will be designed and obscured by landscape treatment to minimise visual impact.
6 Natural Resources Natural resource limits not exceeded/ environmental footprint minimised.	- Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows. - Demonstrates most efficient/suitable use of land. - Avoids identified significant agricultural land. - Avoids impacts on productive resource lands; extractive industries, coal, gas and other mining, and quarrying. - Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; requires demonstration of efficient and sustainable supply solution.	- Preliminary investigations provided by Lean Lackenby and Heyward consultants confirm that the site can be viably serviced as: - Potable water is available on all road frontages of the site and a water main currently passes through the site linking the reservoir at the Ingleburn Dam with the elevated water reservoir in Catherine Field; - There are a number of scenario options to available to provide a sewerage service to the site. A feasible scenario comprises draining the site into the south west corner from where it is transported by rising main along Raby Road to connect with Sydney Water's trunk main at Kearns; and - The presence of the transmission lines enable a cost effective connection to. A zone substation will be required within proximity of, or possibly within, the site. - Dwellings on the site will be constructed in accordance with BASIX requirements for the reduction of the consumption of energy and water. - The proposal involves the development of presently underutilised land for the provision of housing and retail space. The site is suitable for development being close to existing community services and public transport. - The site adjoins future urban land and will not be impacted by agricultural activity; - An efficient use of land will be affected through the provision of medium density residential development on the site. - Development will not result in adverse impacts to agricultural land or natural resources.
7 Environmental Protection Protect and enhance biodiversity, air quality, heritage, and waterway health.	- Consistent with Government approved Regional Conservation Plan (if available). - Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats. - Maintain or improve existing	- Areas of Cumberland Plain Woodland (CPW) on the site are consistent with the listing of CPW as a Critically Endangered Ecological Community under the NSW Threatened Species Conservation Act 1995). The most intact areas will be retained on the site. - Targeted planting of appropriate species will be undertaken so as to improve their ecological condition. - The proposal will comply with any relevant statutory requirements for water quality.

Table G2 Sustainability Criteria for Listing of Site on MDP	Threshold	Measurable Explanation of Criteria	Comment
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	environmental condition for air quality. • Maintain or improve existing environmental condition for water quality and quantity. > Consistent with community water quality objectives for recreational water use and river health (DEC and CMA). > Consistent with catchment and stormwater management planning (CMA and local council). • Protects areas of Aboriginal cultural heritage value (as agreed by DEC).	
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8 Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible.	• Available and accessible services. > Do adequate services exist? > Are they at capacity or is some available? > Has Government planned and budgeted to further service provision? • Developer funding for required service upgrade/access is available.	• <i>The site can be serviced with electricity, gas, water, telecommunications and electricity, subject to further consultation with utilities providers and any required upgrades.</i>
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