



GILEAD ESTATE PLANNING PROPOSAL

901 to 913 Appin Road, Gilead

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Gilead Estate SIC Planning Proposal
Lendlease Communities (Mt Gilead) Pty Ltd



Gilead Estate Planning Proposal

Temporary additional permitted use

Lot 1 in DP 1240836

901 to 913 Appin Road, Gilead

Prepared for

Lendlease Communities (Mt Gilead) Pty Ltd

By



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Executive Summary

This Planning Proposal relates to part of Lendlease Communities (Mt Gilead) Pty Ltd's (**Lendlease**) significant landholdings at Gilead, specifically Lot 1 in DP 1240836. This lot forms part of the wider Gilead release area that has been identified for urban development in the Metropolitan Development Program since the 1980s' and was rezoned for urban development via an amendment to *Campbelltown Local Environmental Plan 2015 (LEP)* in September 2017.

Since taking a controlling interest in the land, Lendlease has had the opportunity to carry out an extensive review of the Indicative Structure Plan and associated technical studies that informed the land use controls. This review has identified a suite of opportunities to improve the planning, development delivery and community outcomes for the land. In order to deliver the new masterplan, Lendlease has recently lodged a Planning Proposal with Campbelltown City Council (**Council**) to make the necessary mapping and control changes.

Separate to the new masterplan, the review of the existing structure plan also identified impediments to be being able to deliver the Community Hub in the area identified in the zoning plan and Indicative Structure Plan due to additional bushfire constraints which were not applicable at the time of the finalisation of the initial planning proposal. Lendlease have identified an optimised location for the Community Hub on existing RE1 Public Recreation zoned land that responds to the new masterplan. This change in location in itself does not require a Planning Proposal to facilitate this outcome.

Under the Mt Gilead 1 Planning Agreement (**VPA**), Lendlease has committed to deliver the Community Hub for Council within a year of completing the 1,200th residential lot. Without the VPA, Council would be unable to fund the Community Hub through developer contributions as they are not deemed 'essential works'.

Lendlease is interested in the temporary use of the building as a Sales and Information Centre with supporting amenities such as early community space a café and amenities block for the adjacent open space. To facilitate this outcome, it is necessary to amend Schedule 1 of the LEP to provide for an additional permitted use, 'business premises', on Lot 1 in DP 1240836. Subject to Council approvals, this could see the Community Hub facility delivered years in advance of the VPA requirements. This would also serve to activate and complement the initial open space areas Lendlease will deliver to amenity and support the new community from day one. The VPA already makes provision 'for better outcomes' to be delivered where agreed by Council and Lendlease with only minor updates likely to be required as a consequence of this Planning Proposal.

As part of this proposal, Lendlease would also seek to upsec and design the building to a higher standard than would otherwise be achieved under the current VPA works values. It is intended that the temporary use of the Community Hub as a Sales and Information Centre would provide Lendlease with a Sales and Information Centre for approximately 3 years before needing to be relocated. At the end of this period, Lendlease would retro fit the building to a community centre and dedicate the land to Council, with the intent to classify the land as 'operational land' to allow future commercial uses if necessary.

Based on Lendlease's early engagement with Council, we believe this proposal will facilitate a far better outcome for both Council and the future Gilead community. Not only will it resolve bushfire planning constraints that affect the currently nominated site, it will also serve to expedite the delivery of the Community Hub to a higher standard than currently provided for in the VPA. It is therefore recommended that Campbelltown City Council resolves to support and forward this Planning

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Proposal to the Department of Planning and Environment for Gateway determination in accordance with the *Environmental Planning and Assessment Act 1979*.



1 Introduction

This Planning Proposal has been prepared by GLN Planning Pty Ltd (**GLN**) on behalf of Lendlease. It relates to the significant landholding at Gilead, in particular Lot 1 in DP 1240836, 901 Appin Road, Gilead. This site was rezoned for urban development on 8 September 2017 by an amendment to Council's LEP and forms part of a Priority Precinct in State Government's Greater Macarthur Priority Growth Area.

This Planning Proposal is submitted to Council to accompany a request to amend the LEP in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**). This report has been prepared in accordance with the Department of Planning and Environment's '*A guide to preparing planning proposals*', dated August 2016.

The proposed amendments have been informed following a review of the background studies first relied upon to rezone the land, State Government's Draft Greater Macarthur Land Use and Infrastructure Implementation Plan and a revised masterplan over Lendlease's Gilead Estate (**Gilead 1**). The proposal has been informed by discussions with Council's planning executive staff and Lendlease are also currently working with Council's Community Resource team to detail the requirements of the Community Hub and progress a preferred design for the facility.

The proposed amendment to the LEP is limited to the addition of an additional permitted use in Schedule 1 that will permit a 'business premises' over part of Lot 1 in DP 1240836 that is zoned RE1 Public Recreation. It is necessary to amend the Additional Permitted Uses Map Sheet 003 and potentially Sheet 009. During the course of the assessment of this proposal, subdivisions of the land are likely to be progressed and may update the relevant land details and will be reflected in the final LEP amendment and associated maps.

This Planning Proposal is required to address bushfire constraints that apply to the current nominated Community Hub location and will seek to relocate the Community Hub to RE1 Public Recreation land to be better integrated with future open space assets to be delivered by Lendlease. It will also facilitate the temporary use of the Community Hub as a Sales and Information Centre that will expedite the delivery of the Community Hub and to a higher standard than currently provided for in the VPA.

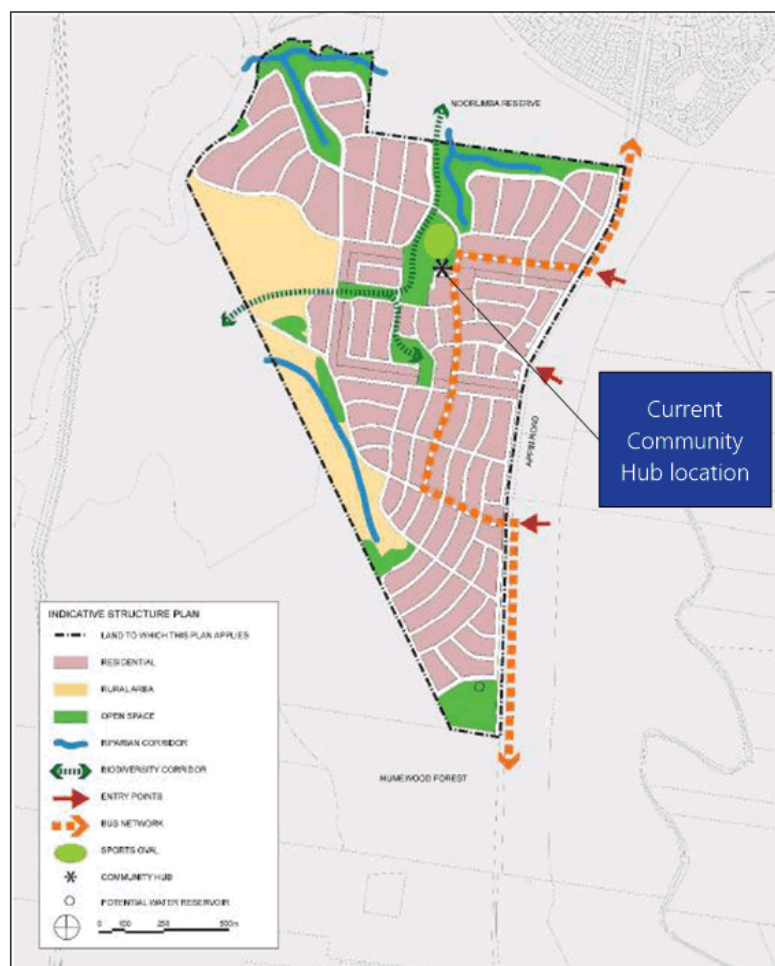
1.1 Background

1.1.1 Metropolitan Development Program rezoning

The Mount Gilead site has long been identified as a greenfield release area in the State Governments' Metropolitan Development Program. Following receipt of a Gateway Determination from the Department of Planning and Environment (**DPE**) in 2012, Old Mill Property Pty Ltd worked with Council to rezone the site and resulted in an amendment to the LEP on 8 September 2017 and site-specific Development Control Plan and Indicative Structure Plan as shown in **Figure 1** over the page.

Key outcomes for the site under this rezoning included an approximate yield of 1,700 lots, ranging in size from 375m² to 700m² and supporting local infrastructure including open space, community hub, stormwater management facilities and collector roads and conservation of 22ha of existing ecological communities on site. The site for the Community Hub was identified and zoned B1 Neighbourhood Centre.

In addition, a comprehensive Infrastructure Services Delivery Plan was prepared for the site in 2016. This document informed the VPA that Lendlease is party to, to deliver the necessary local infrastructure on behalf of Council, including the Community Hub. This Planning Agreement was adopted by Council at its Ordinary Meeting on 12 June 2018 and has since been executed by all parties.



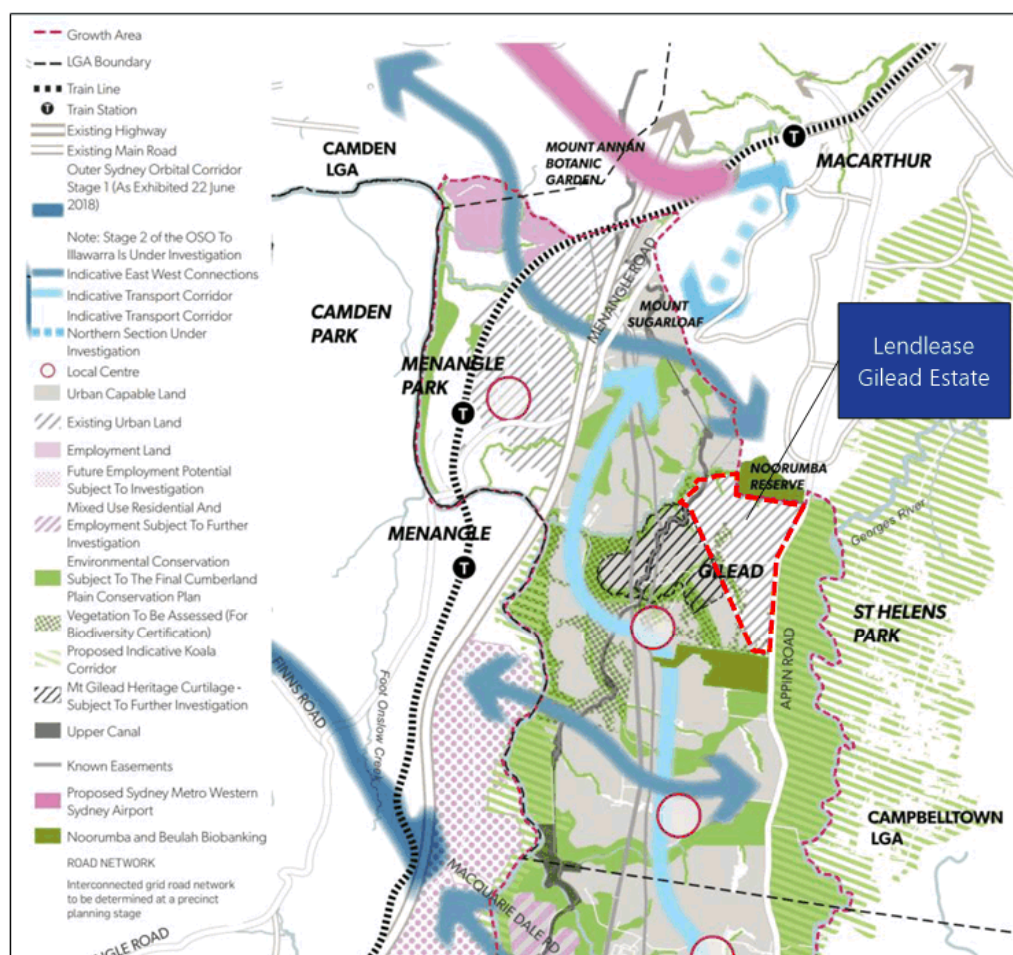
Source: Campbelltown City Council, 2017

Figure 1. Current Indicative Structure Plan

1.1.2 Draft Greater Macarthur Land Use and Infrastructure Implementation Plan

DPE have recently exhibited the draft Greater Macarthur Land Use and Infrastructure Implementation Plan (LUIIP). Building on the *Greater Macarthur Land Release Preliminary Strategy and Action Plan*, the LUIIP provides a revised an updated structure plan for the Greater Macarthur Priority Growth Area as well as a series of key design principles, actions and vision. The draft Structure Plan is shown in **Figure 2**.

The LUIIP continues to identify a north-south transport corridor over land to the west of the MDP Land and preferred conservation outcomes. It also provides that the wider Gilead Precinct will deliver approximately 15,100 lots. The LUIIP recognises Gilead 1 land as 'Existing Urban Land' and does not outline specific actions to the MDP Land.



Source: DPE, 2018

Figure 2. LUIIP Structure Plan

Prior to the LUIIP going on exhibition, through *A Plan for Growing Sydney*, the Greater Sydney Commission (GSC) has been formed to establish the strategic direction for Sydney to 2056. As part of this process, the GSC has released updated direction and priorities under the *Greater Sydney Region Plan* and *Western City District Plan*. Both of these plans recognise the strategic importance of the Greater Macarthur region and its contribution to housing supply by declaring the region as a Land Release Area. The structure plan in the *Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan* still remains current for the site under these draft documents. It is anticipated this direction will be updated to reflect the LUIIP in the future.

1.1.3 Infrastructure Services Delivery Plan and Voluntary Planning Agreement

A comprehensive Infrastructure Services Delivery Plan was prepared for the site in 2016. Infrastructure to be delivered includes collector roads, open space, stormwater management facilities, conservation lands and a Community Hub. This document was used to inform the delivery of local infrastructure for Gilead 1 and the VPA. Specifically, the VPA requires Lendlease to deliver a Community Hub (CF1) that provides for:

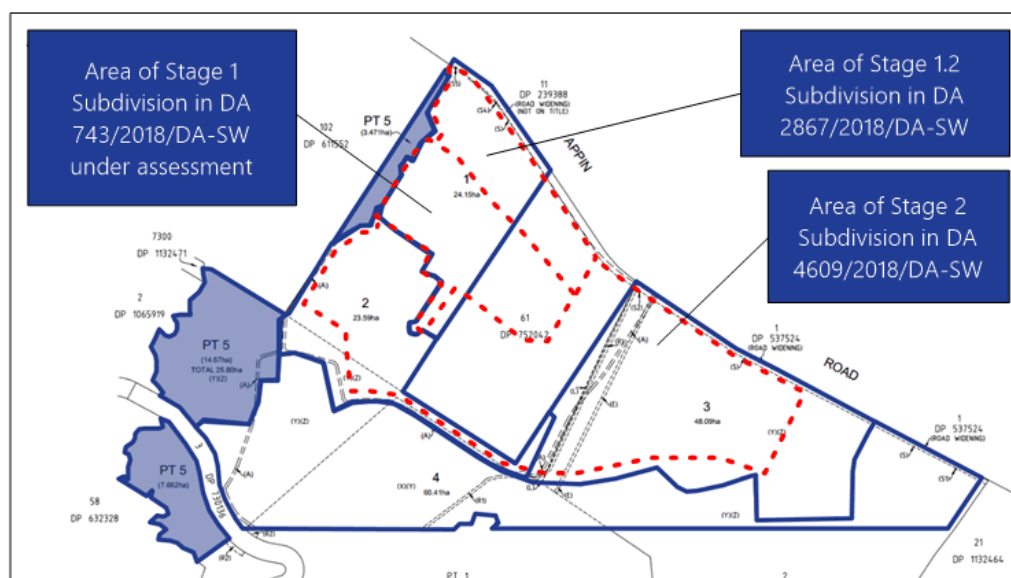
- Dedication of 0.2069ha of land
- Multi-purpose space building with footprint of 500m² with service provision to fit out kiosk area
- Parking for up to 38 spaces (including on street parking)
- Delivery of the facility within 12 months of registration of the 1,200th residential lot

The VPA has been executed by all parties including Council and establishes triggers for the delivery of local infrastructure in line with residential development being completed to ensure the community is supported by appropriate facilities as it grows.

1.1.4 Relevant development applications

When the draft *Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan* was released, the then Minister for Planning identified Gilead 1 as one of the key projects that would deliver new housing in the region by 2018. Since the site was rezoned, Lendlease has lodged a series of DAs over the site in efforts to meet this target. These DAs have been designed to carry out site works and deliver the initial stages of housing under the current planning controls. All works are permissible under the current zoning and where possible align with the existing structure plan and Lendlease's revised masterplan.

A summary of the relevant DAs lodged with Council are outlined in **Table 1** and **Figure 3**.



Source: LTS, 2017

Figure 3. Current subdivision activity on the site

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**Table 1. DAs over the site**

| DA No. | Description | Status |
|-----------------|---|-------------------|
| 2989/2017/DA-S | Subdivision to create 5 superlots over Lot 3 in DP 1218887 to facilitate progressive development of the site ('paper plan subdivision'). | Approved 24/11/17 |
| 3868/2017/DA-CW | Earthworks, tree removal and remediation over Lot 3 DP 1218887 and Lot 61 DP 752042 facilitate progressive development of the site | Under assessment |
| 4123/2017/DA-A | Estate signage | Approved 13/7/18 |
| 743/2018/DA-SW | Stage 1 subdivision, including staged subdivision to create 333 residential lots, 5 residue lots with associated civil works, road construction, stormwater management facilities, land contouring and tree removal | Under assessment |
| 2867/2018/DA-SW | Stage 1.2 subdivision, including staged subdivision to create 138 residential lots, 3 residue lots with associated civil works, road construction and land contouring. | Under assessment |
| 3268/2018/DA-CW | Importation of fill to backfill Aboriginal archaeology test pit excavations. | Approved 14/3/19 |
| 4609/2018/DA-SW | Stage 2 subdivision, including staged subdivision to create 424 residential lots, 20 residue lots with associated civil works, road construction, land contouring and tree removal. | Under assessment |

2 Site Analysis

This section of the report describes the physical characteristics of the site, the adjoining development and character of the locality relevant to the preparation of a site analysis.

2.1 Site location

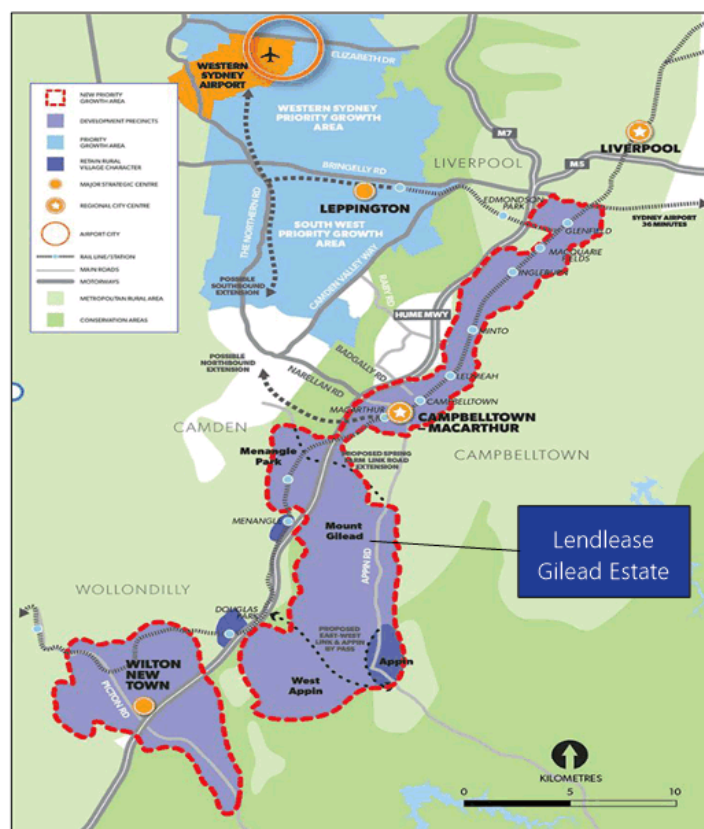
The site fronts Appin Road in Gilead to the south of Campbelltown CBD. It is located approximately 47km to the south west of the Sydney CBD (refer to **Figure 4**). The nearest centres are at Macarthur, Narellan and Camden. The site was recently rezoned for urban development on 8 September 2017 by the gazettal of an amendment to the LEP. As part of the rezoning, the site is expected to deliver 1,700 residential lots with supporting drainage and open space facilities and sets aside land for environmental conservation.



Source: Whereis, 2017

Figure 4. Site location

The land is identified within the Menangle Park and Mount Gilead Priority Precinct identified in the Greater Macarthur Land Release Investigation (see **Figure 5**) that was exhibited in July 2016. This package also included an amendment to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)* to declare Mount Gilead and Menangle Park as a Priority Growth Area. This amendment is expected to be gazetted by DPE in the near future as part of the finalisation of the LUIIP.



Source: Department of Planning and Environment, 2017

Figure 5. Site location within the Greater Macarthur Priority Growth Area

Land in the locality is currently used for rural residential, grazing and extractive industries. However, this current character of the locality will change dramatically as rural land uses gradually convert to urban land uses consistent with the future urban zoning of the area. Council and DPE have also finalised another Planning Proposal that will put controls in place to facilitate suburban residential development in the nearby Menangle Park release area.

2.2 Site description

The site is legally identified as Lot 1 in DP 1240836 with a frontage of 485m to the western side of Appin Road, and has an area of approximately 24ha and is an irregular shape as shown in **Figure 6**.

The site is clear of structures, with scattered vegetation and contains two small dams on the north eastern portion of the site. Access to the site is provided by existing rural driveways from Appin Road, which is designated as a 'classified road' under the control of Roads and Maritime Services.



Source: Six Maps, 2019

Figure 6. Aerial view of the site

There are no heritage items contained within Lot 1 in DP 1240836 however, there are items on properties to the west. These include an artificial lake (dam) within Lot 1 in DP 1218887 which is listed as a Local Heritage Item in the LEP. Lot 1 in DP 1218887 also contains 'Mount Gilead' consisting of a collection of stone buildings and old mill that is identified as a Local Heritage Item. The Upper Canal is external to the site, traversing through Lot 3 DP 1240836, and is listed as a State Heritage Item.

2.3 Site activity

At completion of the original rezoning, the site was identified as Lot 61 in DP 752042 and Lot 3 in DP 1218887. Lot 3 in DP 1218887 lot has since been subdivided into five superlots, Lots 1 to 5 in DP 1240836, to facilitate Lendlease's staged development of the site.

A DA for earthworks over the entire site (3868/2017/DA-CW) has been lodged with Council and is currently under assessment. DAs for Stage 1 Subdivision to create 333 residential lots and Stage 1.2 Subdivision to create 138 residential lots over Lot 1 in DP 1240836 and Lot 61 in DP 752042 are also under assessment with Council as shown in **Figure 3**. Development of the site will continue to be

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undertaken in stages and it is important to note that during the course of the Planning Proposal, the property details will change and will need to be updated.

2.4 Surrounding Locality

The character of the locality is rural with some tracts of bushland, primarily to the east of Appin Road.

The frontage of the site to Appin Road will be subject to road widening as part of a Roads and Maritime Services planned upgrade (subject to separate approval) to accommodate increased traffic associated with the future development and growth in the area and to provide safe points of entry and exit to the site. To the north of the site is the existing suburb of Rosemeadow which is characterised by low density residential.

The southern and western borders of the property comprise large rural lots and some bushland. The area to the south and west is also identified for future residential development in the draft LUIIP.

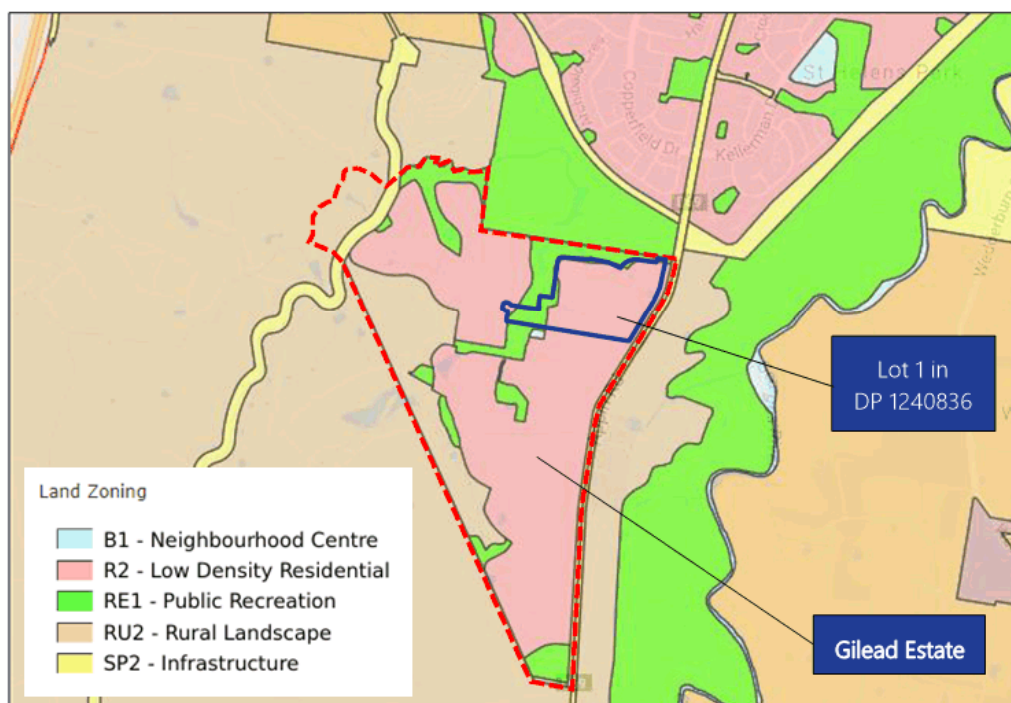


3 Current Planning Controls

3.1 Relevant Environmental Planning Instruments

The principal environmental planning instrument applying to the site is *Campbelltown Local Environmental Plan 2015*. An amendment to the LEP commenced on 8 September 2017 which formally rezoned the Lendlease site for urban development purposes as listed below and shown in **Figure 7**:

- R2 Low Density Residential
- B1 Neighbourhood Centre
- RE1 Public Recreation
- RU2 Rural Landscape
- SP2 Infrastructure - Classified Road

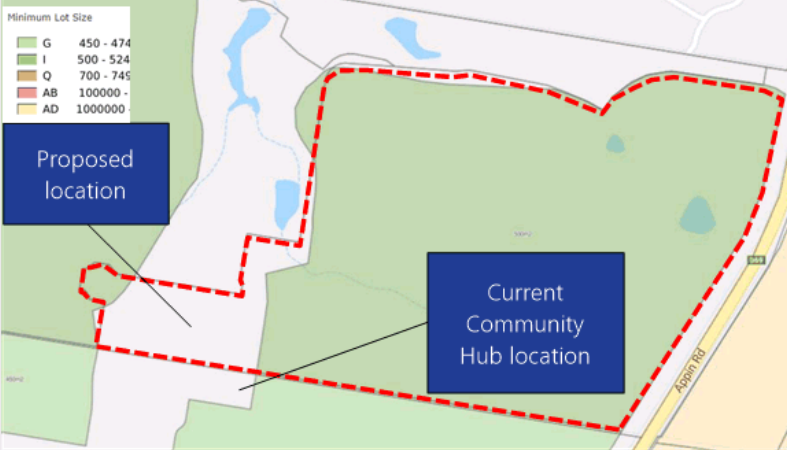
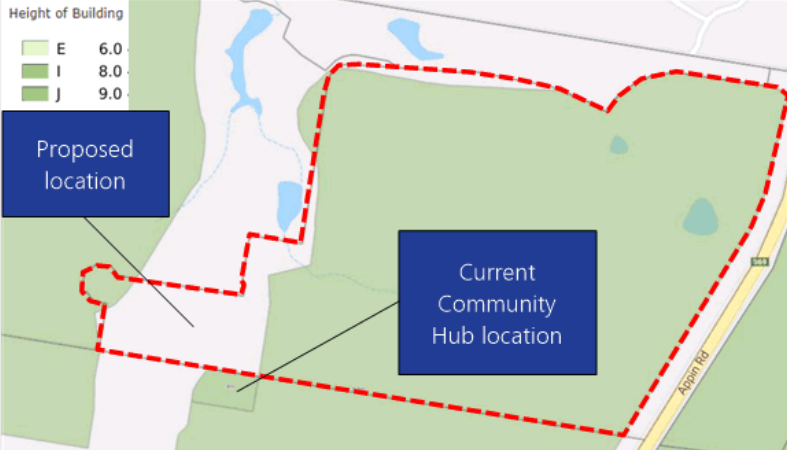


Source: DPE Planning Portal, 2017


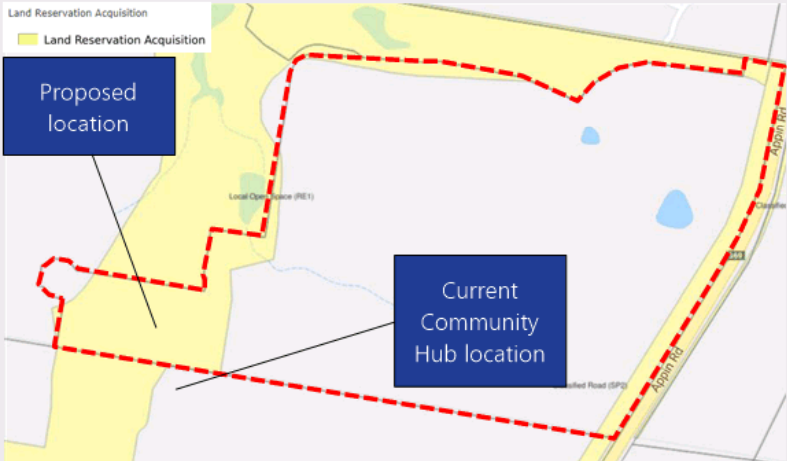
Figure 7. Current land use zoning

The LEP also provides additional relevant planning controls to guide future development of the site including maximum heights for buildings, floor space ratios, minimum lot sizes for subdivision. The LEP clauses and maps relevant to the site and this Planning Proposal are detailed in **Table 2**.

Table 2. Current LEP controls relevant to the site

| Planning Control | Requirements and Map |
|--|--|
| Clause 2.3 Zone objectives and Land Use Table | <p>This clause sets out the objectives of the zone.</p> <p>Notes that Schedule 1 sets out additional permitted uses for particular land.</p> |
| Clause 4.1 Minimum subdivision lot size |  <p>Sets a base minimum lot size for subdivision of between 450m² to 700m² for R2 zoned land and 100ha for RU2 zoned land. No minimum lot size for subdivision applies to B1 zoned land (current location of Community Hub) or RE1 zoned land (proposed location of the Community Hub).</p> |
| Clause 4.3 Height of buildings |  <p>The maximum building heights for R2 zoned land range from 6m to 8.5m with heights for RU2 and B1 zoned land (current location) at 9m. No maximum height applies to the RE1 zone (proposed location).</p> |



| Planning Control | Requirements and Map |
|---|---|
| <p>Clause 4.4</p> <p>Floor space ratio</p> |  <p>The Floor Space Ratio (FSR) map sets an FSR of 0.55 for R2 zoned land on the site. No FSR applies to both the B1 zoned land (current location) and RE1 zoned land (proposed location).</p> |
| <p>Clause 5.1</p> <p>Relevant acquisition authority</p> |  <p>Land that is zoned RE1 is identified for acquisition by Council and land zoned SP2 Infrastructure – Classified by Roads and Maritime Services (RMS).</p> |
| <p>Clause 5.1A</p> <p>Development on land intended to be acquired for public purposes</p> | <p>This clause restricts the range of permissible uses on RE1 and SP2 zoned land to be acquired by Council or RMS.</p> |
| <p>Clause 6.2</p> <p>Public utility infrastructure</p> | <p>Requires Council to be satisfied that essential utility services can be delivered to the site to enable development.</p> |

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| Planning Control | Requirements and Map |
|---|---|
| Clause 6.3 Development control plan | Requires the preparation of a development control plan prior to development occurring on the site. |
| Clause 7.17 Development in Zone RE1 | For development of RE1 zoned land other than traditional recreation areas and facilities, Council is required to consider the need for the alternative development, the impact of that development on any natural site conditions and future use of the land. |
| Clause 7.20 Terrestrial biodiversity |  <p>That part of the site that is to be retained and revegetated under the Biodiversity Certification Agreement is identified as a Terrestrial Biodiversity area. Development needs to be carried out outside of these areas and avoid impacts on these areas.</p> |



4 Community Hub relocation

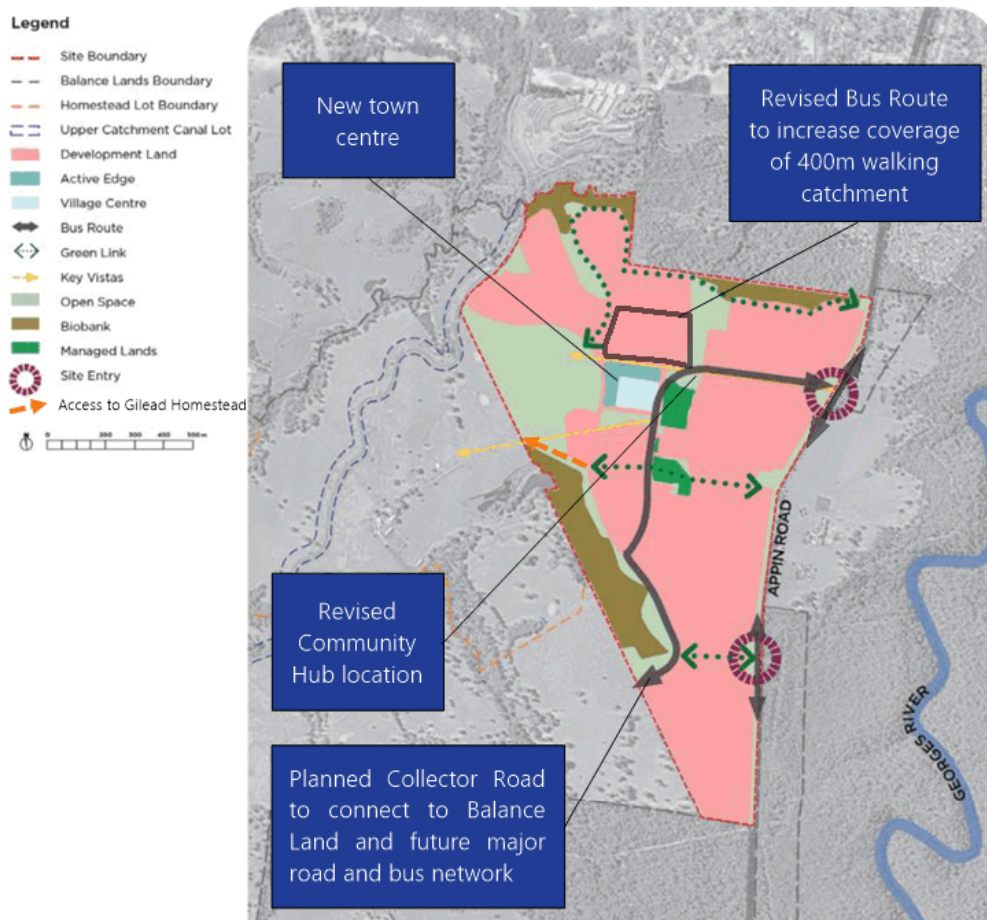
Since taking a controlling interest in the site, Lendlease have had the benefit of completing a comprehensive site survey, civil engineering design and technical studies to better understand the site's conditions, opportunities and constraints to inform the overall delivery of the development. In addition, during the finalisation of the LEP amendment that rezoned the site, DPE released the *Greater Macarthur Land Release Preliminary Strategy and Action Plan* and subsequent draft LUIP and Structure Plan.

Based on the review of site conditions, additional technical investigations and the DPE's strategy for Greater Macarthur, the following key opportunities and constraints for the site that particularly relate to the Community Hub:

- Refinement to the higher order road network through the site to improve internal bus routes and provide appropriate road connections to Lendlease's land to the immediate west.
- The existing 'One Tree Hill' and surrounds provides an opportunity for additional, and consolidated, public open space to support the development of the site and wider Gilead Precinct identified in the LUIP.
- Rationalisation of the open space and residential land extents to provide more regular shaped street blocks and consolidation of open space area.
- Redesign of stormwater management strategy to rationalise and consolidate redundant facilities as the land is now being developed by a single entity.
- Whilst not identified as a Local Heritage Item, the former Hillsborough Cottage presents an opportunity for additional archaeological protection as open space with historical interpretation.
- The proposed Community Hub is considered to be a 'Special Fire Protection Purpose' by the Rural Fire Service and its proposed location is heavily constrained by requirements for Asset Protection Zones that conflicts with the planned interface with existing vegetation to be retained.

Following this review, Lendlease has revised the masterplan for the site to respond to these opportunities, resolve these constraints in the current control regime and improve the overall deliverability of development over the site as outlined below and illustrated in the masterplan in **Figure 8** and landscape masterplan at **Appendix A**.

A separate Planning Proposal is currently being considered by Council to implement this revised vision for Gilead 1. It will deal with the specific rezoning of the Community Hub site from B1 Neighbourhood Centre to R2 Low Density Residential.



Source: E8 Urban and Aspect Studios, 2018

Figure 8. Revised masterplan for the Gilead estate

This Planning Proposal has been prepared to achieve the following outcomes in advance of the separate Planning Proposal that will implement the new vision and masterplan:

- expedite the resolution of the Community Hub location to respond to the current sites' constraints
- better integrate the Community Hub within the current and proposed open space network
- enable the delivery of a purpose-built Community Hub for Council at a higher specification and design than is currently afforded by the VPA
- enable the earlier delivery of the Community Hub facility in advance of the development trigger (within 1 year of registration of the 1,200th residential lot)
- as well facilitate the temporary additional permitted use of the facility as a Sales and Information Centre (business premises) by Lendlease.

An outline of the site constraints that will be resolved and outcomes to be achieved are outlined over the page.

4.1 Bushfire hazard management

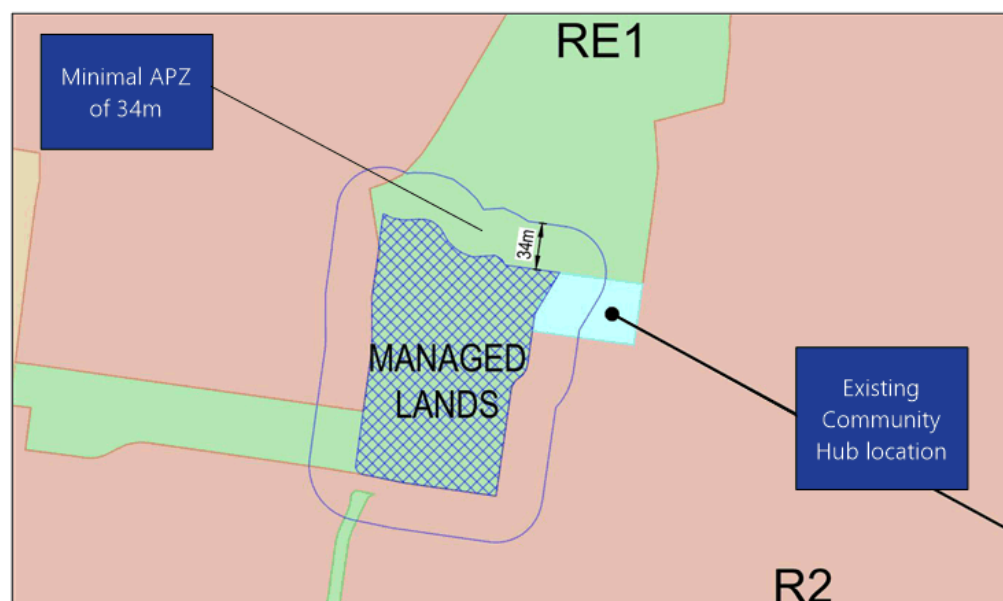
The current location of the Community Hub is to the immediate west of the northern conservation area known as the 'Managed Lands' that will be rehabilitated under the Biodiversity Certification Agreement by Lendlease and ultimately dedicated to Council. In general, the need for Bushfire Protection Measures was considered during the rezoning and assumed that the Asset Protection Zones (APZ) that apply to adjoining residential land would be sufficient for the Community Hub. This APZ was generally achieved through the use of a service and parking area between the facility and the Managed Lands as shown in **Figure 9**. At the time of the original rezoning of the Gilead estate, no objection had been raised by the Rural Fire Service (RFS) on the proposed location of the Community Hub as it was only considered at a strategic level.



Source: D+P and Context, Infrastructure Services Delivery Plan, 2015

Figure 9. Current Community Hub layout and APZ

Following direct consultation with the RFS during the preparation of the current suite of development applications, RFS have confirmed that they consider the Community Hub to be a 'Special Fire Protection Purpose' under *Planning for Bushfire Protection 2018*. This change in classification of the Community Hub has seen the need to provide a far greater APZ with depth of 34m to 41m. As shown in **Figure 10**, this significantly constrains the ability to deliver a Community Hub that has any direct connection to the Managed Land open space area.



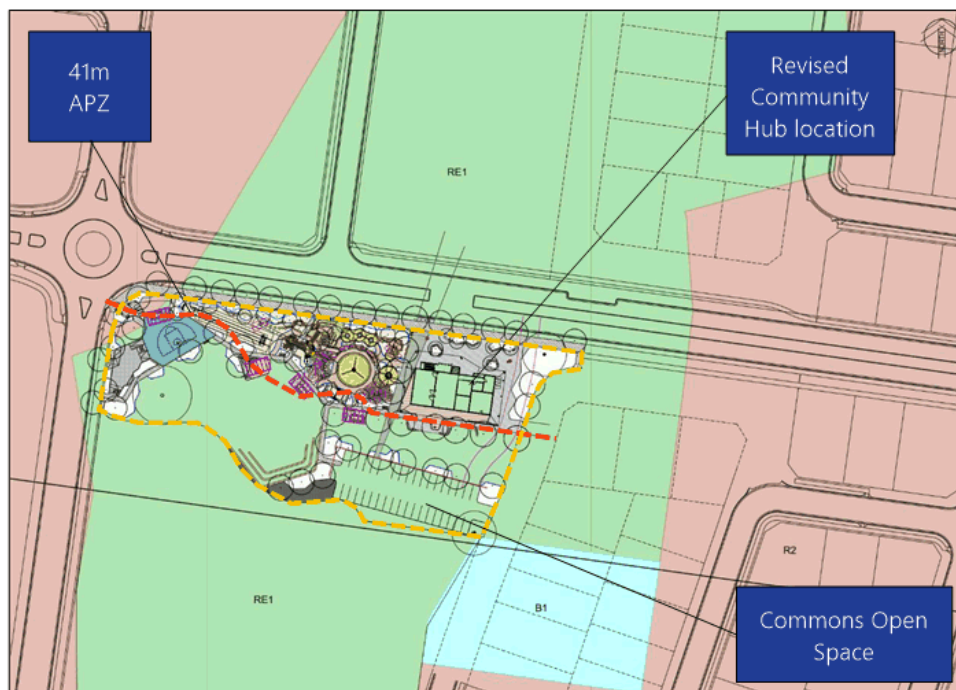
Source: Cardno and BC&BHS, 2018

Figure 10. Impact of APZ on existing Community Hub location

The revised location for the Community Hub, north of the Managed Land, is illustrated in **Figure 11**. Under the existing masterplan, the Community Hub is now able to be better positioned to respond to the APZ requirement (in excess of 40m buffer now provided between the Managed Land boundary and Community Hub) and integrated with the first open space area proposed to be delivered by Lendlease known as the Commons under the existing zoning regime.

This same connection to the commons is still maintained in the revised masterplan (subject of a separate Planning Proposal) and remains linked to open space on the northern side of the Boulevard and potential sporting field should Council still determine that location to be the preferred spot for that type of facility as shown in **Figure 12**

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Source: Cardno and Aspect, 2019

Figure 11. Revised Community Hub location under existing zoning

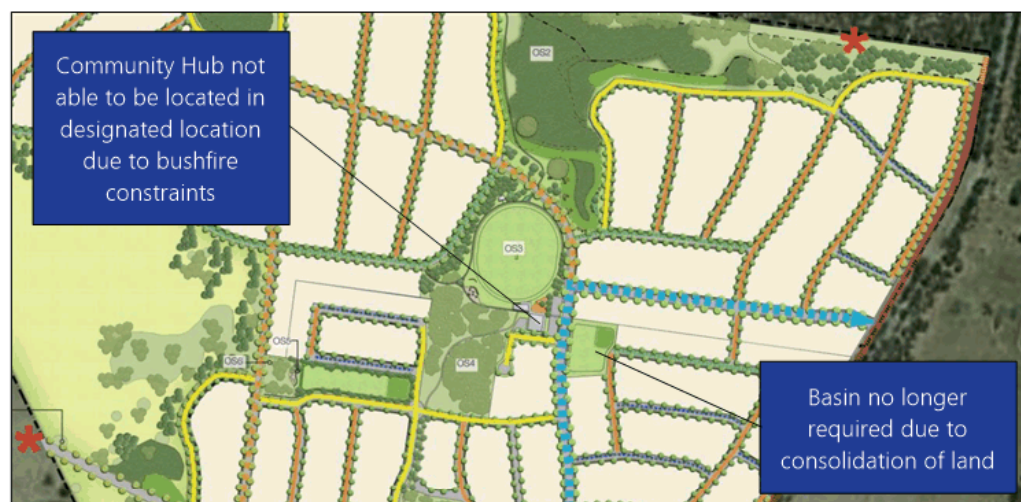


Source: E8 Urban and Aspect, 2019

Figure 12. Community Hub location in revised masterplan

4.2 Relationship to open space network

The original rezoning and infrastructure strategy were designed on the basis that two independent developers would be responsible for delivering the Gilead estate. So as to not unfairly burden one developer with the requirement to deliver all of the stormwater management facilities, a specific stormwater management basin was located to the immediate east of the Community Hub location to detain and treat stormwater from the catchment in Lot 61 in DP 752042. This provided the opportunity for the Community Hub to be framed on the west by the Managed Land and to the east by a landscaped detention basin as shown in **Figure 13**.



Source: Context, 2015

Figure 13. Community Hub location in original masterplan

However, this approach became redundant when Lendlease acquired Lot 61. Lendlease has since reconfigured the stormwater management regime for the estate that now provides for a larger consolidated basin to the north of the Managed Lands. Whilst the same quantum of land is still dedicated to Council, the basin's volume and treatment functions are maintained and removes the additional maintenance burden on Council for a second basin in the same catchment.

In light of this situation, the existing Community Hub location no longer benefits from the landscaped framing on both sides given the basin is redundant. The revised location ensures the Community Hub is better integrated with the open space network as discussed in **Section 4.1**.

4.3 Early activation of the open space network

Lendlease are currently working with Council's Community Resource and Open Space teams to finalise their DA submission for the first park in the estate known as the Commons. This park will also incorporate the Community Hub building (construction of the building will be the subject of a separate DA) as shown in **Figure 11**. Subject to Council approvals, Lendlease intend to have this park completed in time for the first resident moving into Gilead in mid to late 2020. Lendlease is also seeking to have the completed construction of the Community Hub building for this same timeframe to be fully integrated with the Commons open space and provide supporting amenities.

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As per the current VPA triggers, the Community Hub will be delivered within a year of the registration of the 1,200th lot. The proposal to allow the temporary use of the Community Hub will significantly expedite its delivery forward of the VPA timeframes. Whilst Lendlease would seek to operate their Sales and Information Centre for the delivery of the 900th to 1,200th lots, the building will still provide functional space and facilities for the community's use from the date the first resident moves in.

Upon registration of the 900th to 1,200th lot, Lendlease would intend to have positioned a new Sales and Information Centre at the southern end of the site and would reduce the time period for the full handover of the facility to Council and resident access to the full facility by at least one year, if not more. This would reflect the extent of land traded through by this time. This relocation would also be pursued on the basis the Planning Proposal for the new masterplan is gazetted that would in turn permit greater lot and housing diversity provided for in the current land use controls.

4.4 Design and value of Community Hub

Lendlease are currently working with Council to finalise the preferred design for the Community Hub to ensure it meets, or can be readily retrofitted by Lendlease, Council's functionality requirements. Lendlease will be delivering the building in the interim to assist in the sales and marketing of their estate, they are seeking to design a building that is iconic and pays homage to the previous rural uses of the land and nearby Mt Gilead Homestead. The interim purpose of the building to assist in the marketing of the Gilead estate will also lend itself to be delivered to a higher standard of finish, and durable, than would otherwise be able to be provided under the allowance in the VPA.



5 Planning Proposal

This section of the report outlines and discusses the components of this Planning Proposal in accordance with Section 3.33(2) of the EP&A Act, along with the Department of Planning and Environment's 'A guide to preparing planning proposals', dated August 2016. These components include:

- Part 1: Objectives and Intended Outcome
- Part 2: Explanation of Provisions
- Part 3: Justification for the objectives, outcomes and process for implementation
- Part 4: Maps
- Part 5: Community Consultation

5.1 Part 1: Objectives or Intended Outcomes

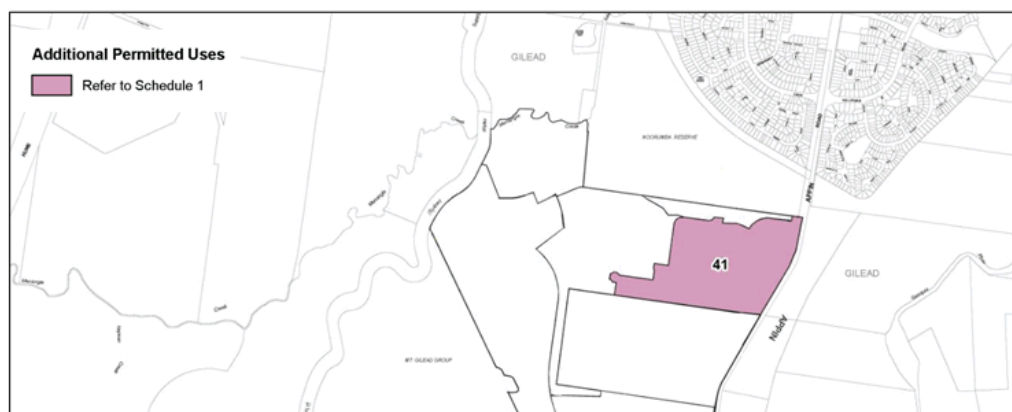
The objective/intended outcome of this Planning Proposal is to allow provide for an additional permitted use in in Schedule 1 of the LEP to allow the temporary use of RE1 Public Recreation zoned land on Lot 1 in DP 1240836 as a 'business premises'. This will provide certainty for both Council and Lendlease for the relocation and earlier delivery of the Community Hub planned for the Gilead estate.

5.2 Part 2: Explanation of Provisions

It is proposed to amend the LEP by amending Schedule 1 to include a new subclause (41) to permit the temporary use of RE1 zoned land on Lot 1 in DP 1240836 for a 'business premises' to facilitate the interim use of the Community Hub building by Lendlease as a Sales and Information Centre for the Gilead estate. Given the broader land area of Lot 1, it is proposed that the wording of the additional permitted use reflects that it only applies to land zoned RE 1 Public Recreation. Proposed wording for the new clause is as follows:

- 41 *Use of certain land at Appin Road, Gilead (Lot 1 in DP 1240836)*
- (1) *This clause applies to land zoned RE1 Public Recreation at Appin Road, Gilead, being Lot 1 in DP 1240836.*
- (2) *Development for the purpose of a business premises is permitted with development consent.*

To support the listing of the additional use in the schedule, it will also be necessary to amend the Additional Permitted Use Map, sheets 003 and 009 to identify Lot 1 as shown in **Figure 14**. Plans detailing the specific amendments to sheets 003 and 009 of the Additional Permitted Uses map are provided at **Appendix B**.



Source: DPE, 2019 as amended by GLN

Figure 14. Proposed changes to Additional Permitted Uses Map

5.3 Part 3: Justification

5.3.1 Need for the Planning Proposal

As discussed in **Section 4**, this Planning Proposal is required to deliver a better outcome for the ultimate Community Hub to be delivered for the Gilead estate. In particular this Proposal is needed to:

- expedite the resolution of the Community Hub location to respond to the current sites constraints, specifically the bushfire planning impacts that apply to 'Special Fire Protection Purposes'
- better integrate the Community Hub within the current and proposed open space network
- facilitate the temporary additional permitted use of the Community Hub as a Sales and Information Centre (business premises) by Lendlease
- enable of the delivery of a purpose-built Community Hub for Council at a higher specification and design than is currently afforded by the VPA
- enable the earlier delivery of the Community Hub facility in advance of the development trigger (within 1 year of registration of the 1,200th residential lot)

Is this Planning Proposal as a result of any strategic study or report?

Yes. The Planning Proposal follows on from the original rezoning of the site for residential development in 2017. Specifically, the positioning of the Community Hub has been necessary as a response to the *Planning for Bushfire Protection 2018 (PBP 2018)*. PBP 2018 now specifically designates that places of public assembly (including Community Hubs) as Special Fire Protection Purposes. In addition to this designation, refinements to Bushfire Protection measures, including APZs, have increased the constraints for Special Fire Protection Purposes.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The revised location for Community Hub and interim use as a business premises can only be achieved via amendment to the *Campbelltown Local Environmental Plan 2015*.

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5.3.2 Relationship to Strategic Planning Framework

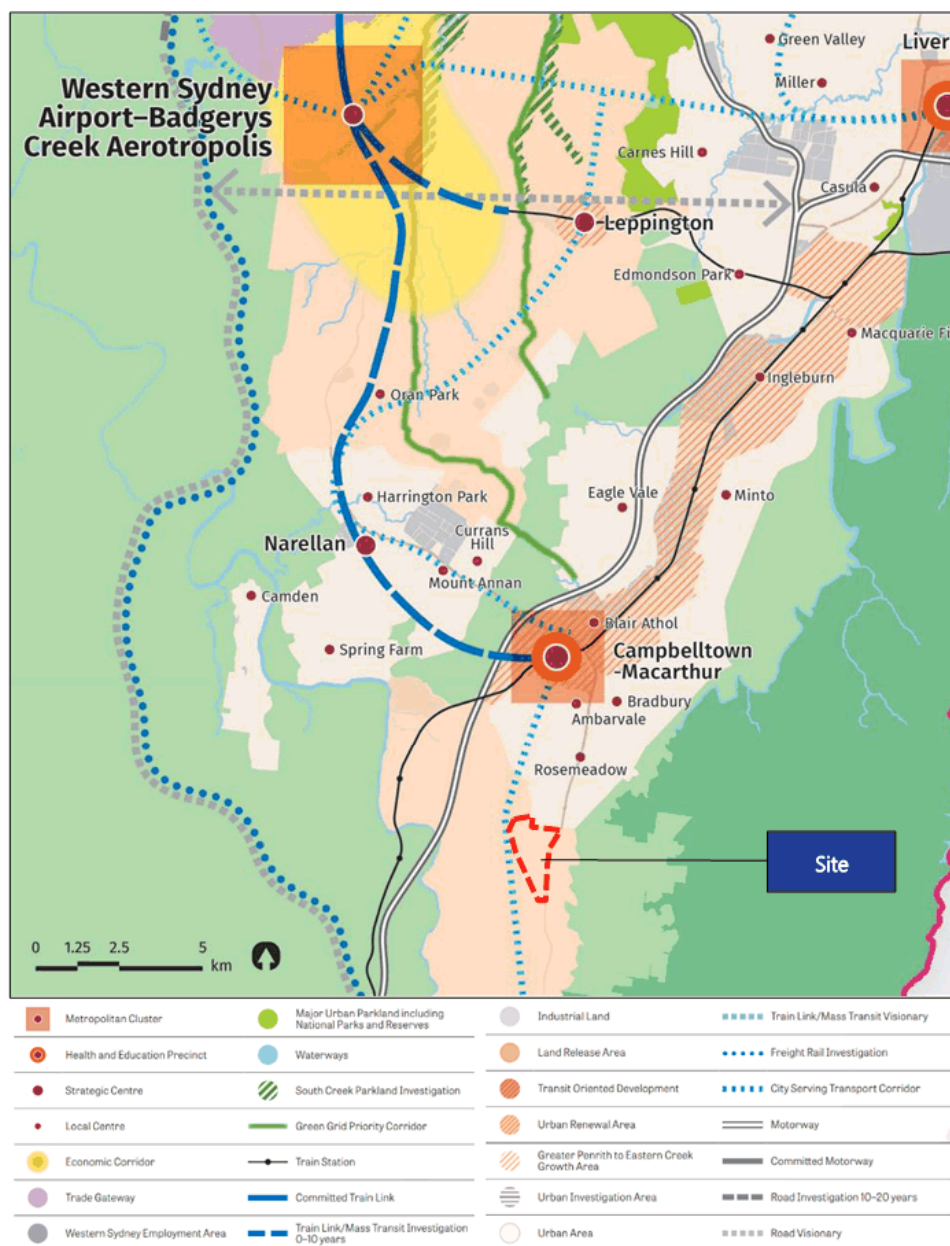
The Planning Proposal is consistent with the objectives and actions of the key planning strategies and policies as outlined below.

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

Greater Sydney Region Plan

Since *A Plan for Growing Sydney*, the GSC has been formed to establish the strategic direction for Sydney to 2056. This has culminated in the release of the *Greater Sydney Region Plan - A Metropolis of Three Cities* (**Region Plan**) and *Western City District Plan* (**District Plan**) in March 2018. Both of these plans recognise the strategic importance of the Greater Macarthur region and its contribution to housing supply by declaring the region as a Land Release Area as shown in **Figure 15** over the page.

The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region. These directions have then been used to provide more specific detail to guide growth and land use decisions in each of the Districts through the relevant District Plans. As outlined over the page, the Planning Proposal is consistent with the relevant Directions and Actions in the District Plan and therefore is consistent with the Region Plan.



Source: GSC, 2018

Figure 15. GSC Region Plan

Western City District Plan

Following consultation on the draft District Plan in October 2017, the GSC adopted the Western Sydney District Plan in March 2018. The purpose of the District Plan is to set Planning Priorities and

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actions to guide future growth in the district as well as establish the criteria for the 'strategic merit test' for pre-Gateway Reviews of Planning Proposals. The site is identified as a land release area in the District Plan and is consistent with the Planning Priorities as follows:

Table 3. Consistency with Western City District Plan

| Planning Priority | | Comment |
|-------------------|--|--|
| W1 | Planning for a city supported by Infrastructure | <p>The Community Hub is a critical piece of social infrastructure required to support the future community at Gilead. Given the facility does not meet the definition of 'essential infrastructure', it is not readily able to be funded by development contributions or by Council.</p> <p>The Planning Proposal serves to better locate and expedite the delivery of the planned Community Hub forward of the VPA timing. The facilitation of the interim use of the building by Lendlease will provide for initial limited community uses in time for the initial residents of the estate that would otherwise have to wait for far greater development to occur until the facility was delivered.</p> |
| W2 | Working through collaboration | <p>Lendlease has entered into a VPA with Council which deliver the Community Hub that would otherwise not be readily funded by Council. This Planning Proposal is the result of collaboration between Lendlease and Council to deliver a mutually beneficial outcome that will result in the delivery of essential community infrastructure well in advance of the agreed timeframes in the VPA.</p> |
| W3, W4 and W6 | <p>Providing services and social infrastructure to meet people's changing needs</p> <p>Fostering healthy, creative, culturally rich and socially connected communities</p> <p>Creating and renewing great places and local centres, and respecting the District's heritage</p> | <p>The Planning Proposal facilitates the earlier delivery of the Community Hub identified to support the future residents in the Gilead estate. Lendlease is currently working with Council to design the facility to meet the anticipated needs of the community.</p> <p>The revised location of the Community Hub fully integrates into the open space network and is located in the centre of the estate on the main Collector Road network. This road network is also complemented by shared pedestrian and cycleways to ensure it will be easily accessed by the future community. The facility will also be designed to provide opportunities for the establishment of a limited night time economy.</p> |
| W7 | A well-connected city | <p>As discussed above, the Planning Proposal will encourage greater pedestrian and cycling activity within the site as the Community Hub will be better integrated into the open space network and closer to the proposed town centre and future bus network. The Community Hub will support the sporting fields and other open space areas to provide social amenity and reduce the need for future residents to leave the site for these activities.</p> |
| W18 | Delivering high quality open space | <p>The relocation of the Community Hub supports the open space areas as Lendlease proposes to provide a café, amenities block and potential early community use space during their temporary use of the building. The building will be integrated with other passive open space and community areas inclusive of all ages and abilities. The consolidation of the Community Hub into the open space network provides for multipurpose connected spaces within close proximity to the proposed town centre.</p> |

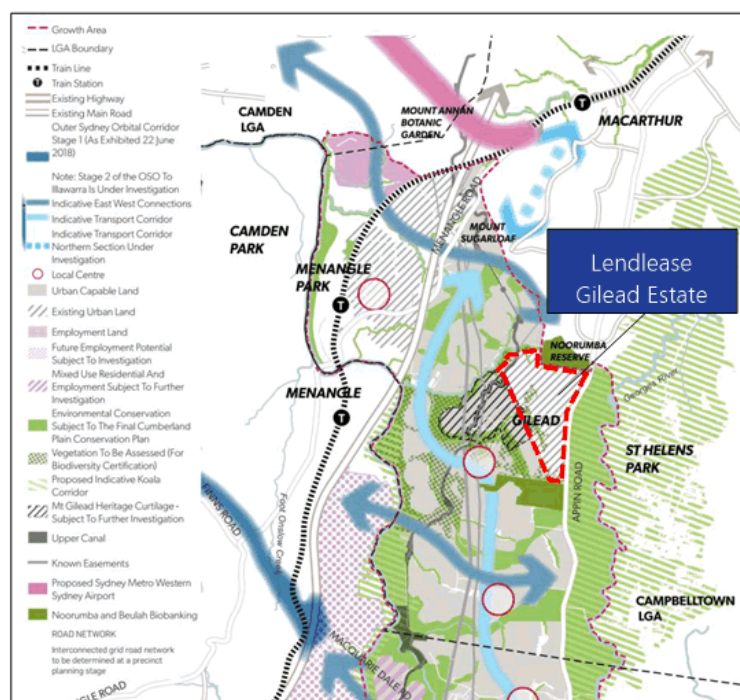


| Planning Priority | | Comment |
|-------------------|---|--|
| W20 | Adapting to the impacts of urban and natural hazards and climate change | The Community Hub has been deemed a 'special fire protection purpose' by the RFS. This designation requires the provision of a far greater APZ than anticipated in the original rezoning of the site and placement of the facility. The Planning Proposal relocates the building to a position that is better integrated in the open space network whilst better managing risk associated with bushfire from the Managed Land areas. |

Greater Macarthur Land Release Preliminary Strategy and Action Plan and Draft LUIIP

During the course of the original rezoning of the site, DPE released the GMLR Action Plan. This plan provides the framework for future development in the region and identified the capability to accommodate an additional 35,000 new homes between Menangle Park, Gilead and Wilton and associated regional infrastructure. It also provides the pathway for developer led rezoning and development in the area on the basis there is no 'additional' cost to Government.

Since the release GMLR Action Plan, DPE has placed the draft LUIIP on exhibition. The LUIIP provides more detail on the vision for the Greater Macarthur Priority Growth Area and key objectives for place, landscape, built form, land use and movement to guide future rezonings and development of 'Urban Capable Land'. It also provides a revised structure plan as shown in **Figure 16**, and identifies the site of the Community Hub as 'Existing Urban Land'. The proposed temporary use and relocation of the Community Hub remains consistent with this designation and intent of the draft LUIIP.



Source: GSC, 2018

Figure 16. Draft Greater Macarthur LUIIP Structure Plan



Is the Planning Proposal consistent with Council's local strategy or any other local strategic plan?

Council has a suite of strategic documents that work together to guide decision making in the Local Government Area. The Planning Proposal is consistent with these strategies as follows:

Campbelltown 2027 - Campbelltown Community Strategic Plan

The Community Strategic Plan sets the 'big picture' plan for the Campbelltown Local Government Area and sets Council's key priorities and outcomes to be pursued to 2027. Key outcomes that the Planning Proposal will assist Council in delivering are outlined in **Table 4**.

Table 4. Consistency with Campbelltown Community Strategic Plan 2027

| CSP Outcome | Planning Proposal consistency |
|--|---|
| Outcome 1 A vibrant city | <ul style="list-style-type: none"> The community will be afforded the opportunity to review the Planning Proposal and engage with Council staff and Councillors in the decision-making process. The revised location for the Community Hub will improve the facility's overall safety and resilience to bushfire risk. It will also ensure the facility is integrated within the wider open space network and deliver an activated and accessible public building for Council. The proposed temporary use will secure additional investment of funds into the design of the facility to ensure an iconic facility and place will be delivered for Council. |
| Outcome 3 A thriving, attractive city | <ul style="list-style-type: none"> The Planning Proposal will continue to ensure the Community Hub is delivered to meet the needs of, and support, the future community in Gilead. |
| Outcome 4 A successful city | <ul style="list-style-type: none"> The Planning Proposal will allow the Community Hub to be better integrated into the open space network. The revised location is well connected with frontage to the collector road network, bus route and shared pedestrian and cycleways. The Planning Proposal continues to respect and manage key environmental and heritage outcomes identified for the site in the original rezoning. |

Campbelltown Local Planning Strategy

This Local Planning Strategy was prepared to inform the preparation of *LEP* and guide future land use decisions and previous Community Strategic Plan to 2022. As a consequence of the Region Plan and District Plan, Council will be embarking on the preparation of local planning statements and strategies in the near future in partnership with the GSC. The Planning Proposal still ensures that the site will be developed in line with the vision for Gilead that provides appropriate infrastructure to support the scale of development, and retains the agreed conservation outcomes from the original rezoning.

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Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant SEPPs that apply to the site. A detailed list of the SEPPs and commentary is provided at **Appendix C**.

Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is consistent with the Section 9.1 directions issued by the Minister for Planning. A statement of consistency against these directions is provided at **Appendix D**.

5.3.3 Environmental, Social and Economic Impact

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?

The existing ecological conditions of the site were extensively assessed as part of the original rezoning. This assessment has resulted in Council progressing the Biodiversity Certification of the site under the *Threatened Species Conservation Act 1995 (TSC Act)*. Whilst the TSC Act has been repealed in lieu of the *Biodiversity Certification Act 2016*, the Minister for the Environment declared that the current application for Biodiversity Certification of the site can continue to be finalised under the TSC Act by order published in the Government Gazette on 24 November 2017.

The Planning Proposal adds an additional temporary use to an existing zoning and remains consistent with the agreed conservation outcomes for the Gilead estate.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The original rezoning of the site included extensive consideration of environmental effects of residential development of the site. It is not anticipated that the re-location of the Community Hub and additional temporary permitted use will result in any further environmental impacts that were considered acceptable as part of the original rezoning of the site. Relevant environmental impacts to the relocation of the Community Hub are outlined below.

Agricultural Land

Investigations conducted during the original rezoning concluded that the site represented a loss of 0.1% of Class 3 agricultural land in NSW and is not critical to the vitality of the agricultural industry or affect food production in Sydney or NSW. Council and DPE subsequently rezoned the land for urban development. The Planning Proposal does not alter this conclusion.

Air Quality

The Planning Proposal seeks to move the Community Hub to a revised location north of the Managed Lands. It is not anticipated that the relocation of the building will impact air quality.

Bushfire Hazard

The original location of the Community Hub was seen to incorporate appropriate Bushfire Protection Measures in line with the requirements of *Planning for Bushfire Protection 2006*. Since the rezoning,



the RFS has adopted a newer version of this guideline and has resulted in changes to various requirements, in particular the provision of an adequate APZ and categorisation of bushfire hazards.

It is necessary to relocate the Community Hub facility from its original location as the RFS has confirmed it is considered a 'special fire protection purpose'. Due to the increased APZ requirements and construction standards, the original location for the Community Hub will be unable to accommodate this facility whilst still delivering a suitable connection to the open space network. As such, the Planning Proposal proposes to relocate the facility to a more appropriate location that is integrated with the proposed open space network.

Contamination

Four Potential Areas of Environmental Concern (**PAEC**) have been identified on Lot 1 in DP 1240836 (previously Lot 3 in DP 1218887) and includes uncontrolled fill from road cuttings, asbestos containing material from the existing pipe network and hydrocarbon impacted soils along the alignment of an existing transmission line. The revised location the Community Hub is not be affected by the four PAECs.

A Remediation Action Plan (**RAP**) has been prepared to address the four PAEC and confirm the site can be made suitable for the proposed residential development. Lendlease currently have a DA with Council seeking approval for these remediation works. A copy of the RAP is provided at **Appendix E**.

Geotechnical Conditions

The Geotechnical investigations considered in the original rezoning of the site confirmed the site as suitable for residential development. This Planning Proposal does not alter these conclusions.

Mine Subsidence

The site falls within the South Campbelltown Mine Subsidence District and Coal Exploration Authorisation Area A248 that includes the Bulli and Balgownie Coal Seams. Mine subsidence was previously considered as part of the original rezoning of the site for residential development. The assessment concluded that mining of the Balgownie Seam is unlikely to be mined due to extraction constraints. No mining activities of the part of the site within the Bulli Seam are planned. Assuming an appropriate longwall mining approach, due to faults within seams, the layout of longwall mining activities will be impractical and the site will be on the outside or edge of any subsidence trough.

Both Council and DPE supported this conclusion and rezoned the land for urban development. The Planning Proposal does not alter this conclusion. Further, since the site was rezoned, Subsidence Advisory NSW has been issuing approvals under the *Coal Mine Subsidence Compensation Act 2017* and include appropriate design requirements to mitigate subsidence impacts should future mining occur.

Noise

The Planning Proposal relocates the Community Hub within the open space network and continues to separate the facility from residential properties by public roads. It is anticipated that there will be no adverse noise impacts on residential development. Further noise mitigation measures will be undertaken under a future DA for the construction of the sales and information centre which will include a plan of management and noise assessment.

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Riparian Corridors

Riparian corridor outcomes over the larger Gilead site were confirmed with the NSW Department of Industries. The Planning Proposal does not alter the agreed outcomes with the NSW Office of Water.

Water Cycle Management

As part of the original rezoning, a Stormwater Management and Flooding Assessment was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the DPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the 1% Annual Exceedance Probability (**AEP**) and Probable Maximum Flood (**PMF**) are generally contained within riparian corridors and outside of land intended for development. The Planning Proposal does not result in significant increases in development of land affected by the 1% AEP or PMF and this approach is proposed to be maintained.

Has the Planning Proposal adequately addressed any social and economic effects?

Social Infrastructure

The Planning Proposal remains consistent with the original zoning of the site and serves to better locate and integrate the planned Community Hub within the open space network. Further, the Planning Proposal will facilitate the earlier delivery of the Community Hub on behalf of Council.

Aboriginal Cultural Heritage

Building on the Aboriginal Archaeology Assessment prepared during the original rezoning, Lendlease have since completed an extensive Aboriginal Cultural Heritage Assessment (**ACHA**) with associated stakeholder engagement to support a DA for comprehensive bulk earthworks over the majority of the site. A copy of this assessment has been provided at **Appendix F**. The ACHA has been used to inform an Aboriginal Heritage Impact Permit (**AHIP**) for test excavation over the site and ultimately inform an AHIP to allow harm to items and areas of archaeological significance, subject to the AHIP process and conditions.

The Planning Proposal is consistent with the areas of identified impact in the original rezoning and subsequent ACHA. Development of the site is currently the subject to an AHIP for testing that will inform a future AHIP to impact on designated items and areas of significance.

Non-indigenous Heritage

The site does not contain any State or Local Heritage Items however is adjacent to the items listed below. The Planning Proposal is consistent with the development outcomes envisioned for the site in the original rezoning.

5.3.4 State and Commonwealth Interests

There is not considered to be any State or Commonwealth interests in this Planning Proposal other than ensuring general consistency with State Policies as discussed in **Appendix C**.

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Is there adequate public infrastructure for the Planning Proposal?

This Planning Proposal seeks to relocate the Community Hub to be delivered under the VPA. The Community Hub is required within 1 year of the registration of the 1,200th lot. This Planning Proposal will see the delivery of the facility in advance of this timeframe. Lendlease is working with essential utility infrastructure agencies to deliver the upgrade of Appin Road, water sewer and power services to the site to support their current delivery program for the residential development.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

- NSW Office of Environment and Heritage
- NSW Rural Fire Service

5.4 Part 4: Mapping

To support the listing of the additional use in the schedule, it is necessary to amend the Additional Permitted Use Map, sheets 003 and 009 to identify Lot 1. Plans detailing the specific amendments to sheets 003 and 009 of the Additional Permitted Uses map are provided at **Appendix B**.

5.5 Part 5: Community Consultation

It is expected that direction as to the nature and extent of the public exhibition will be provided by DPE as part of the Gateway Determination. No formal community consultation has been undertaken in relation to this Planning Proposal to date.

Lendlease briefed Council's planning staff with a Memorandum dated 16 October 2018 to the proposed relocation of the Community Hub, attached at **Appendix G**. The feedback received informed the preferred planning approach to facilitate the temporary use of the Community Hub as a 'business premises'. Lendlease's design team is currently working with Council's Community Planning team to refine the design of the building to meet the Council's specifications and needs of the anticipated residential community.



6 Project Program

Under the VPA, the Community Hub is required to be delivered within 1 year of the 1,200th lot being registered. The proposal to allow the temporary use of the Community Hub will significantly expedite its delivery forward of the VPA timeframes. Whilst Lendlease would seek to operate their Sales and Information Centre for the delivery of the 900th to 1,200th lots, the building will still provide functional space and facilities for the community's use from the date the first resident moves in.

Key to securing this outcome is certainty on the proposed additional permitted use. Lendlease are currently finalising the design of the facility with Council's Community Planning team and intend to lodge a DA for the construction of the facility once a favourable Gateway Determination is received. Once the DA is approved, subject to significant progression of the Planning Proposal, Lendlease can commence construction of the facility with the aim to have the building and the Commons open space area completed for the first resident to move in towards the end of 2020.

As such the following indicative program for the Planning Proposal is suggested:

- Lodgement of Planning Proposal with Campbelltown City Council in May 2019
- Review of Planning Proposal by Campbelltown City Council by mid June 2019
- Lendlease response to initial comments by end June 2019
- Report Planning Proposal to Council by end July 2019
- Referral of Planning Proposal to Department of Planning and Environment for Gateway Determination by mid-August 2019
- Favourable Gateway Determination issued by mid-October 2019
- Lendlease lodge DA for Community Hub in mid-October 2019
- Consultation with relevant agencies by end November 2019
- Finalise Planning Proposal for exhibition by end December 2019
- Exhibition of Planning Proposal during January and February 2020
- Respond to submissions and finalise Planning Proposal by end of March 2020
- Council approves Community Hub by end April 2020
- Report Planning Proposal to Council advising of outcomes of exhibition and final Planning Proposal by end April 2020
- Referral of Planning Proposal to Department of Planning and Environment for finalisation and gazettal by mid-May 2020
- Lendlease lodge DA for use of the Community Hub as temporary Sales and Information Centre by mid-May 2020
- Gazettal of amendment to Campbelltown Local Environmental Plan by end June 2020
- Lendlease commence construction of Community Hub by mid-July 2020
- Lendlease register first lots by August 2020
- Council approves use of Community Hub as temporary Sales and Information Centre by mid-August 2020
- First dwellings completed and residents anticipated December 2020

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7 Conclusion

This Planning Proposal seeks an amendment to *Campbelltown Local Environmental Plan 2015* that applies to Lendlease's landholding at Mount Gilead. Specifically, the Planning Proposal seeks to permit an additional permitted use in Schedule 1 for the use of Lot 1 in DP 1240836 as a 'business premises'. It is required to facilitate the relocation of the planned Community Hub to respond to bushfire hazard constraints and integrate the Community Hub within the wider open space network. This amendment will also provide certainty to Lendlease in the delivery of the Gilead estate and serve to expedite the delivery of the Community Hub well in advance of the timeframes anticipated by the VPA.

Based on Lendlease's early engagement with Council, we believe this proposal will facilitate a far better outcome for both Council and the future Gilead community. Not only will it resolve bushfire planning constraints not originally anticipated in the original zoning, it will also serve to expedite the delivery of the Community Hub to a higher standard than currently provided for in the VPA. It is therefore recommended that Campbelltown City Council resolves to support and forward this Planning Proposal to the Department of Planning and Environment for Gateway determination in accordance with the *Environmental Planning and Assessment Act 1979*.

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8 Glossary

| ACHA | Aboriginal Cultural Heritage Assessment |
|---------------------|--|
| ACHA | Aboriginal Cultural Heritage Assessment |
| AHIP | Aboriginal Heritage Impact Permit |
| APZ | Asset Protection Zone |
| Council | Campbelltown City Council |
| DA | Development Application |
| District Plan | <i>Western City District Plan</i> |
| DPE | Department of Planning and Environment |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| FSR | Floor Space Ratio |
| Gilead 1 | Lots 1 to 5 in DP 1240836 and Lot 61 in DP 752042 |
| GLN | GLN Planning Pty Ltd |
| Growth Centres SEPP | <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i> |
| GSC | Greater Sydney Commission |
| Lendlease | Lend Lease Communities (Mt Gilead) Pty Ltd |
| LEP | <i>Campbelltown Local Environmental Plan 2015</i> |
| LUIIP | Draft Greater Macarthur Land Use and Infrastructure Implementation Plan |
| PAEC | Potential Area of Environmental Concern |
| PBP 2018 | <i>Planning for Bushfire Protection 2018</i> |
| RAP | Remediation Action Plan |
| REF | Review of Environmental Factors |
| Region Plan | <i>Greater Sydney Region Plan - A Metropolis of Three Cities</i> |
| RFS | Rural Fire Service |
| RMS | Roads and Maritime Services |
| SEPP | State Environmental Planning Policy |
| TSC Act | Threatened Species Conservation Act 1995 |
| VPA | Voluntary Planning Agreement |

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APPENDIX A: LANDSCAPE MASTERPLAN

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A.1: Landscape Masterplan

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APPENDIX B: ADDITIONAL PERMITTED USE MAP

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B.1: Additional Permitted Use Map

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APPENDIX C: CONSISTENCY WITH SEPPS



Consistency with SEPPs

A list of SEPPs relevant to this Planning Proposal, together with notes on consistency, is outlined in the table below.

| SEPP | Aim | Comments |
|---|---|--|
| SEPP 19 - Bushland in Urban Area | SEPP 19 aims to protect bushland in urban areas identified in Schedule 1 of the SEPP. Campbelltown is listed in Schedule 1 and therefore a Plan of Management is to be developed where bushland is zoned or reserved for public open space purposes. | <p>As per the original rezoning, urban bushland within the site is to be dedicated to Council.</p> <p>This Planning Proposal does not propose to remove bushland or rezone land, only to allow a temporary permitted use and is outside of land identified as urban bushland.</p> <p>Plans of Management for future bushland within the wider Gilead Estate will be prepared at the time of relevant development as required by Council.</p> |
| SEPP 44 - Koala Habitat Protection | Campbelltown is identified as a local government area with the potential for providing koala habitat. This Policy aims to encourage the proper conservation and management of areas that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline | <p>The number of Koala habitat trees on the site does not exceed the 15% threshold under the SEPP and therefore the site is not considered potential Koala habitat.</p> <p>Regardless, the Biodiversity Certification that applies to the overall Gilead site considered the vegetation as potential Koala Habitat for the purposes of determining impact and offset measures as part of the original rezoning of the site. This Planning Proposal remains consistent with these outcomes.</p> |
| SEPP 55 – Remediation of land | <p>This Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment.</p> <p>A planning authority is to consider whether the land is contaminated and if so whether it is, or can be made, suitable for the proposed land uses.</p> | <p>The rezoning of the site deemed the land to be suitable for the proposed residential development.</p> <p>Lendlease has since conducted investigations that found four Potential Areas of Environmental Concern (PAEC) identified on Lot 1 in DP 1240836.</p> <p>A Remediation Action Plan has been prepared to address the PAEC and confirm the site can be made suitable for the proposed residential development and is included at Appendix E. The site of the Community Hub is outside of these PAEC and therefore is considered to be suitable for the proposed commercial and community uses.</p> |
| SEPP (Building Sustainability Index: BASIX) 2004 | The aim of this Policy is to mandate minimum sustainability targets for thermal comfort, energy and water use for residential development | This Planning Proposal does not affect residential development. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | The aim of this policy is to encourage the provision of housing which increases the supply and diversity of residencies that meets the | The Planning Proposal does not preclude the provision of housing for seniors and people with a disability. |

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| SEPP | Aim | Comments |
|---|--|--|
| SEPP (Sydney Region Growth Centres) 2006 | needs of seniors or people with a disability. In September 2015, DPE placed a proposed amendment to this SEPP on exhibition. Once completed, this SEPP would identify the site as being within the Greater Macarthur Priority Growth Area. The SEPP is used to rezone precincts in Priority Growth Areas and also puts in place controls for development that occurs in advance of a precinct being rezoned. | Based on DPE's past practice for precincts already zoned under a LEP such as Edmondson Park, Colebee and more recently Bingara Gorge in the Wilton Priority Growth Area, it is likely that clause 7A of the SEPP would identify that <i>Campbelltown Local Environmental Plan 2015</i> would provide the provisions for development over the site. |
| SEPP (Infrastructure) 2007 | The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. | The planning proposal does not preclude the operation of this SEPP or the effective delivery of infrastructure across the State. |
| SEPP (Mining, Petroleum and Extractive Industries) 2007 | The aims of this Policy are to support petroleum production and extractive industries to provide and manage development of mineral, petroleum and extractive material resources for promoting the social and economic welfare of the State. | As per the original rezoning of the site, the Planning Proposal does not impede potential mining of coal resources. |
| SEPP (Exempt and Complying Codes) 2008 | The aims of this Policy are to provide exempt and complying development codes that have State-wide application | The Planning Proposal is not inconsistent with this SEPP which would apply to future development. |
| SEPP (Rural lands) 2008 | The aims of this SEPP is to set appropriate controls for the development of rural land and manage land use conflict. | This SEPP was repealed and replaced by State Environmental Planning Policy (Primary Production and Rural Development) 2019 on 28 February 2019. |
| SEPP (Affordable Rental Housing) 2009 | The aims of this Policy are to provide an overall consistent planning regime for the provision of affordable rental housing. | The planning proposal does not preclude the operation of this SEPP or provision of affordable rental housing. |
| SEPP (State and Regional Development) 2011 | The aim of this SEPP is to identify development of state and regional significance and define the appropriate approval pathways. | The Community Hub will not be deemed State Significant Infrastructure as it does not fall on an identified site nor does it meet the general requirements. It is unlikely to be considered Regionally Significant Infrastructure as it will likely fall below the thresholds from Community Facilities listed in Schedule 7 (clause 3). |

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| SEPP | Aim | Comments |
|---|--|--|
| SEPP (Educational Establishments and Child Care Facilities) 2017 | This Policy aims to improve the efficiency and delivery of new education establishments and child care centres by establishing state wide design controls and approval pathways. | The planning proposal does not preclude the operation of this SEPP or provision of education or child care facilities. |
| SEPP (Vegetation in Non-Rural Area) 2017 | This policy aims to protect trees in non-rural areas and establishes controls to require the consent of council to remove existing trees. | This Planning Proposal seeks to allow the temporary use of business premises over RE1 zoned land. If vegetation removal is required for future development, consent will be sought from Council, in line with the conservation outcomes agreed in the Biodiversity Certification that applies to the site. |
| State Environmental Planning Policy (Primary Production and Rural Development) 2019 | The aims of this SEPP is to set appropriate controls for the development of lands used for primary production and manage land use conflict. | Investigations conducted during the original rezoning concluded that the site represented a loss of 0.1% of Class 3 agricultural land in NSW and is not critical to the vitality of the agricultural industry, or affect food production in Sydney or NSW. The Planning Proposal does not propose any additional impacts to rural land. |
| Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River | The aims of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context | The Planning Proposal does not impact on additional areas of terrestrial biodiversity. As per the watercycle management study prepared for the original planning proposal, Lendlease will deliver appropriate water quality and quantity infrastructure to ensure the protection of the Hawkesbury Nepean River system. |

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APPENDIX D: MINISTERIAL DIRECTIONS



Consistency with Section 9.1 Directions

A statement of the consistency of this Planning Proposal with the relevant Section 9.1 Directions is outlined in the table below.

| Section 9.1 Direction | Consistency of Planning Proposal |
|---|--|
| 1 Employment and Resources | |
| 1.1 Business and Industrial Zones | The Planning Proposal is consistent with this direction in that it does not affect land within existing business or industrial zones. The rezoning and relocation of B1 zoned land is subject of a separate Planning Proposal. |
| 1.2 Rural Zones | Not applicable |
| 1.3 Mining, Petroleum Production and Extractive Industries | As per the original rezoning, faults within the coal seam below the site will restrict any future mining activities, whilst the remainder of the seam will still be capable of being extracted. The Planning Proposal is consistent with this direction. |
| 1.4 Oyster Aquaculture | Not applicable. |
| 1.5 Rural lands | Not applicable. |
| 2 Environment and Heritage | |
| 2.1 Environment Protection Zones | Not applicable. |
| 2.2 Coastal Protection | Not applicable. |
| 2.3 Heritage Conservation | No heritage items of State or Local significance occur on site. The Planning Proposal is consistent with this direction. |
| 2.4 Recreation Vehicle Areas | Not applicable. |
| 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable. |
| 3 Housing, Infrastructure and Urban Development | |
| 3.1 Residential Zones | Not applicable. |
| 3.2 Caravan Parks and Manufactured Home Estates | Not applicable. |
| 3.3 Home Occupations | Not applicable. |
| 3.4 Integrating Land Use and Transport | The Planning Proposal seeks to relocate the Community Hub to the northern boundary of the Managed Lands, |

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| Section 9.1 Direction | | Consistency of Planning Proposal |
|-----------------------|--|--|
| | | adjacent to the new proposed Boulevard Collector Road with access to public transport. The Planning Proposal is consistent with this direction. |
| 3.5 | Development Near Licensed Aerodromes | Not applicable. |
| 3.6 | Shooting Ranges | Not applicable. |
| 4 | Hazard and Risk | |
| 4.1 | Acid Sulphate Soils | As per the original rezoning, Acid Sulphate Soils were considered to present low risk. No further assessment is required. The Planning Proposal remains consistent with this direction. |
| 4.2 | Mine Subsidence and Unstable Land | As per the original rezoning, associated mine subsidence issues can be managed on site. This is reflected in Subsidence Advisory NSW continued approvals issued to the current development applications over the site under the <i>Coal Mine Subsidence Compensation Act 2017</i> . The Planning Proposal remains consistent with this direction. |
| 4.3 | Flood Prone Land | Not applicable. The site of the Community Hub is not identified as flood prone land. |
| 4.4 | Planning for Bushfire Protection | Any future development on site will have regard to <i>Planning for Bushfire Protection 2018</i> (noting that the 2006 edition as since been superseded). The relocation of the Community Hub under the Planning Proposal serves to mitigate issues facing the delivery of the facility in its current planned location and adopts appropriate Bushfire Protection Measures. The Planning Proposal is consistent with this direction. |
| 5 | Regional Planning | |
| 5.1 | Implementation of Regional Strategies | Not applicable. |
| 5.2 | Sydney Drinking Water Catchments | Not applicable. |
| 5.3 | Farmland of State and Regional significance on the NSW Far North Coast | Not applicable. |
| 5.4 | Commercial and Retail Development along the Pacific Highway, North Coast | Not applicable. |

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| Section 9.1 Direction | | Consistency of Planning Proposal |
|-----------------------|--|---|
| 5.5 | Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) | Not applicable. |
| 5.6 | Sydney to Canberra Corridor | Revoked, now addressed in 5.1. |
| 5.7 | Central Coast | Revoked, now addressed in 5.1. |
| 5.8 | Second Sydney Airport: Badgerys Creek | Not applicable. |
| 5.9 | North West Rail Link Corridor Strategy | Not applicable. |
| 5.10 | Implementation of Regional Plans | The Planning Proposal is consistent with the Region Plan as demonstrated in Section 5.3.2 , in particular the Western City District Plan and GMLR Action Plan and Draft LUIP. |
| 6 | Local Plan Making | |
| 6.1 | Approval and Referral Requirements | No new unnecessary referral or concurrence conditions are proposed as part of the planning proposal. |
| 6.2 | Reserving Land for Public Purposes | The Planning Proposal does not alter the extent of land already nominated for acquisition by Council. It only seeks to add a temporary permitted use prior to it being dedicated to Council as per the VPA. The Planning Proposal is consistent with this Planning Proposal. |
| 6.3 | Site Specific Provisions | The Planning Proposal does not alter existing land use zones and seeks only to implement a temporary additional permitted use under Schedule 1 of the LEP. This approach does not impose any additional development standards and is consistent with this direction. |
| 7 | Metropolitan Planning | |
| 7.1 | Implementation of the Metropolitan Strategy | <p>It is understood this direction will be amended in the near future to reflect the recent adoption of the GSCs' Region Plan.</p> <p>A Plan for Growing Sydney identified the Macarthur South Investigation Area as an Urban Investigation Area and potential growth centre. In line with Action 2.4.2 of the plan, DPE prepared the GMLR Action Plan that has confirmed the suitability of the site for residential development. Further DPE endorsed the original rezoning of the site for residential development following the release of the GMLR Action Plan in 2015. The Planning Proposal is consistent with this direction as it is consistent with the GMLR Action Plan and draft LUIP and facilitates the earlier delivery of community infrastructure to support future residential development in the Greater Macarthur area.</p> |

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| Section 9.1 Direction | | Consistency of Planning Proposal |
|-----------------------|---|--|
| 7.2 | Implementation of Greater Macarthur Land Release Investigation | As discussed earlier, the Planning Proposal is consistent with the GMLR Action Plan. |
| 7.3 | Parramatta Road Corridor Urban Transformation Strategy | Not applicable. |
| 7.4 | Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan | Not applicable. |
| 7.5 | Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable |
| 7.6 | Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | Not applicable. |
| 7.7 | Implementation of Glenfield to Macarthur Urban Renewal Corridor | Not applicable. |

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APPENDIX E: CONTAMINATION ASSESSMENTS

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E.1: Contamination Assessments

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APPENDIX F: ABORIGINAL CULTURAL HERITAGE ASSESSMENT

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F.1: Aboriginal Cultural Heritage Assessment

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APPENDIX G: COMMUNITY HUB APPROACH BRIEFING NOTE

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G.1: Community Hub Approach Briefing Note