

8.5 Planning Proposal - 71 St Andrews Road, Varroville

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Officer's Recommendation

1. That Council forward the Planning Proposal for property No. 71 St Andrews Road, Varroville as attached to this report (attachment 1) to the Department of Planning and Environment seeking endorsement for Gateway Determination, noting the following changes from the proponent's request:
 - a) The proposed minimum lot size be increased from 300sqm to 420sqm.
 - b) The proposed area of retained land zoned E3 Environmental Management be zoned Part E2 Environmental Protection and part R2 Low Density Residential.
2. That should the Minister determine under Section 3.3.4 (2) of the *Environmental Planning and Assessment Act 1979* that the matter may proceed without significant amendment to the Proposal, Council publicly exhibit the Planning Proposal in accordance with the Gateway Determination.

That Council not exercise, via the General Manager the functions of the Minister for Planning under section 3.31(3)(b) of the *Environmental Planning and Assessment Act 1979*, pursuant to the instrument of delegation dated 20 November 2012, due to the proposals inconsistency with the objectives of the Metropolitan Rural Area as contained in the Greater Sydney Region Plan 2018.
3. That following the exhibition, a report on submissions be presented to Council.

Purpose

The purpose of this report is to present a proponent initiated planning proposal request (PPR) to Council, which seeks to rezone a portion of property No. 71 St Andrews Road, Varroville from rural to residential purposes and to recommend that Council seek a Gateway Determination to progress the planning proposal with amendments as outlined in this report.

History

Council at its meeting of 15 October 2013 considered a preliminary Planning Proposal Request (PPR) to rezone Property No. 71 St Andrews Road, Varroville for residential purposes and resolved to consider potential development of the land for rural residential/ environmental living allotments, subject to additional information.

On 11 November 2015, GAT and Associates, on behalf of the landowners, lodged a PPR that did not align with the Council's previous resolution (outlined above) requesting the rezoning of the majority of the site to R2 Low Density Residential to permit approximately 173 lots, and adopting planning controls broadly consistent with those in the adjoining East Leppington Growth Centre Precinct.

The matter was subsequently considered by Council at its meeting of 16 February 2016 where it resolved not support the proposal for the following reasons:

- Inconsistencies with higher order planning policies
- Inconsistencies with local planning policy and Council's policy position on residential development in the Scenic Hills
- Potential adverse environmental impacts (Cumberland Plain Woodland).

On 3 April 2017, the Sydney South West Planning Panel considered and rejected a request by the applicant for a pre-gateway review, recommending that the proposal should not be submitted for a Gateway Determination for the following reasons:

- Lack of sufficient strategic merit
- Inconsistency with key strategic plans
- Didn't demonstrate the protection and conservation of environmentally sensitive land
- Didn't adequately consider potential impacts on the Sydney Water Canal.

Councillors were advised of the Sydney South West Planning Panel's decision in the Councillor Weekly Memo dated 2 June 2017.

On 19 September 2017, the proponent presented an amended Planning Proposal (PP) that seeks to retain a greater portion of Cumberland Plain Woodland by reducing the urban footprint. A site inspection was also held on 17 October 2017 and attended by Councillors and senior staff.

A revised PPR was subsequently lodged with Council on 19 February 2018 and considered by the Campbelltown City Council Local Planning Panel on 25 July 2018 who provided the following advice:

1. Development of the subject site for residential purposes has been pre-supposed by the development pattern approved on land adjoining to the west.
2. The site is adjoined on two sides by land developed for residential purposes pursuant to the Growth Centres SEPP and that an electricity easement forms a third boundary of the land proposed to be developed. As a result, the land proposed to be rezoned for residential purposes is currently isolated and appears no longer suitable for its current use.
3. Appropriate future development of the land, with development consent, would provide an improved transition between the adjoining residential lands and other neighbouring land uses than is currently provided were the site remain in its current zoning and use.

4. The land forms part of the Scenic Hills area designated by Campbelltown City Council. However, due to local topography, sight lines to the Scenic Hills would not be compromised by the proposal.
5. The proposal to utilise part of the site for bio banking purposes is supported subject to appropriate arrangements being entered into between the Council and the proponent to secure its long term viability. In this regard, the Panel consider an E3 Environmental Management zoning may not adequately secure the long term ecological integrity of the lands to be retained for environmental purposes. The Panel encourages Council to consider other options that would not provide a dwelling entitlement.
6. The Planning Proposal request is generally consistent with the changed urban-rural interface of the locality defined by recent development in the adjoining East Leppington Growth Precinct.
7. Although the Planning Proposal request would result in a small increase in housing supply in the area, the proposal has not satisfactorily addressed the current strategic framework established by the District Plan. Therefore, Council should satisfy itself of an appropriate strategic justification prior to seeking Gateway Determination.
8. Council's assessment of issues that require further consideration post Gateway Determination is supported. However, the following additional matters should also be addressed:
 - a) impact of the gas pipeline on the development footprint; and
 - b) strategy to ensure the existing urban edge is not replicated by future development and a sensitive interface is achieved.
9. As advised by the applicant at the Panel meeting, a development application has been lodged on 25 July 2018 to clear vegetation from the site. The Panel suggests that the Council carefully consider whether it should assess/determine the proposed removal of vegetation prior to finalisation of the Planning Proposal, as it may prejudice the rezoning assessment and associated environmental strategy.

Subject to addressing the above matters, the Panel recommends to Council that it considers it appropriate for the Planning Proposal request to proceed for a Gateway Determination to enable public comment to be obtained on the proposal.

Those items above that require a response from Council are addressed in Section 2 Evaluation.

Site

The site is known as Property No. 71 St Andrews Road, Varroville and described as Lot 71, DP 706546. It is irregular in shape, has an area of 14 hectares and is zoned E3 Environmental Management under Campbelltown LEP 2015. There is one existing dwelling within the south western part of the site, accessed from St Andrews Road.

The site is bounded to the south by bushland, to the east by the Upper Canal and to north and west by the new residential subdivisions of the Willowdale development (East Leppington Growth Centre Precinct) including a public open space and riparian corridor abutting the northern boundary of the subject land. To the west and east, bushland separates the site from the Willowdale and Emerald Hills (Camden LGA) development precincts.

There is a service infrastructure corridor that runs north-south across the central part of the site that contains two underground gas pipelines and an overhead high voltage electricity transmission line. Apart from the service infrastructure corridor, the land is vegetated with mature trees (Cumberland Plain Woodland) with a generally cleared understorey.

Proposal

The PPR seeks to amend Campbelltown LEP 2015 as follows:

- Zone the western part of the site (between service easements and western boundary) to R2 Low Density Residential
- Amend the Lot Size Map and Height of Buildings Map to permit a minimum lot size of 300 sqm and building height of 9m
- Zone a portion of land for a drainage corridor to SP2 Local Drainage, adjoining drainage land in the Willowdale development
- Zone a portion of land for open space to RE1 Public Recreation, adjoining open space in the Willowdale development
- Introduce a minimum dwelling density of 15 dwellings per hectare for the proposed R2 Low Density Residential Zone
- Zone a portion of land as R2 Low Density Residential to permit a caretakers dwelling on the remaining bushland area
- Retain the E3 Environmental Management Zone on the remaining land.

The proposed amendments are illustrated on page 4 of the PPR as provided in attachment 2. The proposal is supported by specialist studies addressing bushfire, water management, contamination, ecology and traffic impacts.

Report

This report considers the strategic context of the PPR in relation to state and local planning policies and the potential impacts of the Proposal.

1. Strategic Context

The following state and local planning policies are relevant to the proposal as discussed below.

1.1. Greater Sydney Region Plan 2018

The Greater Sydney Region Plan: A Metropolis of Three Cities (GSRP) has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 725,000 new homes by 2036. The GSRP identifies that capacity for new homes should be located in areas supported by infrastructure such as the new communities in the land release areas of the South West Growth Areas.

Although consistent with the above growth objectives, the site is located on land identified by the GSRP to form part of the Metropolitan Rural Area (MRA). Accordingly, the proposal would be inconsistent with Objective 28 (Scenic and cultural landscapes are protected) and Objective 29 (Environmental, social and economic values in rural areas are protected and enhanced) which indicate that urban development is not consistent with the values of the MRA which includes the Campbelltown Scenic Hills. Further, the GSRP provides that Greater Sydney has sufficient land to deliver its housing needs within the current boundary of the urban area.

Although the proposal is not consistent with this objective, it is considered that mapping of the MRA as it relates to the subject property is the result of a planning anomaly arising from the:

- location of the site on the Campbelltown City Council and Camden Council LGA boundary
- extent of the South West Priority Growth Area which includes the East Leppington Precinct
- Emerald Hills Precinct located in the Camden LGA and rezoned in September 2014
- Mapping of the MRA which aligns with property boundaries rather than landscape features.

Given the above, the subject site does not exhibit the rural or landscape qualities that comprise the MRA. The site is flanked by urban development on its western and northern boundaries, is bisected by a riparian corridor, gas and high voltage electricity transmission lines that separate it from the Scenic Hills. Accordingly, the impact on scenic and cultural landscape of the Scenic Hills, when viewed from the public realm is considered minimal and any inconsistency with the objectives is considered reasonable in this instance.

1.2. Western City District Plan

The Western City District Plan (WCDP) was released in March 2018 and provides a template for realising the Western Parkland City of the Metropolis of Three Cities (Region Plan for Greater Sydney). It provides a range of planning priorities for councils to consider when undertaking local planning. The planning priorities relevant to the proposal are discussed below:

Planning Priority	Comment
Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs, services and public transport).	Consistent. The proposal would deliver new housing that directly adjoins the existing greenfield developments of Willowdale and Emerald Hills which are serviced by shops and public transport. Further, the area will be serviced by a new school planned for delivery within the Willowdale development.
Planning Priority W14: Protecting and enhancing bushland and biodiversity	Consistent. The proposed development of the site would be consistent with the urban form of adjoining developments and would assist to connect waterfront land, providing a linear open space connection between the Willowdale and Emerald Hills precincts. Any proposal to clear land would be subject to the requirements of the <i>Biodiversity Conservation Act 2016</i> with opportunity for the land owner to enter into a biodiversity stewardship agreement to protect in perpetuity land on the eastern side of the riparian corridor to be zoned E3 Environmental Management.

Planning Priority	Comment
Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections)	As above
Planning Priority W17: Better managing rural areas	Inconsistent: As discussed in section 1.1 above, mapping of the site within the Metropolitan Rural Area is considered a planning anomaly. As the land does not exhibit important farming, scenic or cultural values, an exemption from this priority is considered appropriate in this instance.

As outlined above, the inconsistency of the proposal with the MRA is considered of minor significance given the site location. Further, the PPR would achieve the overall intent of the District Plan and would not undermine the overall achievement of the Plan, particularly with respect to implementation of Council's Local Strategic Planning Statement and pending review of the Campbelltown LEP 2015.

1.3. Ministerial Directions (9.1 Directions)

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EPA Act) allows the Minister for Planning and Public Spaces to give directions to Council regarding principals, aims, objectives or policies to be achieved or given effect to in the preparation of draft local environmental plans. The PPR includes a table listing the Section 9.1 Directions and whether the proposal complies with them.

A planning proposal may be inconsistent with a Section 9.1 Direction only where the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment that the provisions of the planning proposal that are inconsistent are of minor significance. In this regard, the following minor inconsistencies are relevant to the proposal:

- **Direction 2.1: Environmental Protection Zones**

This direction requires that a planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. It also requires that a proposal on land within an environment protection zone must not reduce the environmental protection standards that apply.

The current environmental planning standards applying the land are enforced only by virtue of the current E3 Environmental Management zone and lot size standard which provide a single dwelling entitlement on the site. Notwithstanding this limitation, the north-west part of the site currently exhibits low species diversity and no ground or mid storey due to its grazing history.

The proposal provides an opportunity to increase the environmental protections standards that apply to the land by encouraging more sustainable land practices and promote the establishment of a Biodiversity Stewardship Agreement under the *Biodiversity Conservation Act 2016* for the south eastern part of the site. In support of this outcome, it is recommended that the PPR be amended to also identify the areas of Cumberland Plain Woodland on

Council's existing Terrestrial Biodiversity Map and that the zoning of the south eastern part of the site be strengthened to E2 Environmental Conservation.

- **Direction 4.4: Planning for Bushfire Protection**

This direction requires consultation with the Rural Fire Service following receipt of a Gateway determination, that a planning proposal must have regard to Planning for Bushfire Protection 2006, introduce controls that avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).

There is bushland to be retained east of the land proposed to be rezoned as R2. It will however be separated by from the residential development by an existing power line easement that assists in providing an APZ. Appropriate measures such as further APZs to minimise the risk can be put in place as part of the development assessment process and thereby satisfy this direction.

- **Direction 7.1: Implementation of A Plan for Growing Sydney**

The Greater Sydney Region Plan and Western District Plan identify the site as part of the Metropolitan Rural Area. Each plan states that urban development is not compatible with the MRA and that there is sufficient land to deliver housing eliminating the need for expanding into the MRA.

The site is on the western side of the Scenic Hills and is not visible from the eastern side of the Scenic Hills. The site would not link directly to the Campbelltown Urban Areas nor require any major upgrade of infrastructure in Campbelltown LGA and would form an extension of the existing Willowdale development to the North and Emerald Hills Development to the West and South West.

Accordingly, it is considered that the site limitations arising from its classification as being part of the Metropolitan Rural Area is an anomaly and any inconsistency with the direction is justified.

1.4. Campbelltown Residential Development Housing Strategy

The strategy identifies certain release and infill areas for residential development. While it refers to the East Leppington Precinct (commonly known as Willowdale) it does not specifically identify additional lands adjoining the precinct for future residential development.

As outlined in Section 1.1 above, the planning proposal provides an opportunity to regularise the planning controls applying to the land to correct previous planning anomalies arising from the application of historic controls and strategies. Therefore, the inconsistency with the current Housing Strategy is of minor significance and subject to support, may be included in the current revision of the Housing Strategy required to give effect to the Western City District Plan.

1.5. Campbelltown LEP 2015

The following elements of the proposal are relevant to the CLEP 2015 with respect to the proposed land use zoning and principle development standards.

1.5.1. Land Zoning Map

Consistent with the advice of the Local Planning Panel, the proposal to retain the existing E3 Environmental Management zone on the southern eastern part of the site is not supported on the grounds that a dwelling entitlement is retained. This may present a future conflict with respect to establishing a Biodiversity Stewardship Site over the land as the potential siting of a dwelling would not be known until a development application is submitted.

An alternate outcome similar to that already implemented on St Andrews Road in the Camden LGA would be to apply an E2 zone and require its dedication as public land. Compensation for dedication of the land may be via identification of a suitable development lot zoned R2 Low Density Residential to be accessed from Sawsedge Avenue in the Willowdale development.

1.5.2. Terrestrial Biodiversity Map

As outlined in the response to Ministerial Direction 2.1: Environmental Protection Zones, it is recommended that the PRR be amended to also identify the areas of Cumberland Plain Woodland on Council's existing Terrestrial Biodiversity Map. This approach has been implemented in recent rezonings for areas such as the Caledonia Precinct, Menangle Park and Mt Gilead and would require any future development application to demonstrate how the development minimises disturbance and adverse impacts to remnant vegetation communities, threatened species populations and their habitats.

1.5.3. Minimum Lot Size Map

The request to permit a minimum lot size of 300sqm on the grounds that this development is permitted in adjoining developments is generally not supported. Planning controls for the Willowdale precinct fall within State Environmental Planning Policy (Sydney Region Growth Centres) 2006 for that part located in the Campbelltown LGA. This policy does not apply a minimum lot size map but rather a minimum and maximum density approach of between 15 to 20 dwellings per hectare with lots of 300 or 250sqm permitted depending on whether the proposal includes built form or not. This approach is generally not consistent with the current release area controls of CLEP 2105.

The adjoining subdivisions in the Willowdale precinct achieve an average lot size of 415sqm, with most lots having an area between 300 and 450sqm. The minimum permitted lot size in the R2 zone in Menangle Park is 420sqm. There is also scope for subdivision of smaller lots (300sqm) for dual occupancy, semi-detached dwellings, attached dwellings and multi dwelling housing.

The concept layout plan submitted with the PPR indicates that approximately 98 lots could be designed to fit the proposed R2 zoned land based on a 450sqm lot size. However, the proposal to permit a minimum lot size of 300sqm would result in up to 190 lots or approximately 30 dwellings per hectare.

Therefore, to be consistent with the prevailing density of the locality, and to also reflect the distance from shops, public transport and recreation opportunities, it is recommended that a minimum lot size of 420 sqm be applied. This would enable approximately 124 lots over the site which would be in keeping with the character of the locality.

1.5.4. Urban Release Area Map

As the site adjoins existing urban release areas, it is appropriate to amend the Urban Release Area Map. This would ensure that any future proponent enters into satisfactory arrangements for the provision of designated state infrastructure and that appropriate DCP provisions are in force prior to the issuing of development consent.

A site specific DCP would form a chapter of Council's Sustainable City Development Control Plan and address matters such as street layout, connections to adjoining development, tree canopy, addressing the special uses corridor, bushfire risk, drainage and open space design.

1.6. Campbelltown (Sustainable City) DCP 2015

At this stage, the proponent has not provided a draft development control plan for the site. Should a Gateway Determination be issued by the Department, a draft DCP would be required prior to finalization of the amendment.

1.7. Campbelltown Local Infrastructure Contributions Plan 2018

Future subdivision of the site would be subject to the Campbelltown Local Infrastructure Contributions Plan 2018 and attract a maximum levy of \$20,000 per lot.

2. Evaluation

The following environmental impacts are relevant to the Proposal as discussed below.

2.1. Urban Design

As noted by the Local Planning Panel, future development of the land, with development consent, would provide an improved transition between the adjoining residential lands and other neighbouring land uses. In this regard, the proposal provides a possible subdivision layout that in part would provide road frontage to the riparian corridor, consistent with the prevailing character of the Willowdale development. This concept should be incorporated in a future DCP for the site to ensure that any new residential subdivision addresses the riparian corridor and retained bushland to support an attractive open space corridor linking the Willowdale development with areas to the south and west.

The Local Planning Panel also suggested the need for a strategy to ensure the existing urban edge is not replicated by future development and a sensitive interface is achieved. This concern was raised by the panel due to the existing 2m retaining wall that forms the western property boundary and concern that a similar outcome may occur along the site's eastern boundary with the riparian area. This issue would be addressed in a future DCP and upon evaluation of a development application.

2.2. Infrastructure

Future development of the site would require implementation of a local road network, connection to external collector streets and a stormwater management strategy.

Access to the site may be provided from either St Andrews Road, which is currently subject to an upgrade strategy, including a roundabout that will connect the Jamboree Avenue and a new collector street to service the Emerald Hills development with St Andrews Road.

Planning for this connection has been a long standing feature of the Indicative Layout Plan for East Leppington and supporting documents.

Alternatively, access to Aqueduct Street may be negotiated with the owner of adjoining allotments consistent with previous conditions of development consent for this land imposed by Camden Council. Access via Aqueduct Street would ensure better integration with the Willowdale development for future residents.

While the site is not flood-prone, it drains to Bonds Creek and would require an on-site detention basin to attenuate peak flows from the development. A concept plan has been submitted with the proposal detailing how this would be achieved. The feasibility of locating the proposed basin within the riparian area would be addressed during consultation with relevant state authorities and upon further assessment by Council's Development Engineers.

The scale of the residential development generates the need for additional open space. It is considered that the proposed open space along the service infrastructure corridor would be sufficient and provide opportunity to the continuation of existing pedestrian and cycle links.

Consultation with major infrastructure authorities, including those responsible for existing high pressure gas main and electricity easements would be expected to be undertaken as a condition of Gateway Determination supporting the PPR. It should be noted that the existing gas main and electricity easements pass through the Willowdale Precinct.

Should the rezoning proceed, further referrals would occur at the development application stage to obtain general terms of approval that would inform detailed amendment, if any, to the concept subdivision plan.

2.3. Vegetation

The proposal is supported by an Ecological Assessment that confirms the presence of 8.35 hectares of Cumberland Plain Woodland vegetation which is a critically endangered ecological community.

The proposed development would avoid impacting 3.745 hectares of degraded CPW. The impacted vegetation is considered by the assessment to be of low quality, has low species diversity and may regenerate poorly.

The Local Planning Panel (LPP) considered the issue of vegetation and supported the proposal to utilise part of the site for bio banking purposes subject to appropriate arrangements being entered into between the Council and the proponent to secure its long term viability. Any application to clear vegetation would require development consent and would trigger the requirements and assessment methodology of the *Biodiversity Conservation Act 2016*.

2.4. Bushfire risk

The proposal is supported by a Bushfire Assessment that indicates future development would be impacted by bushfire risk associated with existing woodland vegetation that adjoins the site and short heath vegetation located under the electrical services easement. The report confirms that bushfire risk could be appropriately mitigated if appropriate bushfire protection measures are put in place as summarised in the report. This would include suitable evacuation routes via Aqueduct Street and possibly St Andrews Road as well.

This outcome would be confirmed via future consultation with the RFS should a Gateway Determination be issued and would also be a requirement prior to the issuing of future development consent.

2.5. Contamination

A preliminary site investigation report was prepared to assess the potential for land contamination. The report found that there is low to moderate potential for contamination on site and that the site could be made suitable for the proposed subdivision, subject to the undertaking of a Stage 2 detailed site investigation and associated remedial/management works, if warranted.

This is consistent with the procedure envisaged by SEPP 55 - Remediation of Land whereby a preliminary investigation is undertaken to determine whether the extent of contamination should preclude proceeding with a rezoning or whether there is sufficient information to show that there is minimal contamination or that any existing contamination can be adequately remediated as part of development taking place.

3. Public Benefit

The community benefit test is an important element of determining whether a planning proposal has merit. Relevant matters for consideration of a spot rezoning include whether a local environmental plan accurately reflects the strategic direction and changing circumstances of an area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and whether the planning controls are too prescriptive to facilitate a sensible development. The test also considers whether there is a demonstrable public interest in considering an alternative proposal to the existing planning scheme, which was not considered by Council or the community when the scheme was adopted.

In the case of this PPR, there is a strong argument to amend the Campbelltown LEP on the following grounds:

- The site is located between two existing urban release areas, and by virtue of its location within the Campbelltown LGA has been inadvertently omitted from previous planning investigation
- Development of adjoining areas is now almost complete, which has altered the previous rural character into that of an urban area
- Future development of the site would be consistent with the objectives and outcomes envisaged by metropolitan, district and local planning strategies
- Would have a negligible impact on the local road network, open space and community facilities.

For the above reasons, the PPR would provide a public benefit commensurate with adjoining development. In addition, any future development would be required to pay a monetary contribution towards the provision of local traffic, open space and community facilities.

4. Formal Consultation

A guide to preparing local environmental plans has been prepared by the Department of Planning and Environment (DP&E) to assist councils in preparing planning proposals and LEPs. Should Council resolve to proceed with the Planning Proposal, and Gateway

Authorisation is issued by the DP&E, consultation would be undertaken in accordance with the Gateway Determination requirements.

5. Statutory Consideration

The preparation of a Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to proceed with the Planning Proposal to Gateway Determination, the DP&E would confirm the technical studies required and relevant parts of the Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 3.34 of the *Environmental Planning and Assessment Act 1979* allows the Minister and the Secretary to delegate functions to a Council and/or an officer or employee of a Council. When submitting a planning proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must be considered and which stages of the plan making process must be carried out again

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director Planning and Environment (now titled Director City Development).

On the grounds that the planning proposal is not consistent with the objectives of the Metropolitan Rural Area, it is recommended that Council not seek to exercise the Authorisation in this instance.

Conclusion

The PPR for the rezoning of 71 St Andrews Road, Varroville for urban development is considered to have sufficient strategic and site specific merit. Therefore, it is recommended that an amended Planning Proposal as provided in attachment 1 be submitted to the Department of Planning and Environment for a Gateway Determination.

Should the Department issue a Gateway Determination, the preparation of an amendment to Council's Sustainable City Development Control Plan would be required to insert a new part for the subject site.

Attachments

1. Planning Proposal (contained within this report)
2. Submitted Planning Proposal Request (due to size 326 pages) (distributed under separate cover)



Planning Proposal – 71 St Andrews Road, Varroville

Proposed amendment of Campbelltown Local Environmental Plan 2015

Background

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- Inconsistencies with local planning policy and Council's policy position on residential development in the Scenic Hills; and
- Potential adverse environmental impacts (Cumberland Plain Woodland).

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- Inconsistency with key strategic plans;
- Didn't demonstrate the protection and conservation of environmentally sensitive land; and
- Didn't adequately consider potential impacts on the Sydney Water Canal.

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residential purposes is currently isolated and appears no longer suitable for its current use.

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7. Although the Planning Proposal request would result in a small increase in housing supply in the area, the proposal has not satisfactorily addressed the current strategic framework established by the District Plan. Therefore, Council should satisfy itself of an appropriate strategic justification prior to seeking Gateway Determination.
8. Council's assessment of issues that require further consideration post Gateway Determination is supported. However, the following additional matters should also be addressed:
 - a) impact of the gas pipeline on the development footprint; and
 - b) strategy to ensure the existing urban edge is not replicated by future development and a sensitive interface is achieved.
9. As advised by the applicant at the Panel meeting, a development application has been lodged on 25 July 2018 to clear vegetation from the site. The Panel suggests that the Council carefully consider whether it should assess/determine the proposed removal of vegetation prior to finalisation of the Planning Proposal, as it may prejudice the rezoning assessment and associated environmental strategy.

Subject to addressing the above matters, the Panel recommends to Council that it considers it appropriate for the Planning Proposal request to proceed for a Gateway Determination to enable public comment to be obtained on the proposal.

Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

DCP means Development Control Plan

DPE means Department of Planning and Environment

EP&A Act 1979 means *Environmental Planning and Assessment Act 1979*

LEP means *Local Environmental Plan*

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LGA means local government area

M means metres

MRA means Metropolitan Rural Area

PP means Planning Proposal

SEPP means State Environmental Planning Policy

Introduction

Existing use

The site is largely covered in bushland and occupied by a dwelling house.

Location

The land adjoins the southern boundary of the East Leppington Precinct of the former South West Growth Centre.

The Site

The land is known as 71 St Andrews Road, Varroville and described as Lot 71, DP 706546. It is irregular in shape, has an area of 14 ha and is zoned E3 Environmental Management under *Campbelltown Local Environmental Plan 2015*. There is one existing dwelling within the south western part of the land, accessed from St Andrews Road.

The land is located on the boundary of the Camden and Campbelltown Local Government Area Boundary.

The land is bounded to the south by bushland, to the east by the Upper Canal and to north and west by the new residential subdivisions of the Willowdale development including a public open space and riparian corridor abutting the northern boundary of the subject land. To the west of the land there is also bushland that separates the Willowdale development from the Emerald Hills development in Camden LGA.

There is a service infrastructure corridor that runs north-south across the central part of the land that contains two underground gas pipelines and an overhead high voltage electricity transmission line. Apart from the service infrastructure corridor, the land is vegetated with mature trees (Cumberland Plain Woodland) with a generally cleared understorey. The precinct is shown on Figure 1.

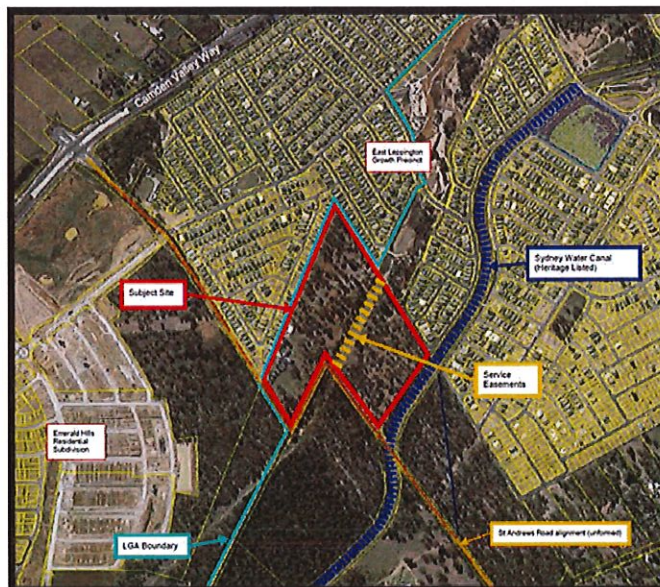


Figure 1 Location Map

Existing Zoning

The site is currently in the E3 Environmental Management zone under the provisions CLEP 2015.

The zoning of adjoining land to the north and west is R2 Low Density Residential under the provisions of SEPP (Sydney Region Growth Centres) 2006. To the south the site is adjoins the upper canal (zoned SP2 Infrastructure) and land zoned E3 Environmental Management under CLEP 2015, including land on the south-east side of the canal.

To the south-west the site is adjoined by bushland in Camden Council that is zoned E2 Environmental Conservation.

Figure 2 shows the subject site in relation to the surrounding land use zones.

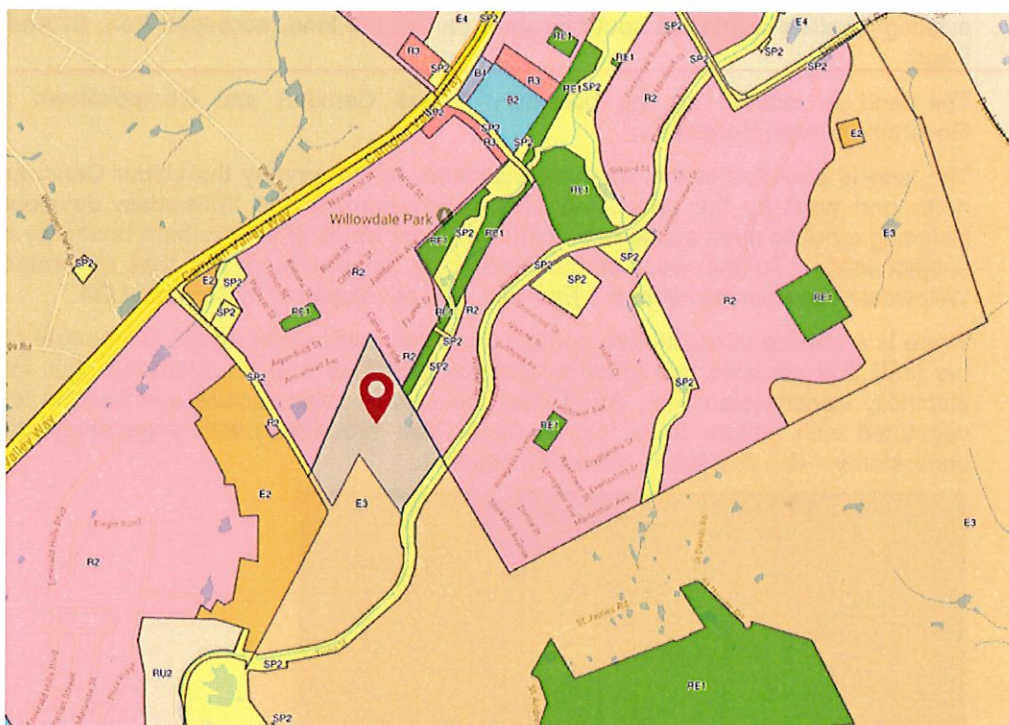


Figure 2 Current zoning on site and surrounding Zoning

Part 1 – Objectives or Intended Outcomes

The objectives of this PP are:

- a) to enable the development of a portion of the site for residential development and for public recreation; and
- b) provide further protection of the remaining bushland on the site.

Part 2 - Explanation of provisions

The proposed amendments are outlined below in Table 1.

Table 1

Changes	Description of changes
Zoning	Change from Zone E3 Environmental Management to: <ul style="list-style-type: none"> • R2 Low Density Residential; • RE1 Public Recreation; • SP2 Drainage; and • E2 Environmental Conservation.
Minimum Lot Size	Change the Minimum Lot Size from 100 ha to 420 sqm in the proposed R2 zone on the western side of the site.
Dual Occupancy Lot Size	Change the Minimum Lot Size for Dual Occupancy development from 100 ha to 700 sqm in the proposed R2 zone on the western side of the site.
Terrestrial biodiversity	Add the site to the Terrestrial Biodiversity map.
Land Reservation	Include a RE1 zone and SP2 Local Drainage zone.
Urban Release Area	Add the site to the Urban Release Area map.

Part 3 - Justification

Section A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

No. The proposal is a proponent initiated proposal.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. An amendment to CLEP 2015 to provide for the rezoning of the subject land is the best means of achieving the objectives of this PP.

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Section B – Relation to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)

Greater Sydney Region Plan 2018

The Greater Sydney Region Plan 2018 was released in March 2018. While the PP is not consistent with the Plan, the inconsistency can be justified as explained in relation to the relevant objectives and strategies in Table 2.

Table 2

Objective	Comments on consistency
<p>Objective 4 Infrastructure use is optimised</p> <p>Strategy 4.1 Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities.</p>	<p>The proposed development would assist in making better use of existing infrastructure.</p>
<p>Objective 27 Biodiversity is protected, urban bushland and remnant</p>	<p>While some of the existing bushland would be lost when developed as residential in the proposed R2 zone the remaining land is proposed to be included in an E2 zone, which is more restrictive than the existing E3 zone.</p>
<p>Objective 28 Scenic and cultural landscapes are protected</p> <p>Strategy 28.1 Identify and protect scenic and cultural landscapes.</p> <p>Strategy 28.2 Enhance and protect views of scenic and cultural landscapes from the public realm.</p>	<p>The site is one of 3 that are on the western side of the Scenic Hills at this location that would not be visible from Campbelltown. The site would not link directly to the Campbelltown Urban Areas nor require any major upgrade of infrastructure in Campbelltown LGA. Subject to subdivision design this area could integrate with the Willowdale development.</p> <p>Development of the subject site or the adjoining parcels could reasonably be considered as not being a precedent for large scale or incremental rezonings east of the ridge or the Upper Canal in this location.</p>

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Objective	Comments on consistency
<p>Strategy 27.1</p> <p>Protect and enhance biodiversity by:</p> <ul style="list-style-type: none"> • supporting landscape-scale biodiversity conservation and the restoration of bushland corridors • managing urban bushland and remnant vegetation as green infrastructure • managing urban development and urban bushland to reduce edge-effect impacts 	<p>The existing E3 zone across the scenic hills area allows a range of rural land uses. It is noted that the adjoining bushland in Camden LGA is zoned as E2 Environmental Conservation, which separates Willowdale and Emerald Hills (in Camden). Therefore it is appropriate that the portion of the site identified for bio-banking be zoned as E2 zone. This would restrict the range of land uses on the site.</p>
<p>Objective 29</p> <p>Environmental, social and economic values in rural areas are protected and enhanced</p> <p>Strategy 29.1</p> <ul style="list-style-type: none"> • Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes. 	<p>The Greater Sydney Region Plan and Western District Plan identify the site as part of the Metropolitan Rural Area. Each plan states that urban development is not compatible with the MRA and that there is sufficient land to deliver housing eliminating the need for expanding into the MRA.</p> <p>Although the proposal is not consistent with this objective, it is considered that mapping of the MRA as it relates to the subject property is the result of a planning anomaly arising from the:</p> <ul style="list-style-type: none"> • location of the site on the Campbelltown City Council and Camden Council LGA boundary; • extent of the South West Priority Growth Area which includes the East Leppington Precinct; • Emerald Hills Precinct located in the Camden LGA and rezoned in September 2014; and • Mapping of the MRA which aligns with property boundaries rather than landscape features. <p>Given the above, the subject site does not exhibit the rural or landscape qualities that comprise the MRA. The site is flanked by urban development on its western and northern boundaries, is bisected by a riparian corridor, gas and high voltage electricity transmission lines that</p>

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Objective	Comments on consistency
<p>Strategy 29.2</p> <ul style="list-style-type: none"> Limit urban development to within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills, and east of The Northern Road, Luddenham. <p>Objective 30</p> <p>Urban tree canopy cover is increased</p> <p>Strategy 30.1</p> <p>Expand urban tree canopy in the public realm.</p>	<p>separate it from the Scenic Hills.</p> <p>Accordingly, the impact on scenic and cultural landscape of the Scenic Hills, when viewed from the public realm is considered minimal and any inconsistency with the objectives is considered reasonable in this instance.</p> <p>The proposed development would provide a substantial amount of street trees as well as some planting on the proposed open space.</p>
<p>Objective 31</p> <p>Public open space is accessible, protected and enhanced</p> <p>Strategy 31.1</p> <p>Maximise the use of existing open space and protect, enhance and expand public open space by:</p> <ul style="list-style-type: none"> providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow 	<p>It is proposed to extend the open space corridor in the Willowdale development into the site and provide a continuous open space corridor through the site to connect to potentially connect to Emerald Hills and to land to the east in the Scenic Hills.</p>
<ul style="list-style-type: none"> investigating opportunities to provide new open space so that all residential areas are within 400 m of open space and all high density residential areas (over 60 dwellings per ha) are within 200 m of open space requiring large urban renewal initiatives to demonstrate how the quantity of, or access to high quality and diverse local open space is maintained or improved planning new neighbourhoods with a sufficient quantity and quality of new open space delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses delivering or complementing the Greater Sydney Green Grid 	<p>Additional open space would be provided in close proximity of the new dwellings that would be created adjoins the riparian corridor.</p> <p>Not applicable</p> <p>Additional open space would be provided with the proposed development.</p> <p>Not applicable</p> <p>The proposal would support the Greater Sydney Green Grid.</p>

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Objective	Comments on consistency
<ul style="list-style-type: none"> providing walking and cycling links for transport as well as leisure and recreational trips 	The proposed development would create a pedestrian and bicycle link from the southern end of the Willowdale development to land around Emerald Hills and to the eastern side of the Scenic Hills.
<p>Objective 32</p> <p>The Green Grid links parks, open spaces, bushland and walking and cycling paths</p> <p>Strategy 32.1</p> <p>Progressively refine the detailed design and delivery of:</p> <ul style="list-style-type: none"> Greater Sydney Green Grid priority corridors opportunities for connections that form the long term vision of the network walking and cycling links for transport as well as leisure and recreational trips. 	The proposed development would provide for increased protection of existing bushland and provide a pedestrian and bicycle link from the southern end of the Willowdale development to land around Emerald Hills and to the eastern side of the Scenic Hills.
<p>Objective 37</p> <p>Exposure to natural and urban hazards is reduced</p> <p>Strategy 37.1</p> <ul style="list-style-type: none"> Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards. <p>Strategy 37.2</p> <ul style="list-style-type: none"> Respond to the direction for managing flood risk in the Hawkesbury-Nepean Valley as set out in resilient Valley, Resilient Communities – Hawkesbury- Nepean Valley Flood Risk Management Strategy. 	<p>The site is located adjacent to a corridor containing 2 gas lines and 1 electricity power line that also traverse the adjoining Willowdale development. The 2 gas line corridors within the Willowdale development are located within open space with streets fronting open space.</p> <p>It is proposed that this combined corridor be zoned as RE1.</p> <p>The site is subject to bushfire risk. The proposed R2 zone would be separated from the proposed E2 zone by the proposed RE1 corridor.</p> <p>Not applicable.</p>

Greater Macarthur Land Release Investigation and Greater Macarthur Priority Growth Area

The site is not within the area of these lands.

Western City District Plan

The Western City District Plan was released in March 2018. While the PP is not consistent with the Plan, the inconsistency can be justified as explained in relation to the relevant objectives and strategies in Table 3.

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Table 3

Planning Priority	Comments on consistency
<p>Planning Priority W1</p> <p>Planning for a city supported by infrastructure</p> <p>6. Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities.</p>	<p>The proposed development would assist in making better use of existing infrastructure.</p>
<p>Planning Priority W5</p> <p>Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <p>19. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> a. prioritising a people-friendly public realm and open spaces as a central organising design principle b. recognising and balancing the dual function of streets as places for people and movement c. providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres d. integrating social infrastructure to support social connections and provide a community hub e. recognising and celebrating the character of a place and its people 	<p>The Planning Proposal supports this.</p> <p>The proposed development would create a pedestrian and bicycle link from the southern end of the Willowdale development to land around Emerald Hills and to the eastern side of the Scenic Hills.</p>
<p>Planning Priority W14</p> <p>Protecting and enhancing bushland and biodiversity</p> <p>72. Protect and enhance biodiversity by:</p> <ul style="list-style-type: none"> a. supporting landscape-scale biodiversity conservation and the restoration of bushland corridors b. managing urban bushland and remnant vegetation as green infrastructure c. managing urban development and urban bushland to reduce edge-effect impacts. 	<p>The existing E3 zone across the scenic hills area allows a range of rural land uses. It is noted that the adjoining bushland in the Camden LGA is zoned E2 Environmental Conservation, which separates Willowdale and Emerald Hills (in Camden). Therefore it would be appropriate that the portion of the site identified for bio-banking be zoned as E2 zone. This would restrict the range of land uses on the site.</p>
<p>Planning Priority W15</p> <p>Increasing urban tree canopy cover and delivering Green Grid connections</p>	

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Planning Priority	Comments on consistency
73. Expand urban tree canopy in the public realm.	A further bio-banking agreement has the potential to increase tree canopy over the site proposed to be zoned E2. Street tree planting in the proposed R2 zone has the potential to replace the loss of trees in conjunction with the subdivision of land.
74. Progressively refine the detailed design and delivery of: <ul style="list-style-type: none"> a. Greater Sydney Green Grid priority corridors and projects important to the District b. opportunities for connections that form the long-term vision of the network c. walking and cycling links for transport as well as leisure and recreational trips. 	The Planning Proposal is consistent in that it will retain an open space corridor that can be planted with low landscaping as well as retaining bushland via a stricter E2 zone that exists on adjoining lands in Camden LGA.
75. Create Greater Sydney Green Grid connections to the Western Sydney Parklands.	
Planning Priority W16 Protecting and enhancing scenic and cultural landscapes	
76. Identify and protect ridgelines, scenic and cultural landscapes, specifically the Scenic Hills, Mulgoa Valley and the escarpments of the Blue Mountains.	The Planning Proposal is considered consistent as the site is not visible from the Campbelltown side of the Scenic Hills.
77. Enhance and protect views of scenic and cultural landscapes from the public realm.	Building height in the Planning Proposal control would support this action.
78. Maintain or enhance the values of the Metropolitan Rural Area using place-based planning to deliver targeted environmental, social and economic outcomes.	
79. Limit urban development to within the Urban Area, except for the investigation areas at Horsley Park, Orchard Hills, and east of The Northern Road, Luddenham.	It is considered that subject land, due to its location in relation to the adjoining residential development is an anomaly.
Planning Priority W18 Delivering high quality open space	
80. Maximise the use of existing open space and protect, enhance and expand public open space by:	The site is located adjacent to a corridor containing 2 gas lines and 1 electricity power line that also traverse the adjoining Willowdale development. The 2 gas line corridors within the Willowdale development are located within open space with streets fronting open space. It is proposed that this combined corridor be zoned as RE1. The site is subject to bushfire risk. The

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Planning Priority	Comments on consistency
a. providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow	proposed R2 zone would be separated from the proposed E2 zone by the proposed RE1 corridor.
b. investigating opportunities to provide new open space so that all residential areas are within 400 m of open space and all high density residential areas (over 60 dwellings per hectare) are within 200 m of open space	Complies
c. requiring large urban renewal initiatives to demonstrate how the quantity of, or access to, high quality and diverse local open space is maintained or improved	Not applicable
d. planning new neighbourhoods with a sufficient quantity and quality of new open space	Complies
e. delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses	Not applicable
f. delivering or complementing the Greater Sydney Green Grid	The Planning Proposal would support this.
g. providing walking and cycling links for transport as well as leisure and recreational trips.	Consistent as the proposed RE1 zone would link the existing open space system in the Willowdale development with land to the south and east of the site. The PP would create a pedestrian and bicycle link from the southern end of the Willowdale development to land around Emerald Hills and to the eastern side of the Scenic Hills.
Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change	
87. Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing urban areas most exposed to hazards.	<p>The site is located adjacent to a corridor containing 2 gas lines and 1 electricity power line that also traverse the adjoining Willowdale development. The 2 gas line corridors within the Willowdale development are located within open space with streets fronting open space.</p> <p>It is proposed that this combined corridor be zoned as RE1.</p> <p>The site is subject to bushfire risk. The proposed R2 zone would be separated from the proposed E2 zone by the proposed RE1 corridor.</p>

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Planning Priority	Comments on consistency
88. Mitigate the urban heat island effect and reduce vulnerability to extreme heat.	It is expected that the development of the R2 zone would be supported by substantial street tree planting and the bushland to be retained in the proposed E2 zone would support this.

4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**Campbelltown Community Strategic Plan – Campbelltown 2027**

This Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The PP is consistent with the relevant objectives headed accordingly.

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Table 4

Outcomes	Comments on consistency
<p><u>Outcome 1: A vibrant, liveable city</u></p> <p>Council's goal</p> <p>Our community is able to celebrate its diversity, make a contribution to, and enjoy the lifestyle opportunities offered by our city.</p> <p>Our city is a place where people want to live – it is creative, innovative, vibrant and resilient. It is a city that is designed for people, with easy access to high quality housing, services, amenities and open space.</p> <p>It is a community where people feel safe, socially connected and included. We celebrate our rich heritage and diversity, and respect our strong ties to Aboriginal culture.</p> <p>Our people enjoy the lifestyle offered by the city – a city which is a destination of choice.</p>	<p>The Planning Proposal does not compromise these goals.</p>
<p><u>Outcome 2: A respected and protected natural environment</u></p> <p>Council's goal</p> <p>Our people embrace the city's natural surrounds and see it as a unique point of difference.</p> <p>We work together to ensure development in the LGA is approached in a sustainable manner, and that our natural assets, bushlands and waterways are treated with respect.</p> <p>Our community is engaged and educated on the benefits of managing and accessing open space.</p> <p>We protect biodiversity conservation, our visual landscape and our heritage values, and recognise the importance of creating a sustainable and resilient city for future generations.</p> <p>Strategies</p> <p>2.1 Implement and advocate for initiatives that conserve the city's natural environment</p> <p>2.2 Activate the city's natural bushland and open spaces, fostering enhanced community stewardship of these areas</p> <p>2.3 Promote and educate our community on sustainable practices and encourage practicable take up of more sustainable life-choices</p> <p>2.4 Conserve and care for our city's biodiversity</p> <p>2.5 Plan for and ensure that development in our city is sustainable and resilient</p>	<p>The Planning Proposal does not compromise these goals.</p> <p>The Planning Proposal is consistent in that while some bushland would be lost stricter controls would be applied in the remaining land proposed to be zone E2.</p>
<p><u>Outcome 3: A thriving, attractive city</u></p> <p>Council's goal</p>	

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Outcomes	Comments on consistency
<p>We are a city that encourages and supports the development of the local economy through business innovation and growth.</p> <p>Our city attracts professional organisations which provide a range of employment opportunities for our people.</p> <p>We are a destination which makes the most of our city's natural and man-made assets to build on the experience that is Campbelltown.</p> <p>Our people are engaged in ongoing conversations about matters which affect our city, to ensure Council activities align with its strategic direction and the city's assets are managed strategically and sensitively.</p> <p>We embrace change and look to support the creation of new economies to build the resilience of the city.</p>	<p>The Planning Proposal does not compromise these goals.</p>
<p>Strategies</p> <p>3.1 Support the resilience, growth and diversity of the local economy</p> <p>3.2 Ensure that service provision supports the community to achieve and meets their needs</p> <p>3.3 Become an innovative city where advances in technology, creativity and community participation are nurtured and embraced</p> <p>3.4 Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity</p> <p>3.5 Support for new education opportunities that match workforce skill sets with emerging economic needs underwritten by creative entrepreneurship and innovation capacity within the local community</p> <p>3.6 Develop tourism opportunities and promote Campbelltown as a destination</p> <p>3.7 Public funds and assets are managed strategically, transparently and efficiently</p> <p>3.8 Provide strong governance for all Council activities</p>	<p>The Planning Proposal does not compromise these strategies.</p>
<p><u>Outcome 4: A successful city</u></p> <p>Council's goal</p>	

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Outcomes	Comments on consistency
<p>We are a modern, forward thinking, connected city.</p> <p>We have built on our history and character, and shaped a city which transforms in line with its community and its needs.</p> <p>Our people value a balance between the built form and open space, and are kept informed of infrastructure delivery, including better health and education infrastructure and services.</p> <p>Our city and our people are connected through strategic road networks, transport systems and pedestrian facilities. Council strategies are developed in line with the draft South West District Plan and complement State Government plans for the city.</p> <p>Our city is reinvigorated – it is a city where people choose to be.</p>	<p>The Planning Proposal does not compromise these goals.</p>
<p>Strategies</p> <p>4.1 Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement</p> <p>4.2 Support and advocate for infrastructure solutions that meet the needs of our city and which pay an economic and liveability dividend</p> <p>4.3 Responsibly manage growth and development, with respect for the environment, heritage and character of our city</p> <p>4.4 Maintain and create usable open and recreational spaces that set our city apart from others</p> <p>4.5 Work in partnership with the State Government to achieve positive planning outcomes</p> <p>4.5 Work in partnership with the State Government to achieve positive planning outcomes</p> <p>4.6 Plan and invest in the revitalisation of Campbelltown-Macarthur CBD, Ingleburn and other town centres</p>	<p>The Planning Proposal does not compromise these strategies. The proposed open space link will enhance cycling and pedestrian movement.</p>

Campbelltown Local Planning Strategy 2013

The Local Planning Strategy 2013 was adopted in conjunction with the Campbelltown LEP 2015 to assist in informing future planning decisions.

The Planning Proposal is onsistent with the relevant strategies headed accordingly.

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Table 5

Strategy	Comments on consistency
<u>Environmental Management</u>	
Contamination	This issue has been addressed in the background reports.
Salinity	In the absence of extreme localised geotechnical events, the inherent geotechnical constraints are manageable. They can generally be mitigated through the appropriate location of development through ground truthing, geotechnical investigation and environmental and engineering design.
Groundwater and Surface Water	
<ul style="list-style-type: none"> A more comprehensive understanding of groundwater systems should be pursued as a fundamental step in developing and implementing a sustainable groundwater management strategy. 	Not applicable to the site.
<ul style="list-style-type: none"> Sufficient groundwater recharge areas should be maintained in elevated areas and desirably as vegetated corridors along ridgelines. 	Not applicable to the site.
<ul style="list-style-type: none"> The opportunities for integrating re-vegetated ridgelines with bio-banking areas should be explored, particularly in the Scenic Hills, as part of a more holistic strategy for the sustainable management of this area. 	This Planning Proposal will support the bio-banking of the remaining bushland.
<ul style="list-style-type: none"> The general management of water in the landscape should embrace the principles of Total Water Cycle Management and Water Sensitive Urban Design²¹. 	The Planning Proposal will allow development of the site to contribute to this.
<ul style="list-style-type: none"> Naturalistic drainage systems should be created or recreated as mechanisms for the management of surface water flows. Such systems should strive to mimic the natural hydrological regime. 	The Planning Proposal will allow development of the site to contribute to this.
Sub-surface minerals and gases	
<ul style="list-style-type: none"> A more comprehensive understanding of the nature, extent and aspirations for realising subsurface mineral and gaseous resources is required. 	Not applicable to the site.
<ul style="list-style-type: none"> A detailed knowledge of any adverse environmental impacts attached to realising subsurface minerals and gases and a comprehensive strategy to oppose inappropriate development of this nature and to mitigate adverse impacts is also required. 	Not applicable to the site.
Effluent Disposal	
<ul style="list-style-type: none"> In the absence of reticulated sewer, on-site effluent disposal should be the subject of comprehensive Sewage Management Plans, informed by broad ranging soil and landscape data. 	Any future development would be required to provide reticulated sewer.

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Strategy	Comments on consistency
<p>Biodiversity</p> <ul style="list-style-type: none"> A comprehensive Biodiversity Strategy should be prepared having regard to existing knowledge and include, as a minimum: 	The proposed E2 zone will contribute a future biodiversity strategy.
Air Quality	Not applicable to the site.
Noise	Not applicable to the site.
Bushfire	Development on the site will be subject to bushfire planning requirements.
Flooding and Drainage	While the site is not below the flood planning level, detention works will be required to minimise any adverse impacts downstream.
<p>Climate Change</p> <ul style="list-style-type: none"> Promote the planting of appropriate trees for shade and solar access. 	Vegetation of the proposed E2 lands will assist with this.
<p><u>Residential Development</u></p> <ul style="list-style-type: none"> "Greenfield" Development refers to the development of land located on the urban fringe that has previously been used for non-urban land uses such as agriculture, for urban uses and particularly for new housing. It is critical to providing some degree of balance in meeting future population growth and provides a different housing and lifestyle choice. If these areas are formally identified as Urban Release Areas they will develop as well planned, integrated communities with a range of housing types and styles, supplied by well-planned services, infrastructure and quality public transport systems and open space networks. Caution should be used when considering proposals to develop land on the urban fringe that is not within a recognised Urban Release Area, as developing such land can lead to uncoordinated development and servicing issues. 	The Planning Proposal complies in that it will provide scope for additional housing while further protecting existing bushland.
<u>Economy and Employment (Incorporating Centres and Corridors)</u>	Not applicable
<u>Centres, Corridors and Business Parks</u>	Not applicable.
<u>Transport and Access</u>	

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Strategy	Comments on consistency
<p>Overarching Objectives</p> <ul style="list-style-type: none"> • Integrate land use and transport planning and delivery • Advocate for improved public transport and promote the use of public transport • Promote walking and cycling for local trips • Facilitate access for all users (including persons with disabilities, the aged and persons with young children) and integrate this philosophy into all levels of planning and transportation network and public domain improvements. 	<p>The development is expected to integrate with the surrounding street network. The provision of an open space corridor through the site will facilitate walking and cycling links between Willowdale and areas to the east and south.</p>
<ul style="list-style-type: none"> • Continue to plan and lobby for funding assistance associated with the construction of the Spring Farm Link Road 	<p>Not applicable.</p>
<p><u>Infrastructure, Services and Open Space</u></p> <p>Overarching Objectives</p> <ul style="list-style-type: none"> • Adequate infrastructure provision should accompany all proposed development • Development should not be approved if it cannot be adequately serviced by existing or augmented infrastructure • Pursue optimum future conservation and demand management of water • Consult relevant service providers in the preparation of the Comprehensive LEP 	<p>The development of the site will be required to provide the required infrastructure. Infrastructure servicing authorities will be consulted during the exhibition process.</p>
<p><u>Rural Lands</u></p>	
<p><u>Scenic and Visual Landscapes</u></p>	

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Strategy	Comments on consistency
<ul style="list-style-type: none"> Retain the existing footprint of the Scenic Hills. 	<p>As outlined above, it is considered that mapping of the MRA as it relates to the subject property is the result of a planning anomaly arising from the:</p> <ul style="list-style-type: none"> location of the site on the Campbelltown City Council and Camden Council LGA boundary; extent of the South West Priority Growth Area which includes the East Leppington Precinct; Emerald Hills Precinct located in the Camden LGA and rezoned in September 2014; and Mapping of the MRA which aligns with property boundaries rather than landscape features. <p>Given the above, the subject site does not exhibit the rural or landscape qualities that comprise the MRA or scenic hills. The site is flanked by urban development on its western and northern boundaries, is bisected by a riparian corridor, gas and high voltage electricity transmission lines that separate it from the Scenic Hills.</p> <p>Accordingly, the impact on scenic and cultural landscape of the Scenic Hills, when viewed from the public realm is considered minimal and any inconsistency with the objectives is considered reasonable in this instance</p>
<ul style="list-style-type: none"> Protect the prevailing "undeveloped"/rural state. 	As above.
<ul style="list-style-type: none"> Urbanisation should be avoided, including in particular intensification of existing uses and the further introduction of institutional development. 	As above.
<ul style="list-style-type: none"> Development within existing urban areas shall minimise its impact upon significant vistas towards the Scenic Hills. 	Not applicable
<ul style="list-style-type: none"> Foster an understanding and respect for the complexity and richness of the Scenic Hills landscape. 	Complies

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Strategy	Comments on consistency
<ul style="list-style-type: none"> Protect and conserve the ecological, scenic and environmental qualities of the Mount Annan Botanic Garden, including inward and outward views and adverse edge effects. 	Not applicable
<ul style="list-style-type: none"> Conserve both the skyline quality and integrity of the Mount Annan ridgeline. 	Not applicable
<ul style="list-style-type: none"> Include the landscape of Sugarloaf within the area recognised as the Scenic Hills. 	Not applicable
<ul style="list-style-type: none"> Protect the quality and integrity of the sequential views while travelling south on Menangle Road, Glenlee Road and the Freeway. 	Not applicable
<ul style="list-style-type: none"> Minimise visual impact of "hard/physical" Infrastructure. 	Complies

Campbelltown Residential Development Strategy 2013

The site is not identified as a future residential urban release site. However the strategy does not preclude minor additions to existing greenfield urban areas.

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

The PP is generally consistent with applicable SEPPs. See Table 6 below.

Table 6

State Environmental Planning Policies	Comments on consistency
SEPP No 1 Development Standards	Not applicable as CLEP 2015 is a Standard Instrument LEP and incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	The PP satisfies this SEPP in that it applies stricter controls on the remaining bushland by zoning it E2 Environmental Conservation.
SEPP No. 21 - Caravan Parks	Not applicable to this Planning Proposal.
SEPP No. 30 - Intensive Agriculture	Not applicable to this Planning Proposal.
SEPP No. 33 - Hazardous and Offensive Development	Not applicable to this Planning Proposal.
SEPP No. 36 - Manufactured Home Estates	Not applicable in the Campbelltown LGA.
SEPP No. 44 - Koala Habitat Protection	Not applicable to this Planning Proposal.
SEPP No. 47 - Moore Park Showground	Not applicable in the Campbelltown LGA.
SEPP No. 50 - Canal Estate Development	Not applicable to this Planning Proposal.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable in the Campbelltown LGA.

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State Environmental Planning Policies	Comments on consistency
SEPP No. 55 - Remediation of Land	As the land has been occupied by bushland it is not anticipated that it would be contaminated. A preliminary site contamination investigation was undertaken and no significant contamination was identified. A future development application would be required to comply with the requirements of the SEPP.
SEPP No. 62 - Sustainable Aquaculture	Not applicable to this Planning Proposal.
SEPP No. 64 - Advertising and Signage	Not applicable to this Planning Proposal.
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable to this Planning Proposal as residential flat buildings is not proposed on the site.
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not applicable in the Campbelltown LGA
SEPP (Affordable Rental Housing) 2009	Not applicable to this Planning Proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable to this Planning Proposal.
SEPP (Coastal Management) 2018	Not applicable in the Campbelltown LGA.
SEPP (Educational Establishments and Child Care Facilities) 2017	Not applicable to this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	Consistent as the Planning Proposal. does not propose any provisions contrary to the SEPP.
SEPP (Gosford City Centre) 2018	Not applicable in the Campbelltown LGA.
SEPP (Housing for Seniors or People with a Disability)	Consistent as the Planning Proposal does not propose any provisions contrary to the SEPP.
SEPP (Infrastructure) 2007	Consistent with SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable in the Campbelltown LGA.
SEPP (Kurnell Peninsula) 1989	Not applicable in the Campbelltown LGA.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable to this Planning Proposal.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable in the Campbelltown LGA.
SEPP (Rural Lands) 2008	Not applicable to this Planning Proposal.
SEPP (State and Regional Development) 2011	Not applicable to this Planning Proposal.
SEPP (State Significant Precincts) 2005	Not applicable to this Planning Proposal.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable in the Campbelltown LGA.
SEPP (Sydney Region Growth Centres) 2006	Not applicable to this Planning Proposal.
SEPP (Three Ports) 2013	Not applicable in the Campbelltown LGA.
SEPP (Urban Renewal) 2010	Not applicable to this Planning Proposal.

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State Environmental Planning Policies	Comments on consistency
SEPP (Vegetation in Non - Rural Areas) 2017	Consistent as the Planning Proposal does not propose any provisions contrary to the SEPP. Any removal of vegetation will be dealt with at the development applications stage.
SEPP (Western Sydney Employment Area) 2009	Not applicable in the Campbelltown LGA.
SEPP (Western Sydney Parklands) 2009	Not applicable in the Campbelltown LGA.
REP No.2 – Georges River Catchment	Not applicable to this Planning Proposal.
REP No.9 - Extractive Industry (No 2)	Not inconsistent
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	Not inconsistent

Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 directions)?

The PP is either considered consistent, justifiably inconsistent with the applicable Ministerial Directions (S9.1 directions). See Table 7 for an assessment of the PP against the S9.1 Ministerial Directions.

Table 7

Ministerial Direction	Comments on consistency
1. Employment and Resources	
1.1 Business and industrial Zones	Not applicable to this Planning Proposal.
1.2 Rural Zones	Satisfies this direction as the Planning Proposal is of minor significance.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable to this Planning Proposal.
1.4 Oyster Production	Not applicable to this Planning Proposal.
1.5 Rural Lands	Satisfies this direction as no land used for agriculture is affected by this Planning Proposal.
2. Environment and Heritage	
2.1 Environmental Protection Zones	The Planning Proposal can satisfy the in that it would provide greater security of protection of the remaining bushland and provides the opportunity for the conservation of land s as a bio-banking site to provide long term protection.
2.2 Coastal Protection	Not applicable to this Planning Proposal.
2.3 Heritage Conservation	Not applicable to this Planning Proposal.
2.4 Recreation Vehicle Area	Not applicable to this Planning Proposal.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable to this Planning Proposal.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent with Direction as it provides for additional housing choice.

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Ministerial Direction	Comments on consistency
3.2 Caravan Parks and Manufactured Home Estates	Not applicable to this Planning Proposal.
3.3 Home Occupations	Not applicable to this Planning Proposal.
3.4 Integrating Land Use and transport	Consistent with Direction as it is of minor significance and unlikely to lead to any other significant rezoning proposals.
3.5 Development Near Licensed Aerodromes	Not applicable to this Planning Proposal.
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent as the land is not known to exhibit acid sulphate qualities.
4.2 Mine Subsidence and Unstable Land	Not applicable to this site.
4.3 Flood Prone Land	Not inconsistent as this Planning Proposal does not propose to rezone any flood affected land.
4.4 Planning for Bushfire Protection	There is bushland to be retained east of the land proposed to be rezoned as R2. It will however be separated by from the residential development by an existing power line easement that assists in providing an Asset Protection Zone. Appropriate measures such as evacuation routes to minimise the risk can be put in place as part of the development assessment process.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable in the Campbelltown LGA
5.2 Sydney Drinking Water catchments	Not applicable in the Campbelltown LGA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable in the Campbelltown LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable in the Campbelltown LGA.
5.5 -5.7	Revoked.
5.8 Second Sydney Airport	Not applicable in the Campbelltown LGA.
5.9 North West Rail Link Corridor Strategy	Not applicable in the Campbelltown LGA.
5.10 Implementation of Regional Plans	Refer to 7.1 below.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent as the Planning Proposal does not alter the provisions relating to approval and referral requirements.
6.2 Reserving Land for Public Purposes	Consistent, as Campbelltown City Council will be the acquisition authority for the land identified for a public purpose.
6.3 Site Specific Provisions	Consistent with Direction.

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Ministerial Direction	Comments on consistency
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	<p>The Greater Sydney Region Plan and Western District Plan identify the site as part of the Metropolitan Rural Area. Each plan states that urban development is not compatible with the MRA and that there is sufficient land to deliver housing eliminating the need for expanding into the MRA.</p> <p>It is considered that mapping of the MRA as it relates to the subject property is the result of a planning anomaly arising from the:</p> <ul style="list-style-type: none"> • location of the site on the Campbelltown City Council and Camden Council LGA boundary; • extent of the South West Priority Growth Area which includes the East Leppington Precinct; • Emerald Hills Precinct located in the Camden LGA and rezoned in September 2014; and • Mapping of the MRA which aligns with property boundaries rather than landscape features. <p>Given the above, the subject site does not exhibit the rural or landscape qualities that comprise the MRA. The site is flanked by urban development on its western and northern boundaries, is bisected by a riparian corridor, gas and high voltage electricity transmission lines that separate it from the Scenic Hills.</p> <p>Accordingly, the impact on scenic and cultural landscape of the Scenic Hills, when viewed from the public realm is considered minimal and any inconsistency with the objectives is considered reasonable in this instance.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to the site.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable in the Campbelltown LGA.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to this Planning Proposal.

Section C – Environmental Social or Economic Impact

6. 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 site is occupied by Cumberland Plain Woodland. The existing E3 zone is applied across the entire the Scenic Hills area and allows a range of rural land uses, subject to a 100 ha minimum site area. It is noted that the adjoining bushland in Camden LGA is zoned as E2 Environmental Conservation, which separates Willowdale and Emerald Hills (in Camden).

It is proposed to zone the eastern portion of the site as E2, which would restrict the range of land uses on the site and assist in protecting the existing bushland. This portion of the site has also been identified by the applicant for future bio-banking.

7. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

While the Planning Proposal is in the vicinity of the Upper Canal, the land proposed to be zoned R2 is located some distance from the boundary of the canal and drains away from the canal.

It is not expected that there would be any significant visual, acoustic and air quality impacts and any bushfire hazard.

8. How has the planning proposal adequately addressed any social and economic effects?

The site does not contain any items of environmental heritage. No aboriginal heritage study has been carried out at this stage.

Section D – State and Commonwealth Interests.

9. Is there adequate public infrastructure for the planning proposal?

Water, sewer, electricity and telecommunications

The site is adjacent to the Willowdale development. Consultation with infrastructure providers will take place to confirm availability of services.

Road access

The provision of road access via St Andrews Road and / or via Aqueduct Street in the adjoining subdivision is being worked out with Camden Council.

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

It is expected that consultation will take place with various government authorities in accordance with any Gateway determination.

Part 4: Mapping

In seeking to achieve the PP objective and outcomes the following map amendments are proposed:

Table 8

Item	Location
Changes to Land Zoning Map	Annexure 1
Changes to Minimum Lot Size Map	Annexure 2
Changes to Changes to Dual Occupancy Lot Size Map	Annexure 3
Changes to Land Reservation Map	Annexure 4
Changes to Urban Release Area Map	Annexure 5
Changes to Terrestrial Biodiversity Map	Annexure 6

Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway Determination. All relevant agencies and local community will also be consulted during the mandated minimum public exhibition period.

Part 6 Project Timeline

The project timeline has been included in Table 9 below. The anticipated timeframes and dates have been assigned to each milestone of the Gateway process.

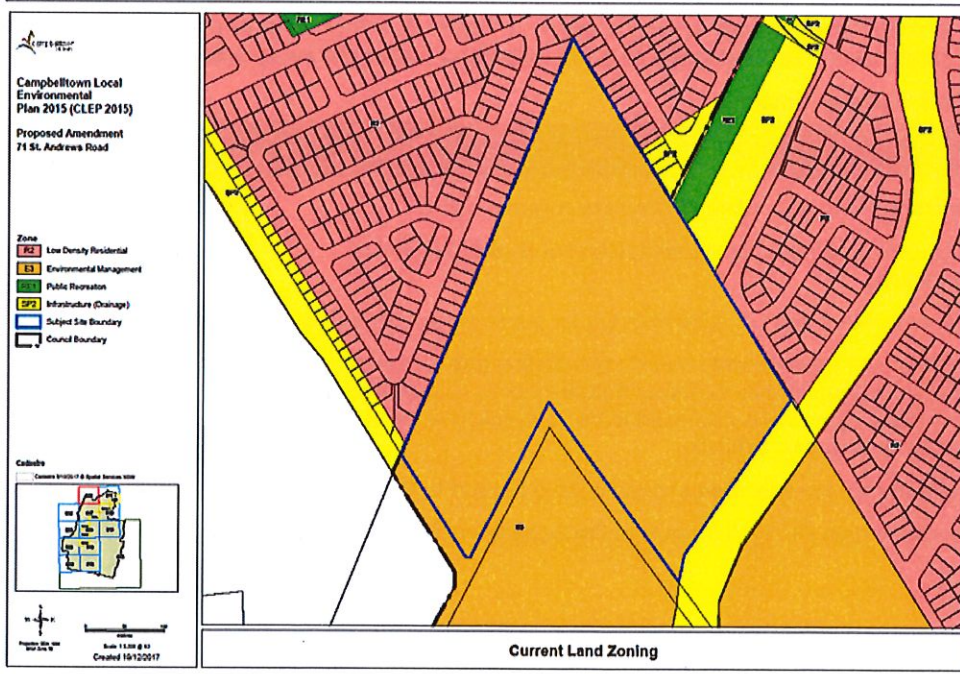
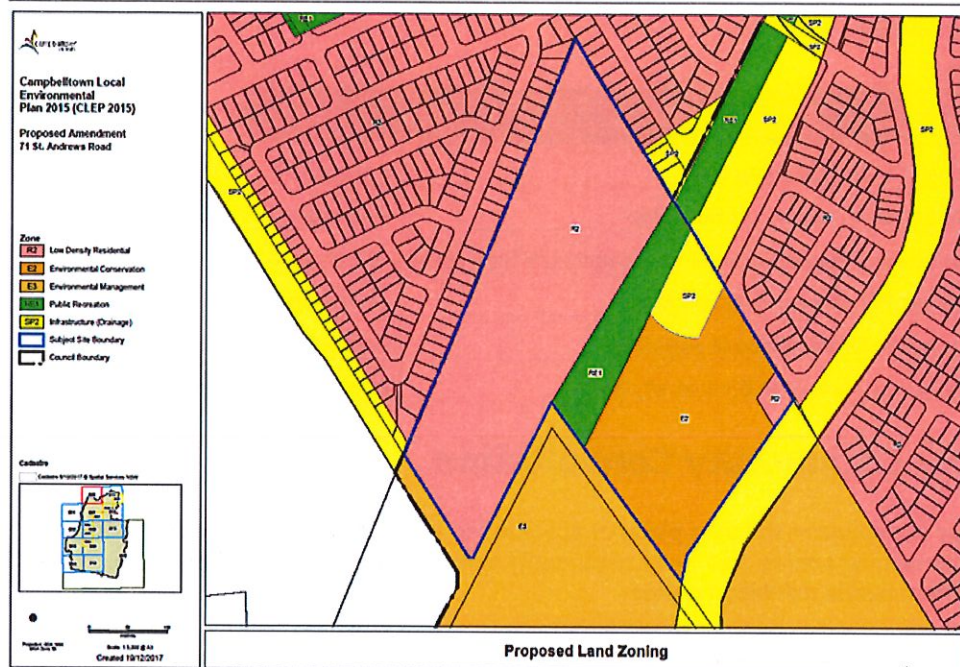
Table 9: Project Timeline

Milestone	Timeline
Commencement date (date of Gateway determination)	August 2019
Anticipated timeframe for the completion of required technical information	December 2019
Commencement and completion dates for public exhibition period	March 2020
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – Consultation with government agencies is proposed to be undertaken while the proposal is on public exhibition.	June 2020
Timeframe for consideration of submissions (report to Council)	July 2020
Anticipated date RPA will forward to the Department for notification	August 2020

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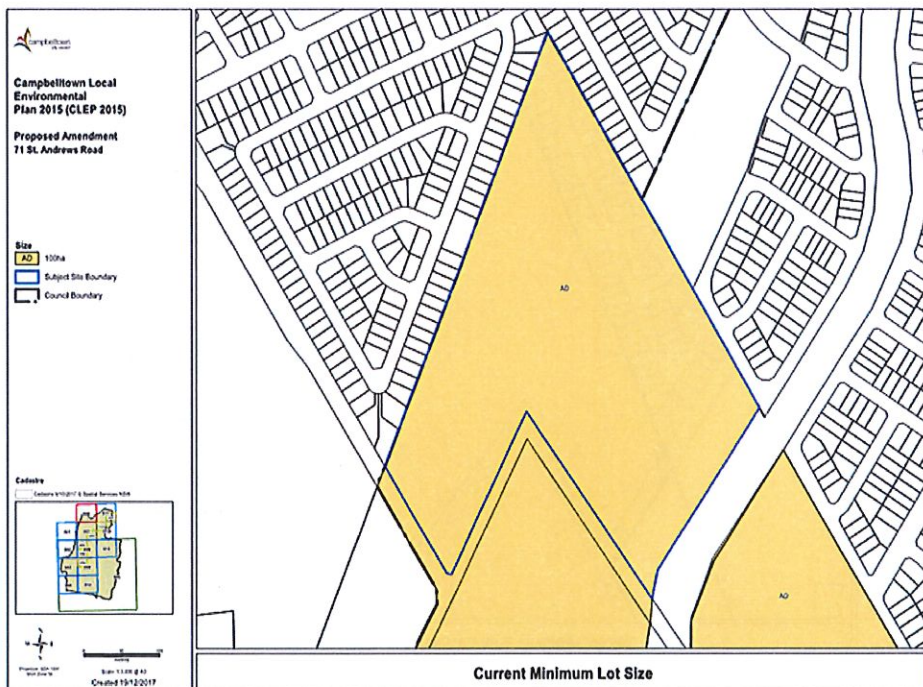
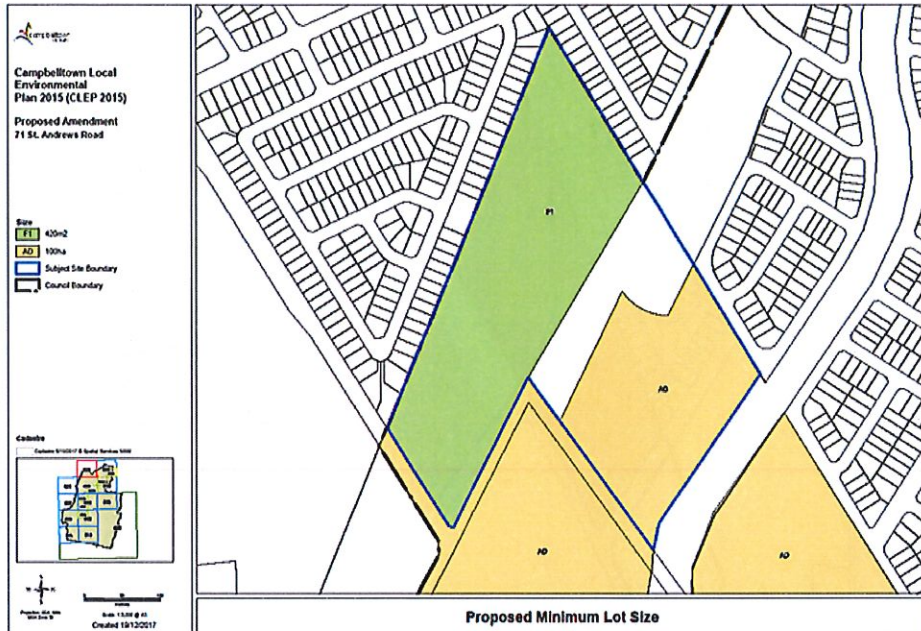
Annexure 1 Changes to Zoning Map



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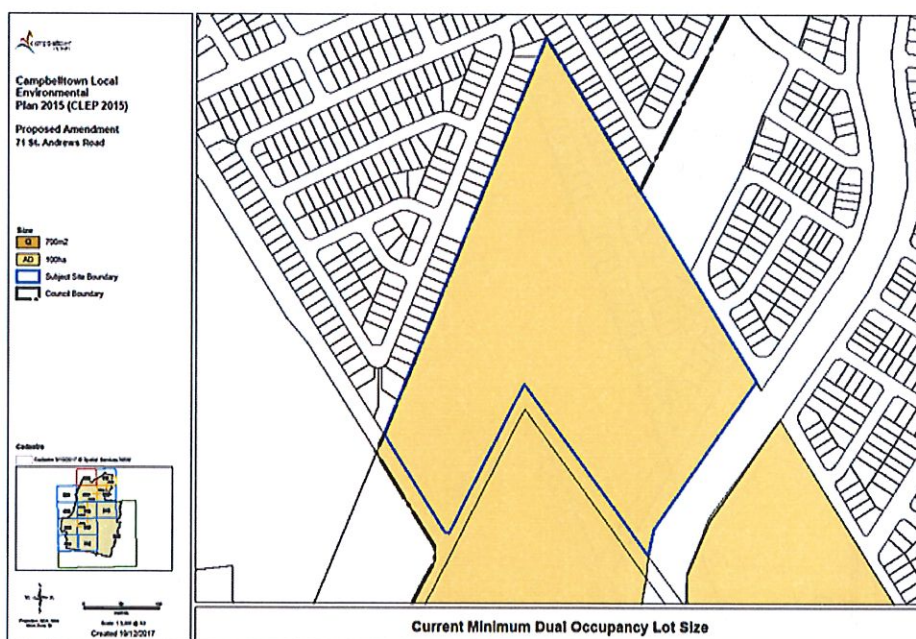
Annexure 2 - Changes to Minimum Lot Size Map



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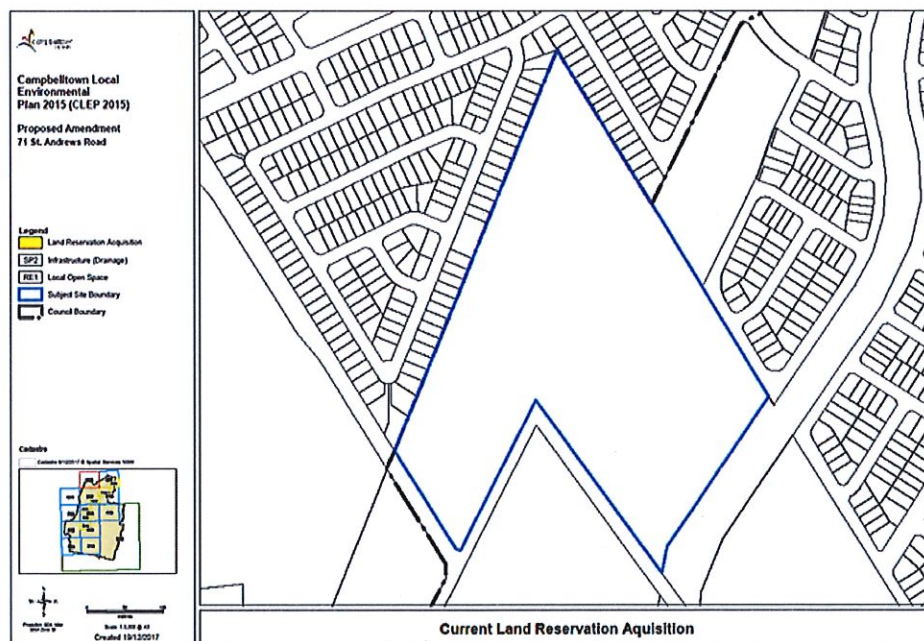
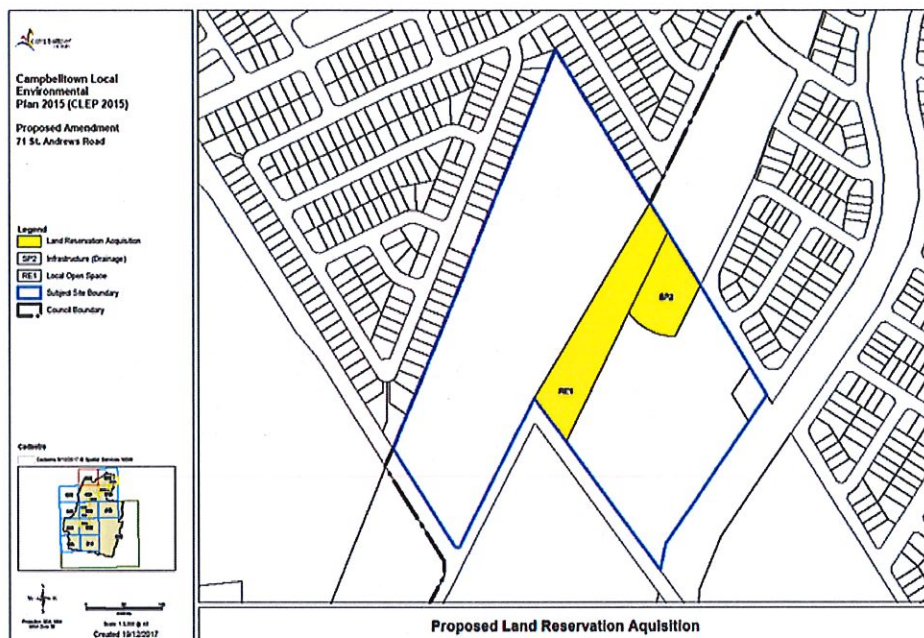
Annexure 3 – Changes to Dual Occupancy Lot Size Map



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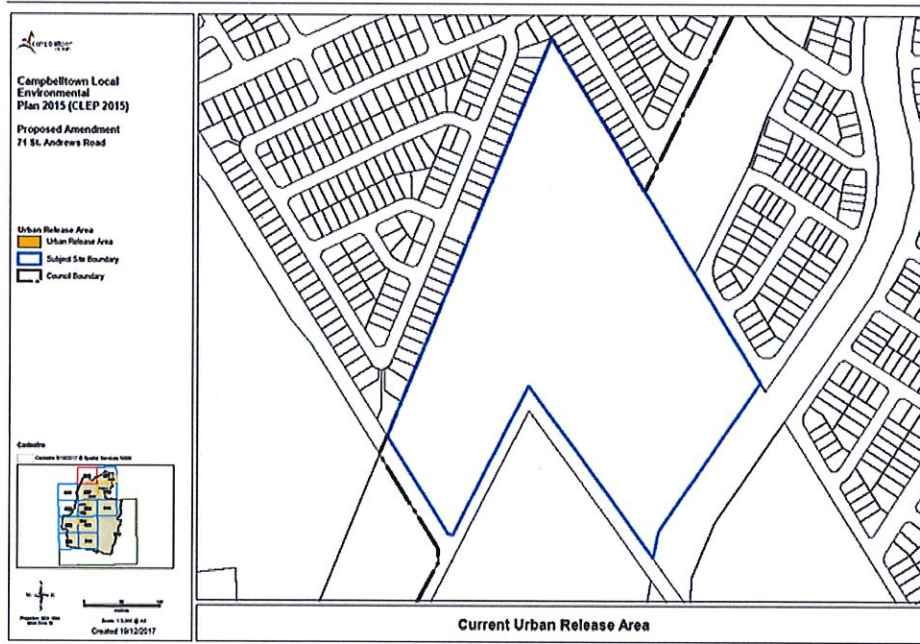
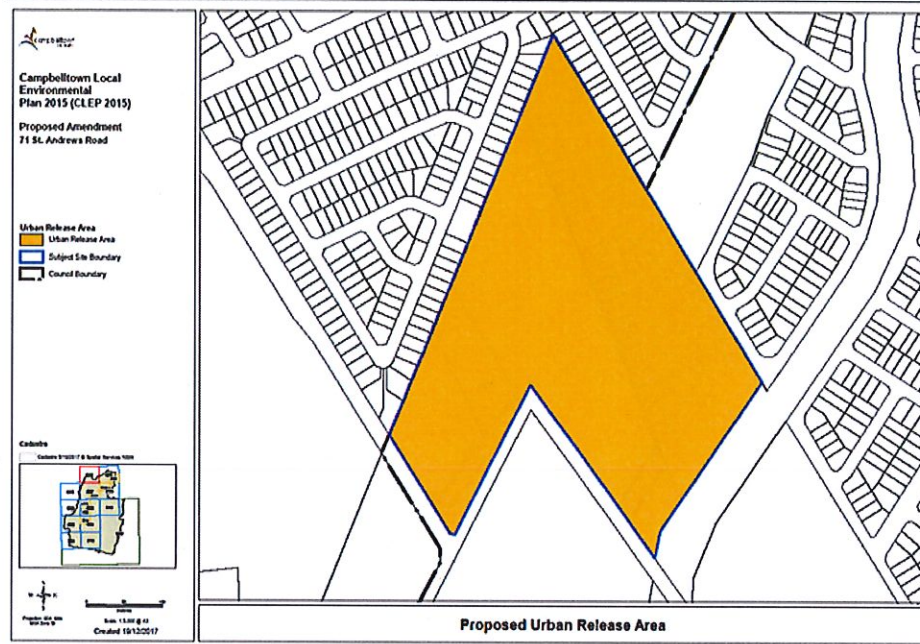
Annexure 4 - Changes to Land Reservation Map



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Annexure 5 - Changes to Urban Release Area Map



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Annexure 6 - Changes to Terrestrial biodiversity Map

