



Planning Proposal

Gilead Community Facility

Proposed amendment of Campbelltown Local Environmental Plan 2015

Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

DCP means Development Control Plan

DPIE means Department of Planning, Industry and Environment

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

GSC means Greater Sydney Commission

LGA means local government area

M means metres

PP means Planning Proposal

PPR means Planning Proposal Request

SEPP means State Environmental Planning Policy

SQM means square metres

Introduction/Background

Existing Use

The site is largely covered in bushland and agricultural lands.

Location

The site is situated within the Mount Gilead Urban Release Area (MGURA) that was rezoned on 8 September 2017 and the larger component of Greater Mount Gilead Precinct initiated under State Government's Greater Macarthur Priority Growth Area which provides for urban expansion within the southern portion of the Campbelltown Local Government Area. The MGURA is expected to provide for 1700 dwellings with supporting open space and amenities, Biocertified lands for environmental conservation and drainage.

The Site

The current location of the Community Hub as provided by the Voluntary Planning Agreement is on land zoned B1 Neighbourhood Centre which is located on lot 61 in DP752042. Delivery of the Community Hub is required within 12 months of the issuing of a subdivision that creates the 1,200th lot.

The Planning Proposal seeks to relocate the Community Hub to Lot 1 in DP 1240836 as illustrated in Figure 1. The site is zoned RE1 Public Recreation and has an area of

24 hectares, is clear of structures, with scattered vegetation and contains two small dams on the north eastern portion of the site. The proposed Community Facility would be sited within this lot and located north of the Biocertified lands (Lot 61 DP 752042), and be adjacent to the main Boulevard.

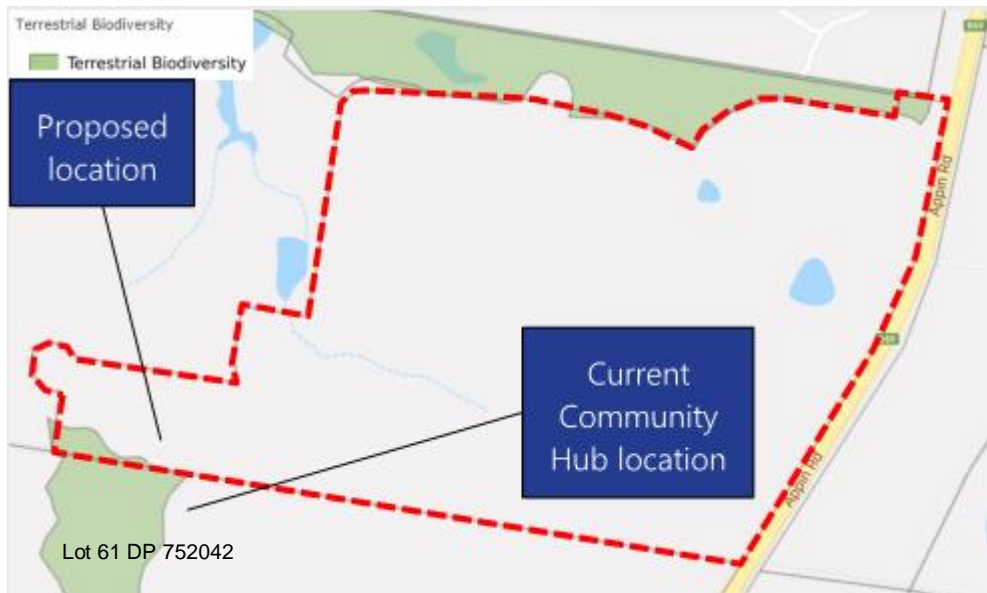


Figure 1: Site Context and Community Facilities Location

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to amend the CLEP 2015 to permit an additional use on part, Lot 1 DP 1240836 for a temporary 'Exhibition Home' for the purpose of a 'Sales and Information Centre'.

Part 2 – Explanation of provisions

The temporary use of an exhibition home would be implemented by an amendment to Schedule 1 of the Campbelltown Local Environmental Plan 2015 to include a new clause that applies specifically to the identified subject site. (See Annexure 2).

Part 3 – Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is a result of a previous rezoning of the MGURA for residential development that occurred in 2017. Upon further enquiry with the NSW Rural Fire Service (RFS), it has been identified that a Community Facility is a 'Special Fire Protection Purpose' in accordance with Planning for Bushfire Protection 2018 (PBP 2018). Accordingly, the current planned location of the

Community Facility on land zoned B1 Neighbourhood Centre is no longer appropriate.

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

This Planning Proposal seeks to enable use of the Community Facility for an 'Exhibition Home' for the purpose of a Sales and Information Centre, during the early stages of development in Mt Gilead. As the Community Facility will be relocated from land zoned B1 Neighbourhood Centre to RE1 Open Space, a Schedule 1 Amendment is required to permit the additional use of the 'Exhibition Home'.

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 – Metropolis of Three Cities

The Greater Sydney Region Plan (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 689,000 new jobs and 664,000 new homes by 2031.

The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services. The Planning Proposal is consistent with the Plan, with justification detailed against the relevant objectives and strategies in Table 1.

Table 1	
Objective	Comments on Consistency
<i>Objective 3 Infrastructure adapts to meet future needs</i>	
Strategy 3.1 Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans	The proposal provides an opportunity to occupy (in part) a pre-planned Community Facility for the purpose of a Sales and Information Centre during the early stages of development.
<i>Objective 6 Services and infrastructure meet communities' changing needs</i>	
Strategy 6.1 Deliver social infrastructure that reflects the needs of the community now and in the future.	The proposal will support early delivery of a Community Facility that will be dedicated to Council on registration of the 1,200th lot in accordance with a Voluntary Planning Agreement.
Strategy 6.2 Optimise the use of available public land for social infrastructure	The proposal would support relocation of the community facility so that it may be located within a parkland setting and satisfy requirements of Planning for Bushfire Protection.
<i>Objective 7 Communities are healthy, resilient and socially connected</i>	
Strategy 7.1 Deliver healthy, safe and inclusive places for people of all ages and abilities that	The relocation of the community facility to RE1 Public Open Space land would support

<p>support active, resilient and socially connected communities by:</p> <ul style="list-style-type: none"> • Providing walkable places at human scale with active street life. • Prioritising opportunities for people to walk, cycle and use public transport. • Co-locating schools, health, aged care, sporting and cultural facilities. • Promoting local access to healthy fresh food and supporting local fresh good production. 	<p>a greater variety of events and community driven projects.</p>
<p><i>Objective 12 Great places that bring people together</i></p>	
<p>Strategy 12.1 Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> • Prioritizing a people-friendly public realm and open spaces as a central organising design principle. • Recognising and balancing the dual function of streets as places for people and movement. • Providing fine grain urban form, diverse land use mix, high amenity and walkability in and within a 10-minute walk of centres. • Integrating social infrastructure to support social connections and provide a community hub. • Recognising and celebrating the character of a place and its people. 	<p>The planning proposal is mainly required due to site planning limitations arising from Planning for Bushfire Protection.</p>
<p><i>Objective 27 Biodiversity is protected, urban bushland and remnants vegetation is enhanced</i></p>	
<p>Strategy 27.1 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 relocation of the Community Facility further enhances and protects the landscape of the adjoining 'bio-certified' managed lands.</p>
<p><i>Objective 31 Public open space is accessible, protected and enhanced</i></p>	
<p>Strategy 31.1 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>The planning proposal is consistent with this objective and strategy in regards to allowing the relocation of a Community Facility to be situated within open space and other associated planned park amenities.</p> <p>Delivery of a Community Facility is a requirement of a VPA registered on the land.</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. Providing walking and cycling links for transport as well as leisure and recreational trips. 	
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Western City District Plan - Connecting Communities

The Western City District Plan (WCDP) was released in March 2018. The PP is consistent with the Plan; the consistencies can be justified as explained in relation to the relevant objectives & strategies in Table 2.

Table 2	
Planning Priority	Comments on Consistency
<i>Planning Priority W1 Planning for a city supported by infrastructure</i>	
Objective 3 Infrastructure adapts to meet future needs.	The Community Facility is a requirement of the Voluntary Planning Agreement (VPA) registered on the land.
Objective 4 Infrastructure use is optimised.	The proposed location of the facility provides a more optimal location in respect to visibility and colocation with existing open space and associated recreation.
<i>Planning Priority W2 Working through Collaboration</i>	
Objective 5 Benefits of growth realized by collaboration of governments, community and business.	A VPA has been entered into with Lendlease (proponent) which will deliver the Community Facility. By collaborating with Lendlease and entering a VPA it allowed Council to deliver facilities that otherwise could not be delivered.
<i>Planning Priority W3 Providing Services and social infrastructure to meet people's needs</i>	
Objective 6	The early provision of an 'Exhibition Home' for the purpose of a 'Sales and

Services and infrastructure meet communities' changing needs.	Information Centre' through the use of a Schedule 1 – Additional Permitted Use will assist in the early delivery of the planned community facility.
<i>Planning Priority W4 Fostering healthy, creative, culturally rich and socially connected communities</i>	
Objective 7 Communities are healthy, resilient and socially connected. Objective 8 Greater Sydney's communities are culturally rich with diverse neighbourhood. Objective 9 Greater Sydney celebrates the arts and supports creative industries and innovation.	The revised location integrates with the open space network and is located along a collector road, providing cycle ways and a shared zone. The provision of a community facility within open space would allow improved place making opportunities.
<i>Planning Priority W6 Creating and renewing great places and local centres, and respecting the Districts Heritage</i>	
Objective 12 Great places that bring people together.	The community facility would provide a sense of place for the community that will encourage activities and events.
<i>Planning Priority W18 Delivering high quality open space</i>	
Objective 31 Public Open Space is accessible, protected and enhanced.	The relocation of the community facility would support the open space use by providing opportunity for an amenities block and a café. The building would be integrated with passive open space and inclusive play areas for all ages allowing a sense of cohesiveness in the design, a sense of surveillance as well as an area of community gathering.
<i>Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change</i>	
Objective 37 Exposure to natural and urban hazards is reduced.	Due to the community facility's deemed 'special fire protection purpose' by the RFS, the relocation is required to ensure the structure is not located within an Asset Protection Zone (APZ).

Greater Macarthur 2040: An Interim Plan 2040

The site is situated within the Greater Macarthur Priority Growth Area. The Greater Macarthur 2040: An interim plan was released alongside the Greater Macarthur Structure Plan in November, 2018.

The Mount Gilead Urban Release Area is located within the Greater Macarthur Structure Plan: Land Release Area and is classified as Existing Urban Land.

Campbelltown Local Environmental Plan 2015 (CLEP 2015)

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown.

The current permissibility's in the RE1 Public Recreation land are as follows:

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land in the zone.
- To facilitate the multiple use of certain open space areas.
- To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.
- To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.
- To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.
- To provide for the retention and creation of view corridors.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To preserve land that is required for public open space or recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Camping grounds; Car parks; Community facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Signage; Small bars; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

An amendment to Schedule 1 is required to permit the proposed land use as below:

DRAFT FORM:

41 Use of certain land at Appin Road, Mount Gilead

- (1) This clause applies to part of Lot 1, DP 1240836, shown as '41' on the Additional Permitted Uses Map.
- (2) Development is permitted with consent, for the temporary use of land as a 'Exhibition Home' for the purpose of a Sales and Information Centre.
- (3) Development consent will only be given if the Consent Authority is satisfied that:
 - a. It will be used as a 'sales and information centre' for no more than three (3) years from the date of Occupation Certificate or within 12 months of the registration of the 1200th lot, whichever occurs first.
 - b. It will be reinstated to its intended use as a community facilities after the cease of the sales and information centre.
 - c. The additional permitted use is only for the building envelope and is to have a minimum floor area of 500sqm.

To support the above clause, the following 'Additional Permitted Uses' Maps Sheet APU_003 will need to be revised.

Note: Approval of DA 3627/2019/DA-SW for the Managed Land Subdivision that subdivides Lot 1 in DP 1240836 as part of creating a separate lot for the Hillsborough BioBank. Therefore, the lot description / deposited plan number may change during progression of the Planning Proposal. This will need to be monitored as DPIE might not track this change. Therefore, the Lot and DP reference will be updated prior to finalisation / publication on the NSW Legislation Website.

Note 2: The intention of this clause is to allow a building to be constructed on land zoned RE1 – Private Recreation. This building will be used as an Exhibition Home for the purpose of a 'sales and information centre'. At the end of the temporary period, the building would be dedicated to council and used as a community facility and amenities for the co-located open space. Therefore, the end date for the application of this clause would be 3 years from the date of Occupation Certificate or within 12 months of the registration of the 1200th lot, whichever occurs first.

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

Local Strategic Planning Statement

The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA).

Its purpose is to:

- Provide a 20 year land use vision for the Campbelltown LGA.
- Outline the characteristics that make our city special.
- Identify shared values to be enhanced or maintained.
- Direct how future growth and change will be managed.
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans.
- Implement the Region and District Plans as relevant to the Campbelltown LGA.
- Identify where further detailed strategic planning may be needed.

The LSPS sets planning priorities to ensure that the LGA can thrive both now and in the future and that future development is appropriate for the local context. The plan is aimed at ensuring that our people have a great city in which to live, work and play; that businesses and visitors have a great place to invest and experience; and that we continue to work towards the goal of being a world class contemporary city of choice and opportunity, that respects its heritage and culture, and is nestled within a green and beautiful natural Environment.

The Planning Proposal is consistent with these priorities.

Campbelltown Community Strategic Plan – Campbelltown 2027

The Campbelltown City Community Strategic Plan (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The Planning Proposal is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

Table 3	
CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	<ul style="list-style-type: none"> • The Proposal provides for the construction of the community facility earlier than anticipated.
Outcome 2	
A respected and protected natural environment	<ul style="list-style-type: none"> • The Proposal does not directly impact the natural environment. The proposal seeks to relocate the Community Facilities to existing open space land to comply with Planning for Bushfire Protection 2019.
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> • The Proposal would support the future development of Gilead.
Outcome 4	
A successful city	<ul style="list-style-type: none"> • The Planning Proposal does not compromise the Outcome 4: A Successful City.

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

The following State Environmental Planning Policies (SEPPs) are relevant to the PP.

Table 4		
Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No 1 Development Standards	Yes	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	Yes	The Planning Proposal seeks to relocate the Community Facility to land that is not impacted an existing bushfire asset protection zone. The proposal community facility would be located on certified land and would not impact on bushland.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this Planning Proposal.
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this Planning Proposal.
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this Planning Proposal.
SEPP No. 55 - Remediation of Land	Yes	At rezoning stage the site was deemed to be suitable for residential development. Lendlease conducted investigations and found four Potential Areas of Environmental Concern (PAEC) identified within Lot 1 DP 1240836. A Remediation has been prepared to address the PAEC and confirm the site can be made suitable for the proposed development.
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will need to comply with the provisions of the SEPP.
SEPP No. 65 - Design Quality of Residential Flat Development	N/A	Not applicable to this Planning Proposal.

SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this Planning Proposal.
SEPP (Aboriginal Land) 2019	N/A	Not applicable to this Planning Proposal.
SEPP (Activation Precincts) 2020	N/A	Not applicable to this Planning Proposal.
SEPP (Affordable Rental Housing) 2009	N/A	Not applicable to this Planning Proposal.
SEPP (Building Sustainability Index: BASIX) 2004	N/A	Not applicable to this Planning Proposal.
SEPP (Educational Establishments & Child Care Facilities) 2017	N/A	Not applicable to this Planning Proposal.
SEPP (Exempt & Complying Development Codes) 2008	Yes	Not applicable to this Planning Proposal.
SEPP (Housing for Seniors or People with a Disability)	N/A	Not applicable to this Planning Proposal.
SEPP (Infrastructure) 2007	N/A	Not applicable to this Planning Proposal.
SEPP (Koala Habitat Protection) 2020	Yes	The Biodiversity Certification applies to the overall Gilead site and considers the vegetation as potential Koala Habitat. The proposal remains consistent with these outcomes.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Yes	As per the original rezoning of the site, the Planning Proposal does not impeded potential mining of coal resources.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	N/A	Not applicable to this Planning Proposal.
SEPP (State & Regional Development) 2011	Yes	The proposed Community Facilities would not be deemed state significant infrastructure as it doesn't not fall within an identified site, and does not meet general requirements.
SEPP (State Significant Precincts) 2005	N/A	Not applicable to this Planning Proposal.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable to this Planning Proposal.
SEPP (Sydney Region Growth Centres) 2006	Yes	The Planning Proposal is consistent with the SEPP.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	e proposal does not identify any vegetation that will need to be removed to facilitate this development. The Planning Proposal is consistent with the SEPP.
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable to this Planning Proposal.
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable to this Planning Proposal.

SREP No.2 Georges River Catchment	N/A	Not applicable to this Planning Proposal.
SREP No 20 Hawkesbury Nepean River	Yes	Does not impact the specifics within the Community Facilities Planning Proposal. Will be addressed in the wider Gilead Estate Planning Proposal.

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

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

Table 5		
Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
1.1 Business and Industrial Zones		
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	Yes	The Planning Proposal is consistent with this direction as it does not affect any land that is within the business and industrial zones. A separate Gateway Determination has been issued that addresses the rezoning of the current B1 zoning, where the community facility was originally proposed.
1.2 Rural Zones		
This Direction seeks to protect the agricultural production value of rural lands.	N/A	Not applicable to this Planning Proposal.
1.3 Mining, Petroleum Production		
This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	N/A	The Planning Proposal does not impeded potential mining of coal resources.
1.5 Rural Lands		
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	N/A	Not applicable to this Planning Proposal.
2.1 Environmental Protection Zones		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	The Planning Proposal would relate to land that is biodiversity certified and therefore consistent with this Direction.

2.3 Heritage Conservation		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	N/A	Not applicable to this Planning Proposal.
2.6 Remediation of Contaminated Land		
This Direction seeks to reduce the risk of harm to human health and the environment through ensuring that contamination and remediation are considered at Planning Proposal stage.	Yes	At rezoning stage the site was deemed to be suitable for residential development. Lendlease conducted investigations and found four Potential Areas of Environmental Concern (PAEC) identified within Lot 1 DP 1240836. A Remediation has been prepared to address the PAEC and confirm the site can be made suitable for the proposed residential development.
3.1 Residential Zones		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	N/A	Not applicable to this Planning Proposal.
3.2 Home Occupations		
This Direction seeks to facilitate low impact small businesses in dwelling houses	N/A	Not applicable to this Planning Proposal.
3.4 Integrating Land Use and Transport		
This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	N/A	Not applicable to this Planning Proposal.
4.1 Acid Sulphate Soils		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Yes	The Planning Proposal is consistent with this Direction.
4.2 Mine Subsidence and Unstable Land		
This Direction seeks to prevent damage to life, property and the environment on land identified as	Yes	Lot 1 DP 1240836 falls within the South Campbelltown Mine Subsidence District and Coal Exploration authorization Area

unstable or potentially subject to mine subsidence.		A248 which includes the Bulli and Balgownie Coal Seams. The original rezoning process considered mine subsidence and concluded that the site was suitable for urban purposes.
4.3 Flood Prone Land		
This Direction seeks to ensure flood hazards are appropriately managed in a development context both on and off the subject land.	N/A	The site of the Community Facilities is not identified as flood prone land.
4.4 Planning for Bushfire		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	The Planning Proposal is consistent with this direction. The proposed relocation of the Community Hub would ensure the future facility is capable of meeting the requirements of Planning for Bushfire Protection.
5.2 Sydney Drinking Water Catchments		
This Directions seeks to protect the water quality in the Sydney drinking water catchment.	Yes	The Planning Proposal would not impact Sydney's drinking water catchment.
6.1 Approvals and Referral Requirements		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The Planning Proposal is consistent with this Direction.
6.2 Reserving land for Public Purposes		
This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Yes	The Planning Proposal is consistent with this Direction.
6.3 Site Specific Provisions		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	The Planning Proposal does not alter existing land use zones and seeks to implement an 'additional permitted use' under Schedule 1 of CLEP 2015. This approach does not impose any additional development standards and is consistent with this direction.
7.1 Implementation of a "Plan for Growing Sydney"		
This Direction seeks to give legal effect to the planning principles;	Yes	The Planning Proposal is consistent with the GMLR Action

directions and priorities for sub regions, strategic centres and transport gateways.		Plan and draft LUIP and assists in facilitating early onset delivery of community infrastructure for the future residents.
7.2 Implementation of a "Greater Macarthur Land Release Investigation Area"		
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Yes	The Planning Proposal is consistent with the GMLR Action Plan.

Section C – Environmental Social or Economic impact

7. 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?

On 5 June 2019, biodiversity certification was conferred over Gilead Stage 1 under s126H of the TSC. The order was signed by the Chief Executive of the Office of Environment and Heritage (OEH), as delegate of the Minister for Energy and Environment. Therefore, development within the certified area can now proceed without the usual requirement under the Environmental Planning and Assessment Act 1979 for site-by-site threatened species assessment.

The proposed relocation of the Community Facility is due to advice provided by the NSW RFS in regard to its classification as a 'Special Fire Protection Purpose' and APZ buffer from the 'Biocertification lands.'

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

The relocation of the proposed Community Facility along with the Schedule 1 amendment would not cause any further environmental impact not already considered during the original rezoning of MGURA.

Bushfire

Concerns regarding the proposed location of the Community Facility were not previously raised by the RFS during the original rezoning process. This is due to the updated guidelines (Planning for Bushfire Protection 2018) which include changes to various requirements for APZ and the categorization of bushfire hazards.

Consultation with the RFS occurred after the rezoning for preparation of development applications and confirmed that the Community Facility is classed as a 'Special Fire Protection Purpose' and therefore requires a greater APZ setback of 41m.

As part of the Gateway Determination, Council undertook pre consultation with the NSW RFS. The planning proposal was referred for comment on 20 July 2021 and no response was received.

Contamination

Four Potential Areas of Environmental Concern (PAEC) have been identified by the applicant on Lot 1 in DP 1240836 (previously Lot 3 in DP 1218887) and includes the 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 of the Community Hub is not affected by the four PAECs.

Mine Subsidence

Lot 1 DP 1240836 falls within the South Campbelltown Mine Subsidence District and Coal Exploration Authorisation Area A248 which includes the Bulli and Balgownie Coal Seams. The previous rezoning process considered mine subsidence where it was concluded that the site was suitable for urban purposes. Since rezoning, Subsidence Advisory NSW has issued approvals under the *Coal Mine Subsidence Compensation Act 2017* and allow for appropriate design requirements to assist with mitigation should future mining occur.

Noise The proposed location of the Community Facility would be situated within open space and bounded by a local road. The proponent suggests there will be no adverse noise impacts upon nearby dwellings which would be considered in more detail at the development application stage.

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

Social Infrastructure

The Planning Proposal does not amend the existing zoning of land and is intended to provide earlier for residents to the proposed community facility.

Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment (ACHA) was completed as supplementary information for a Development Application for comprehensive bulk earthworks over the majority of the site in the Gilead Estate. Upon referral of the Aboriginal Heritage Impact Permit (AHIP) to the Office of Environment and Heritage (OEH) it was required that a further site specific AHIP be obtained.

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

Non Indigenous Heritage

The site does not contain any state or local heritage items and the Planning Proposal is consistent with the development outcomes envisaged for the site in the original rezoning.

Section D – State and Commonwealth interests

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

The Planning Proposal proposed to relocate the Community Facility which is required by the Voluntary Planning Agreement registered on the land. The Community Facility is required to be built within 1 year of the 1200th registered lot.

The additional permitted use of an 'Exhibition Home' for the purpose of a 'sales and information centre' would support early delivery of infrastructure.

Currently, the Proponent is engaging essential utility infrastructure agencies to ensure that services are able to support the current delivery program for residential development.

11. 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.

The consultation with relevant State and Commonwealth public authorities are anticipated to include:

- NSW Rural Fire Service
- Environment, Energy and Science Group

Part 4: Mapping

In seeking to achieve the PP objectives & outcomes the following map amendments and clauses are proposed:

Table 9		
Item	Sheet Number	Location
Additional Permitted Uses Map (003)	1500_COM_APU_003_020_20170412	Annexure 1
Additional Permitted Use Clause	n/a	Annexure 2

Part 5 – Community Consultation

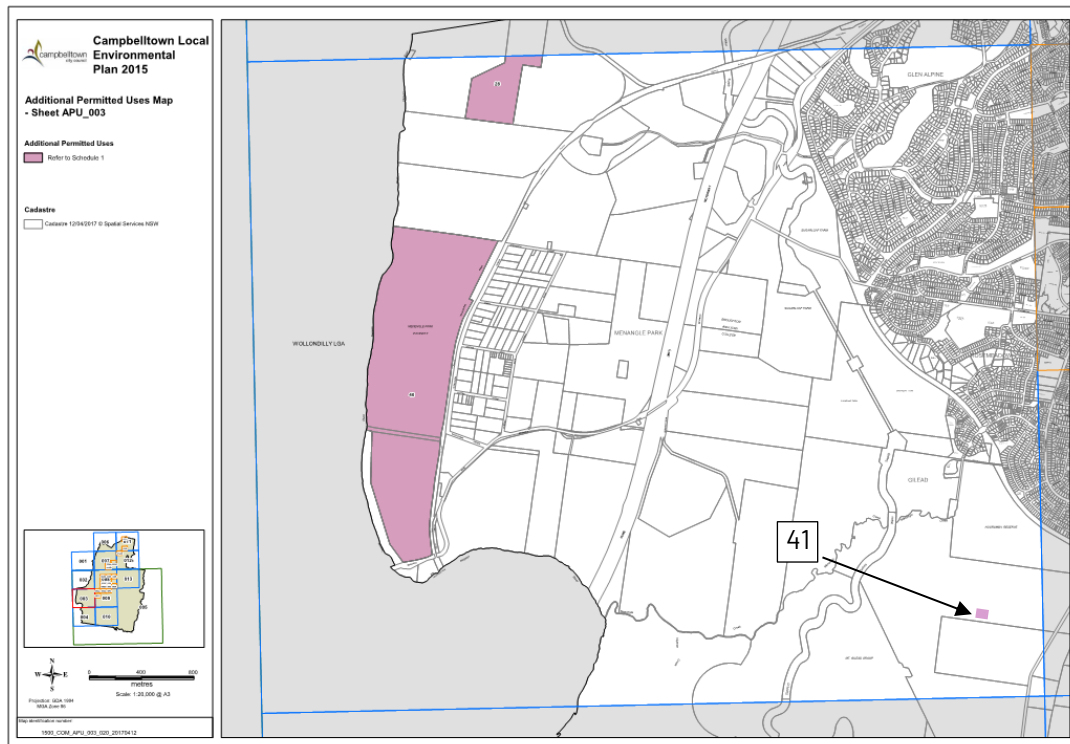
Public consultation will take place in accordance with a relevant Gateway determination. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

Part 6 Project Timeline

A draft project timeline has been included in the table below.

Table 10	
Milestone	Timeline
Report to Council	May 2021
Referral for Gateway Determination	June 2021
Gateway Determination	June 2021
Completion of additional supporting documentation	July / August 2021
Public Exhibition	August / September 2021
Consideration of Submissions	September / November 2021
Finalisation of LEP amendment	February 2022

Annexure 1 Changes to Additional Permitted Uses Map



Drafting Note: Above map '41' not shown to scale, only for illustrative purposes.

Figure 11. Revised Community Hub location under existing zoning



Source: E8 Urban and Aspect, 2019

Annexure 2 DRAFT Additional Permitted Uses Clause

41 Use of certain land at Appin Road, Mount Gilead

- (1) This clause applies to part of Lot 1, DP 1240836, shown as '41' on the Additional Permitted Uses Map.
- (2) Development is permitted with consent, for the temporary use of land as a 'Exhibition Home' for the purpose of a Sales and Information Centre relating to the Mount Gilead Urban Release Area.
- (3) Development consent will only be given if the Consent Authority is satisfied that:
 - a. It will be used as a 'sales and information centre' for no more than three (3) years from the date of Occupation Certificate or within 12 months of the registration of the 1200th lot, whichever occurs first.
 - b. It will be reinstated to its intended use as a community facilities after the cease of the sales and information centre.
 - c. The additional permitted use is only for the building envelope and is to have a minimum floor area of 500sqm.

To support the above clause, the 'Additional Permitted Uses' Maps Sheet APU_003 will need to be revised.

Note: Approval of DA 3627/2019/DA-SW for the Managed Land Subdivision that subdivides Lot 1 in DP 1240836 as part of creating a separate lot for the Hillsborough BioBank. Therefore, the lot description / deposited plan number may change during progression of the Planning Proposal. This will need to be monitored as DPIE might not track this change. Therefore, the Lot and DP reference will be updated prior to finalisation / publication on the NSW Legislation Website.

Note 2: The intention of this clause is to allow a building to be constructed on land zoned RE1 – Private Recreation. This building will be used as an Exhibition Home for the purpose of a 'sales and information centre'. At the end of the temporary period, the building would be dedicated to council and used as a community facility and amenities for the co-located open space. Therefore, the end date for the application of this clause would be 3 years from the date of Occupation Certificate or within 12 months of the registration of the 1200th lot, whichever occurs first.

