

## Gary Hinder

---

**From:** Zoran Sarin <Zoran.Sarin@campbelltown.nsw.gov.au>  
**Sent:** Thursday, 8 June 2023 5:21 PM  
**To:** Gary Hinder  
**Cc:** Adrian Hohenzollern; Catherine Van Laeren; Jane Grose  
**Subject:** RE: Draft Gilead Stage 2 Instrument and maps for consultation.

Gary

Thank you for the opportunity to review the draft Instrument and Maps and make comment.

Generally we are very supportive of the material with the exception of the C2 zone and its permissible uses, namely the potential exclusion of water quality/quantity basins. I will follow up with a separate email tomorrow on this matter.

However for the remainder, we offer the following:

### **Drafting of Schedule 1 Amendment of State Environmental Planning Policy (Precincts—Western Parkland City) 2021 6.12 Affordable Housing**

There is an error in the drafting of Section 6.12 (2a) on page 22 as it implies that 5% of each building/dwelling must be affordable housing, instead of putting in criteria for 5% of the development. The provision as proposed is not practical or achievable.

#### **6.12 Affordable housing**

(1) This section applies to development involving the erection of the following— (a) attached dwellings, (b) multi-dwelling housing, (c) residential flat buildings, (d) shop top housing.

(2) Development consent must not be granted to the development unless the consent authority is satisfied—

- (a) at least 5% of the gross floor area of a building resulting from the development will be used for the purposes of affordable housing, and ...

Potential Solution: Amend the wording to be that: at least 5% of the lots and an additional 5% of any dwellings within any form of residential building with twenty or more dwellings resulting from the development will be used for the purposes of affordable housing

### **Greater Macarthur Growth Area Gilead (Part) Precinct Plan Land Zoning Map – Sheet LZN\_007**

The following extract of Sheet LZN\_007 map includes SP2 zoning in the key without any SP2 zoned land:

Delete the SP2 from the key of Sheet LZN\_007 as it does not apply.



## State Environmental Planning Policy (Precincts — Western Parkland City) 2021

Greater Macarthur Growth Area  
Gilead (Part) Precinct Plan  
Land Zoning Map - Sheet LZN\_007

### Zone

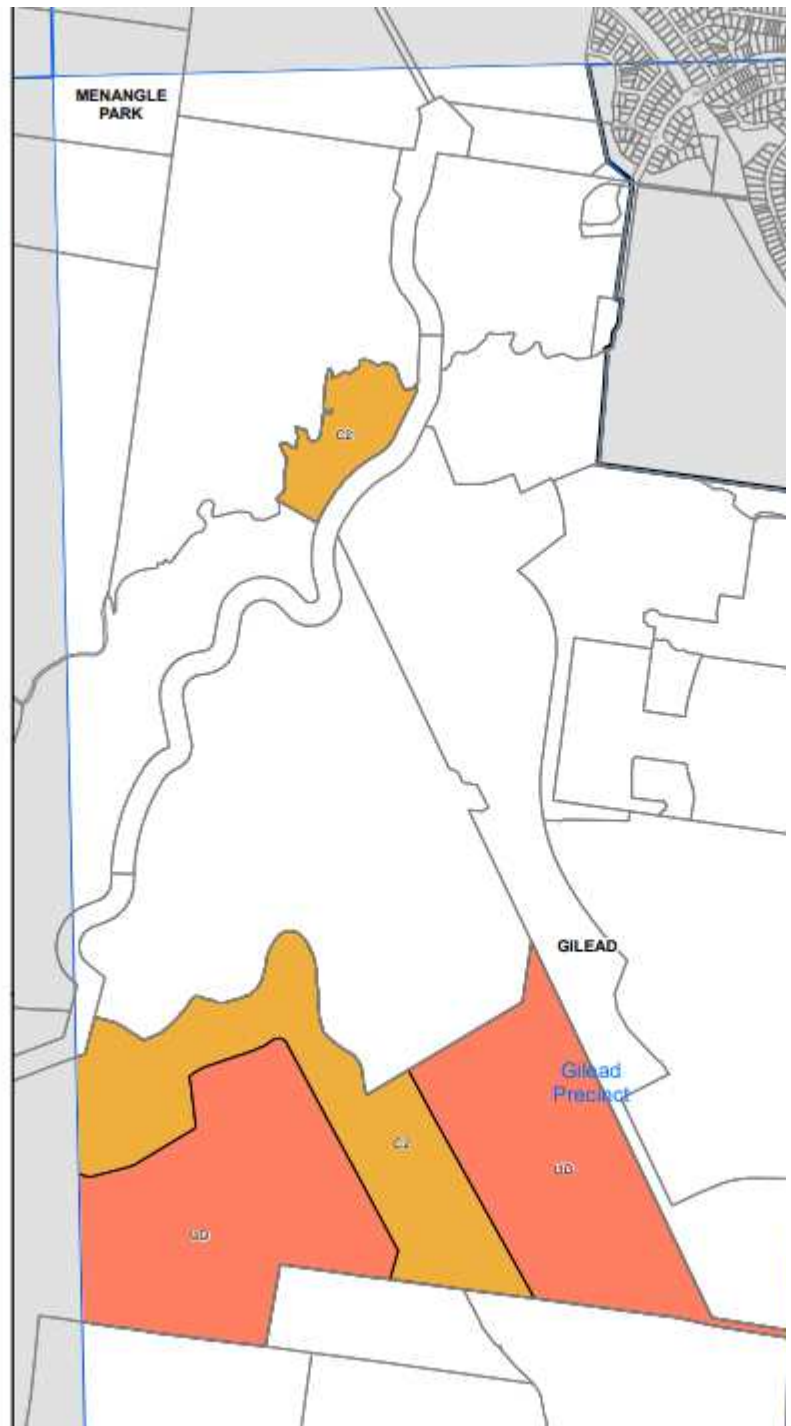
C2	Environmental Conservation
SP2	Infrastructure
UD	Urban Development

### Precinct Boundary

	Greater Macarthur Growth Area Boundary
	Greater Macarthur Growth Area Precinct Boundary

### Cadastre

	Cadastre 06/03/2023 © Spatial Services
--	--



### Clause Application Map – Sheet CAP\_003

- Area 5 is missing from the key

### C2 Zone Permitted Uses

There needs to be more work undertaken on the permitted uses within the C2 zone as there are issues emerging with water quality/quantity basins and the definition of these – which may perform a variety of functions including flood mitigation and environmental protection. **(Subject to separate email to follow)**



**Zoran Sarin**

Acting Executive Manager Urban Release and Engagement

P: 02 4645 4812

M: 0429 699 113

E: [Zoran.Sarin@campbelltown.nsw.gov.au](mailto:Zoran.Sarin@campbelltown.nsw.gov.au)

[www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

Find us on 

Campbelltown City Council acknowledges and respects the Dharawal people as traditional custodians of this land, and extends these respects to all Aboriginal Elders, past and present, and people from all Aboriginal nations.

WE ARE **CAMPBELLTOWN**



## Gary Hinder

---

**From:** Zoran Sarin <Zoran.Sarin@campbelltown.nsw.gov.au>  
**Sent:** Tuesday, 20 June 2023 1:23 PM  
**To:** Gary Hinder  
**Subject:** RE: HPE CM: RE: Draft Gilead Stage 2 Instrument and maps for consultation.

Gary

Further on the issue of C2 zone and its permissible uses, namely the potential exclusion of water quality/quantity basins, we have undertaken some further reading to understand the position of the Office of the Chief Scientist & Engineer and EHG on this matter.

In the document "Response to questions about advice provided in the Koala Independent Expert Panel Report 'Advice on the protection of the Campbelltown Koala population' – Feb 2021(OCS&E)" – consideration and recommendations were given to the corridors and the list of activities allowed within the various buffer zones. In this instance, particular consideration was given to APZ's and it was determined that as a "development" related matter, they should exist outside the corridor and beyond the exclusion fencing. However no specific consideration at the time was given for bio-retention basins.

I note that in a subsequent response from Louisa Clark to Adrian dated 19 December 2022, in response to the Mt Gilead Stage 2 Planning Proposal, p9 specifically addresses proposed basins. The comments utilised information from the Biodiversity Certification Assessment Report and Strategy associated with Gilead Stage 2.

The EHG make the comment that:

"EHG believes the proposal to certify basins within the Koala corridors is inconsistent with the Koala corridor conservation approach in the CPCP for the Appin Part Precinct".

Council accepts that from a simple viewpoint, these basins are more "development" related than "conservation" related and the reason given to place basins outside the exclusion fencing as opposed to within.

Council is also very supportive of consistency in approach. In this regard, can you please confirm that for both the Walker PP (Part Appin) and Inghams (North Appin), and elsewhere if applicable, that the approach will be to exclude any and all basins from the C2 zone?

As a final comment, and this is more a legal issue, is that a modern basin is typically both water quantity (detention) and water quality (bio basins to meet specific nutrient criteria). Accordingly, I would consider that a bio-basin would meet the definition of an environmental protection work as it protects land from environmental degradation. It could be that if a developer was to take any subdivision DA to the Land & Environment Court, the Court may be required to make a determination. If this determination concurs with my view, it would be an outcome which EHG would not support. I would therefore suggest gaining a Barristers opinion on this matter.

**environmental protection works** means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.



**Zoran Sarin**

Acting Executive Manager Urban Release and Engagement

P: 02 4645 4812

M: 0429 699 113

E: [Zoran.Sarin@campbelltown.nsw.gov.au](mailto:Zoran.Sarin@campbelltown.nsw.gov.au)

[www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

Find us on 

Campbelltown City Council acknowledges and respects the Dharawal people as traditional custodians of this land, and extends these respects to all Aboriginal Elders, past and present, and people from all Aboriginal nations.

WE ARE **CAMPBELLTOWN**



## Gary Hinder

---

**From:** Zoran Sarin <Zoran.Sarin@campbelltown.nsw.gov.au>  
**Sent:** Tuesday, 27 June 2023 12:26 PM  
**To:** Gary Hinder  
**Cc:** Adrian Hohenzollern; Catherine Van Laeren; Jane Grose  
**Subject:** RE: Draft Gilead Stage 2 Instrument and maps for consultation.

Gary

My apologies for the late response, but one final matter we are seeking some clarity on.

As you would be aware, Gilead Stage 2 is 3,300 lots approximately and Mount Gilead (Stage 1) is 1,700 lots. These are not separate developments, rather two adjoining developments owned and being developed by the same applicant.

Accordingly, ideal planning would look at the whole and not just the separate individual parts.

With regard to the quantum of active and passive open space required for Stage 2, Council needs to further refine its discussions with the applicant on how best to manage the active and passive open space requirements across both stages. At this stage it would appear that active open space previously earmarked for Stage 1 is best delivered as a larger active space in Stage 2. Likewise some of the passive open space required for Stage 2 is best placed in Stage 1.

Can you please clarify, whether the Structure Plan Clause (Clause 6 below), is sufficiently flexible as to consider meeting the numerical obligations within the combined Stages 1 and 2, or is so rigid as to require this numerical obligation to be delivered specifically within the bounds of the Gilead Stage 2 landholdings?

## Part 6 Additional local provisions

### 6.1 Structure plan

- (1) The Planning Secretary may approve a structure plan for the Gilead (Part) Precinct.

ge 16

Docs\ep\2023-068\06\2023-068BOD.fm 29/5/23, 02:53 pm

draft

mpbelltown Local Environmental Plan 2015 (Amendment No 33) [NSW]  
chedule 1 Amendment of State Environmental Planning Policy (Precincts—Western Parkland City) 2021

- (2) A structure plan must provide for the general layout of the precinct, including by identifying the following—
  - (a) the land proposed to be used for medium and low density residential development,
  - (b) the land in Zone 1 Urban Development on which existing native vegetation must be protected and enhanced,
  - (c) the location of educational facilities, roads and transport infrastructure and retail and business premises,
  - (d) the location of at least 29.1ha of open space, including—
    - (i) at least 20.9ha of open space for outdoor community sports, including playing fields and associated facilities, and
    - (ii) at least 8.2ha of open space for recreation, including parks, gardens, conservation bushland and nature reserves,
  - (e) a koala underpass on Appin Road,
  - (f) the land in Zone C2 Environmental Conservation.
- (3) The 29.1ha of open space identified in the structure plan under subsection (2)(d) must not include land identified as “koala corridor” on the Koala Corridors Map.



**Zoran Sarin**  
Acting Executive Manager Urban Release and Engagement

P: 02 4645 4812  
M: 0429 699 113  
E: [Zoran.Sarin@campbelltown.nsw.gov.au](mailto:Zoran.Sarin@campbelltown.nsw.gov.au)

[www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

Find us on 

Campbelltown City Council acknowledges and respects the Dharawal people as traditional custodians of this land, and extends these respects to all Aboriginal Elders, past and present, and people from all Aboriginal nations.

WE ARE **CAMPBELLTOWN**



---

**From:** Gary Hinder <Gary.Hinder@dpie.nsw.gov.au>  
**Sent:** Tuesday, 30 May 2023 12:35 PM  
**To:** Zoran Sarin <Zoran.Sarin@campbelltown.nsw.gov.au>  
**Cc:** Adrian Hohenzollern <Adrian.Hohenzollern@planning.nsw.gov.au>; Catherine Van Laeren <Catherine.VanLaeren@planning.nsw.gov.au>; Jane Grose <Jane.Grose@planning.nsw.gov.au>  
**Subject:** Draft Gilead Stage 2 Instrument and maps for consultation.

Dear Zoran,

We have received the latest versions of the Gilead Stage 2 package.

I have attached here the:

- draft Instrument,
- draft EP&A Regulation amendment
- draft SEPP maps, and
- draft LEP maps.

Please review the attached documents and provide any comments back to the Department by COB Thursday 8 June. I will provide GIS data to you for the maps shortly.

Please note:

Due to ongoing consultation with EHG regarding protection of vegetation, some further changes may be made to the Land Zone Maps.

Also, the digital LZN map is available for viewing on the spatial viewer. You can access it by following this link.

<https://www.planningportal.nsw.gov.au/spatialviewerlite/#/find-a-property/address?ppnumber=PP-2022-3978>

Please reach out to Andrew MacGee ([Andrew.macgee@campbelltown.nsw.gov.au](mailto:Andrew.macgee@campbelltown.nsw.gov.au)) (your organisation admin) for access to Spatial Viewer Lite.

Thank you for your response regarding the briefing session scheduled for Thursday, I will check people's diaries and reschedule for a time that suits.

If you have any questions, please feel free to contact me on the detail below.

Regards

**Gary Hinder**  
Senior Planning Officer, Western Parkland City



Department of Planning and Environment

**T** 02 9873 8547 | **E** [Gary.Hinder@dpie.nsw.gov.au](mailto:Gary.Hinder@dpie.nsw.gov.au)

4 Parramatta Square, Parramatta NSW 2150 | GPO Box 39, Sydney NSW 2001

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

*I acknowledge and respect the traditional custodians and ancestors of the lands I work across.*