



IRF22/4434

## Plan Finalisation Report – PP-2022-3978

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Campbelltown LEP 2015 (Amendment No. 33)  
Gilead Stage 2 State Assessed Planning Proposal

May 2024

Published by NSW Department of Planning, Housing and Infrastructure

[planning.nsw.gov.au](http://planning.nsw.gov.au)

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# Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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# 1 Introduction

## 1.1 Overview

### 1.1.1 Name of draft LEP

Campbelltown Local Environmental Plan 2015 (Amendment No. 33) (**draft LEP**)

### 1.1.2 Site description

**Table 1 Site description**

Site Description	<p>The planning proposal (<b>Attachment A</b>) applies to land at a site known as “Stage 2” within the Gilead Precinct of the Greater Macarthur Growth Area (<b>GMGA</b>).</p> <p>The site comprises the following five lots:</p> <ul style="list-style-type: none"> <li>○ Lot 2 in DP 1218887</li> <li>○ Lot 2 in DP 249393</li> <li>○ Lot 1 in DP 603675</li> <li>○ Lot 2 in DP 603674</li> <li>○ Lot 5 in DP 1240836</li> </ul> <p>The site is illustrated in <b>Figure 1</b> and has an area of 495ha. The land has been largely cleared for cattle grazing, and as a result is predominantly open grasslands. There are some areas of vegetation in the former grazing area, including scattered paddock trees with areas of denser vegetation generally located within creek lines including Menangle Creek, Nepean Creek and Woodhouse Creek, and along the Nepean and Georges River.</p> <p>Immediately to the east of the site is ‘Figtree Hill’, also known as ‘Gilead Stage 1’ but referred to formally to in the Campbelltown Local Environmental Plan 2015 as the ‘Mount Gilead Urban Release Area’. The site is similarly referred to as the “Mount Gilead Precinct” in the Greater Macarthur Growth Area Boundary Map in the <i>State Environmental Planning Policy (Precincts-Western Parkland City) 2021 (WPC SEPP)</i>.</p> <p>The subject Gilead Stage 2 site is situated between the Nepean River to the west and Figtree Hill to the east. There are several state and local heritage items in the vicinity of the site including:</p> <ul style="list-style-type: none"> <li>• Mount Gilead Homestead, adjacent to the site</li> <li>• The Upper Canal, which traverses the site in a general north-south direction</li> <li>• Glen Lorne Archaeological site, which sits to the north east of Appin Road</li> <li>• Sugarloaf Farm, which is to the north of the site, and</li> <li>• Beulah Homestead.</li> </ul> <p>Beulah Reserve is to the south east of the site and has been identified to form the eastern end of Koala Corridor B along Woodhouse Creek.</p> <p>A series of electrical transmission lines and gas pipeline easements traverse the site from north to south.</p> <p>The nearest strategic centre is Campbelltown-Macarthur approximately 7km to the north.</p>
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	The site is not located within the boundaries of the Cumberland Plain Conservation Plan ( <b>CPCP</b> ). Campbelltown City Council is currently progressing an application for Biodiversity Certification for the site.
Type	Site Specific (Part of the Gilead Precinct of the GMGA)
Council	Campbelltown City Council ( <b>Council</b> )
LGA	Campbelltown



Figure 1 Gilead Stage 2 site is outlined in red. Note the two lots east of Appin Road and the lot to the north west of Figtree Hill, which all form part of the site.



### 1.1.3 Purpose of the draft plan

In this report, the 'draft plan' refers to both the final draft maps and final draft LEP submitted for determination. The draft plan seeks to implement the outcomes of the assessment of the planning proposal, which is to rezone the site from its current RU2 Rural landscape zoning to the Urban Development Zone (**UDZ**) and C2 Environmental Conservation zone (**C2**). The UDZ portion of the site will facilitate approximately 3,300 homes, a part of the Greater Macarthur Transit Corridor, a new local centre of approximately 7,200sqm of gross floor area which will provide up to approximately 2,565 jobs in the longer term. While the exhibited Planning Proposal sought 242.6ha of C2 land, this has been increased to 247.8ha which is approximately 50% of the site. Of the 247.8ha of total C2, 230ha of this (46% of the site) is mapped koala corridor.

The draft plan will insert Appendix 11 into the WPC SEPP. This Appendix has been informed by the proposed controls contained within the exhibited planning proposal, which were based on existing Appendices for precincts in the WPC SEPP, and existing clauses in the Campbelltown Local Environmental Plan 2015 (**LEP**).

Among the proposed controls, the draft LEP will:

- Provide new aims:
  - to give effect to the Greater Macarthur 2040 Interim Plan (2018) and Structure Plan and Guide (2022); and
  - to protect and enhance Aboriginal Cultural Heritage and items of environmental heritage (such as the Upper Canal and Glen Lorne).
- Require a Precinct Structure Plan (**PSP**) for the site to be finalised and adopted by the Planning Secretary. The PSP must show the general location of the following:
  - Medium and low-density residential development;
  - Local and neighbourhood centres (referred to in the draft LEP as 'retail and business premises');
  - Areas of existing native vegetation which are to be protected and enhanced within the UDZ;
  - Land proposed to be used for drainage and stormwater management;
  - Land in the UDZ where existing native vegetation must be protected and enhanced;
  - Height of buildings;
  - Any educational facilities;
  - Roads and transport infrastructure (not including local roads);
  - Koala underpasses at Appin Road;
  - At least 29.1ha of open space, comprising at least 20.9ha of active open space and 8.2ha of passive open space (which cannot be located within any koala corridors); and
  - Land to be rezoned to C2.
- Specify permitted uses for the UDZ (largely based on the Wilton Growth Area).
- Require the Planning Secretary's concurrence before development consent can be granted to any proposed development on the site.
- Ensure the permissible uses in the mapped koala corridors are limited to uses consistent with the Office of the Chief Scientist and Engineer's (**OCSE**) advice. These include:
  - Environmental facilities (not including buildings); and
  - Environmental protection works.

- Provide for a wider range of permissible uses on land zoned C2 which do not form part of a mapped koala corridor. These areas of C2 are shown on the Additional Permitted Uses (**APU**) Map. These uses include:
  - Roads; and
  - Water supply systems.
- Provide for a tailored range of permissible uses for the local heritage item 'Glen Lorne' and a requirement that the proposed development must relate to the heritage item. While the site sits within the identified Georges River Koala Corridor, the list of additional permitted uses has been included in the draft plan to enable appropriate opportunities for the community to visit and appreciate the historical significance of the site without compromising the ability of the Georges River Corridor to meet the OCSE recommendations. The additional uses include:
  - Building identification signs;
  - Information and education facilities; and
  - Car parks.
- Require concurrence from Transport for NSW (**Transport**) before consent can be granted to development located on transport corridor land (that is, land identified as Transit Corridor on the Transport Corridors Map), that:
  - has a capital investment value of more than \$200,000; or
  - involves the penetration of ground to a depth of at least 2 metres below existing ground level on land within 25 metres of transport corridor land.

**Table 2** below outlines the current and proposed controls for the CLEP and WPC SEPP.

**Table 2 Current and proposed controls**

Control	Current LEP control	Proposed WPC SEPP control
Zone	RU2 Rural Landscape	UDZ Urban Development Zone (236ha) C2 Environmental Conservation (247.8ha) RU2 Rural Landscape (10.5ha)
Maximum height of buildings ( <b>HOB</b> )	9.0m	Height of buildings will now be shown on the Structure Plan.
Floor space ratio ( <b>FSR</b> )	N/A	N/A
Minimum lot size ( <b>MLS</b> )	100ha	5ha in C2 zone. No MLS proposed for the UDZ
Maximum number of dwellings (cl 4.3A)	Nil	3,300

### 1.1.4 State electorate and local member

The site falls within the Campbelltown state electorate. Greg Warren MP is the State Member.

The site falls within the Macarthur federal electorate. Dr Mike Freelander MP is the Federal Member.

Both MPs have made written representations regarding the site and broader GMGA since it was exhibited in late 2022. There are no donations or gifts to disclose, and a political donation disclosure is not required. There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 2 Gateway determination and alterations

The Gateway determination was issued on 16 November 2022 (**Attachment B**) and determined that the proposal should proceed subject to conditions.

The Gateway determination required the proposal to be finalised on or before 17 July 2023. As the proposal was referred to the Department for finalisation by the required date (**Attachment C**), no alteration to extend the Gateway timeframe was required.

All of the other Gateway determination conditions have been met.

## 3 Public exhibition and post-exhibition changes

### 3.1 Submissions (during exhibition and late submissions)

In accordance with the Gateway determination, the proposal was publicly exhibited by the Department for 28 days from 21 November until 19 December 2022.

The Planning Land Use Strategy, Housing and Infrastructure (**PLUSHI**) branch of the Department has made several minor post exhibition changes to address issues raised in submissions and to address issues identified in this final assessment of the proposal.

#### 3.1.1 Number of submissions received

A total of 157 submissions were received, this consists of:

- 140 from the community;
- 16 from State Government agencies; and
- 1 from Campbelltown City Council.

Section 3.1 discusses issues raised in the 140 public submissions, while Section 3.2 discusses the 16 Agency and Council submissions, with particular attention to the concerns received from the biodiversity and conservation team of the former Environment and Heritage Group (**EHG**), who now form part of the NSW Department of Climate Change, Energy, the Environment and Water (**DCCEEW**). To avoid confusion, this report continues to refer to 'EHG' when referencing consultation and submissions on the proposal, however, refers to DCCEEW in relation to the current and future assessment of the Biocertification application for the site.

Of the 140 public submissions received (note, public submissions are publicly available on the Department's portal at <https://pp.planningportal.nsw.gov.au/ppr/finalisation/gilead-stage-2>), 10 were received from organisations such as Australian Ethical Investment Ltd, Save Sydney's Koalas, and the Urban Taskforce Australia.

Of the individual submissions, 57 objected to the proposal (41%), six supported the proposal (4%) and the remaining 77, although not objecting to the proposal, raised several issues (55%).



### 3.1.2 Submissions supporting the proposal

Key supporting points raised in the public submissions noted:

- Delivery of Gilead Stage 2 and adjoining development (Rosalind Park) will secure:
  - Significant portion of Koala Corridor A along Menangle Creek;
  - The northern component of the Greater Macarthur Transit Corridor;
  - Electrical, sewer and water services for the precinct; and
  - Revegetation and restoration of vegetation.
- Leadership shown by government in delivering major housing proposals to address the housing shortage.
- Significant benefit to the broader community including:
  - Thousands of new homes;
  - local and town centres;
  - A school site;
  - A considerable amount of open space and environmental lands; and
  - The preservation of koala corridors.
- Associated upgrades to Appin Road.

### 3.1.3 Submissions objecting to, or raising issues about the proposal

The key concerns raised in the majority public submissions can be summarised under the following three themes:

- Approximately 89% of submissions raised concerns about preservation of the koala population, habitat, and corridors, and biodiversity;
- Approximately 46% of submissions raised concerns about concerns about the biodiversity certification application and process; and
- Approximately 6% of submissions raised concerns about lack of infrastructure in the area.

These three themes are discussed in more detail in **Table 3** below. Section 3.1.4 discusses other issues raised but appeared in fewer submissions.

**Table 3 Summary of Key Issues**

Issue raised	PLUSHI Response
1. <u>Preservation of koala population, habitat, and corridors and biodiversity.</u> (a) The need for the proposed koala corridors to be consistent with the OCSE advice, specifically minimum corridor widths. (b) zoning of the corridors as C2 Environmental Conservation, and appropriate permitted uses. (c) consideration of roads such as the proposed transit corridor, impacting the koala corridors	<p><u>1(a):</u></p> <p>PLUSHI has undertaken a comprehensive assessment of the OCSE advice and can confirm the following:</p> <ul style="list-style-type: none"> <li>• The OCSE did not recommend any minimum corridor widths. (PLUSHI notes the Nepean River Corridor is as narrow as approximately 70m in some areas due to constraints).</li> <li>• The OCSE specified the average width of a Koala corridor should be at least 390m.</li> <li>• The Gilead Stage 2 site will contribute C2 zoned land to delivering koala corridors that will achieve at least 390m average widths over time as additional land is rezoned.</li> </ul> <p>A detailed breakdown of the methodology for PLUSHI's calculation of the corridors is included in <b>Section 4</b> below. This methodology is consistent with the methodology used to finalise the CPCP.</p>

Issue raised	PLUSHI Response
<p>(d) delivery of Appin Road koala underpasses.</p> <p>(e) Overall impact of the proposed development on the koala's habitat and population.</p>	<p><u>1(b):</u></p> <p>All Koala Corridors are proposed to be zoned as C2 Environmental Conservation and will be mapped on a 'Koala Corridors Map'. The C2 zone and map will provide statutory recognition and protection for the corridors, which are currently zoned and unprotected under the RU2-Rural Landscape zone. A very limited list of uses will be permissible within a mapped koala corridor being Environmental facilities and Environmental protection works.</p> <p><u>1(c):</u></p> <p>Roads are not permissible within the koala corridors, however the OCSE noted that some roads transecting corridors are inevitable and would be acceptable so long as they are designed in a way that prevents koala deaths and allow safe passage through the corridor. Only roads identified on the Transport Corridors Map will be permissible to cross a koala corridor. If necessary, PLUSHI will amend the Transport Corridors Map to ensure the road crossings are in areas of least impact to the corridors. The evidence base for any amendments to the Transport Corridors Map will be traffic modelling undertaken for the Transport Management and Accessibility Plan (TMAP) for the site, and consultation with Transport.</p> <p><u>1(d):</u></p> <p>Separate to this rezoning, there are two proposed koala underpasses at Appin Road in the general vicinity of Noorumba and Beulah Reserves. Negotiations and investigations between PLUSHI, State government agencies and the proponent are currently underway to secure delivery of these underpasses. The proposed concurrence clause (section 6.3 of the draft LEP) applying to the site will require the Planning Secretary to consider the impact of any proposed development on site, on the koala population and maintenance and delivery of the koala corridors. The design of the underpasses will be in accordance with the OCSE advice.</p> <p><u>1(e):</u></p> <p>The overall impact of the rezoning on koala populations is considered to have a positive effect. This is because the rezoning will secure 230ha of mapped koala corridor (46% of the site), not just protect existing koala habitat, but also provide for substantial areas of revegetation. This rezoning significantly builds on the first portion of koala corridor as secured in Figtree Hill and sets an important precedent for future rezonings to implement the strategic vision outlined in the Greater Macarthur Interim Plan (2018) and Guide (2022). Further, the suite of new controls to be inserted into the WPC SEPP provide additional protections to ensure koala corridors are protected and managed appropriately in accordance with the OCSE recommendations. PLUSHI considers this outcome a substantial improvement when compared to the current status of the site which is largely cleared former grazing land zoned RU2, which provides none of the above protections.</p>

Issue raised	PLUSHI Response
	<p>While the OCSE advice was instrumental in understanding and establishing koala corridor methodology (such as transect measurements and their application), it is only one component of a much larger framework behind the proposed koala protections. The NSW government is committed to a range of conservation actions to provide more habitat for koalas. There is a committed goal to double koala numbers by 2050, with \$190M committed to targeted conservation actions – particularly under the Koala Strategy.</p> <p>The GMGA 2040 Plan and the guide published in November 2022 have long standing commitments to protect koalas through a variety of measures to mitigate habitat loss and deliver long-term habitat protection for koalas and other species that share their habitats. It is noted that Campbelltown City Council also support the identification and protection of Koala Corridors in the GMGA.</p>
Issue raised	PLUSHI response
<p>2. <u>Concerns about the biodiversity certification application and process</u></p> <p>(a) Concerns were raised in relation to the pending Biocertification application and the inadequacy of the supporting Biodiversity Certification Assessment Report &amp; Biocertification Strategy.</p> <p>(b) Objection to the reliance on credits to offset the negative impacts to the koala habitat.</p> <p>(c) The need for Lendlease to have an independent review of the ecologist report they commissioned in support of the Biocertification application.</p>	<p><u>2(a):</u></p> <p>Regarding the concerns in relation to Biocertification and the use of credits, PLUSHI notes that Biocertification is an optional pathway and a separate legislative process to this rezoning. While the rezoning is subject to the <i>Environmental Planning and Assessment Act 1979</i> and determined by a delegate of the Minister for Planning, Campbelltown City Council's Biocertification Application will be assessed by DCCEEW under the <i>Biodiversity Conservation Act 2016 (BC Act)</i> and will be determined by the Minister for Environment.</p> <p>Following consultation with DCCEEW and the proponent, all high value and potential high value vegetation that was located within the UDZ at exhibition, will now retain its current RU2 zoning as a temporary solution until the Biocertification process has concluded. The outcomes of the Biocertification determination will inform the future zone of these remaining RU2 zoned sites.</p> <p><u>2(b) and (c):</u></p> <p>This is a matter for DCCEEW as the State government agency responsible for the assessment of the Biocertification application.</p>
<p>3. <u>Lack of infrastructure in the area.</u></p> <p>(a) A small number of submissions raised concern over the lack of infrastructure in the area noting current infrastructure in the area is inadequate, specifically: schools, parks, community centres, swimming pools, recreation areas, medical care, public transport, and public housing.</p>	<p><u>3(a):</u></p> <p>An Infrastructure Servicing Strategy accompanied the planning proposal which provides an assessment of the ability of existing infrastructure to service the site, and what Infrastructure upgrades would be required in future. The report provides options and recommendations to ensure the site is adequately serviced with potable water, wastewater, telecommunications, and electricity.</p> <p>The proposal was also accompanied by a Social Infrastructure and Housing Demand Assessment which provides an assessment and recommendations for social infrastructure and open space provision to support the needs of the incoming population.</p>

Issue raised	PLUSHI response
(b) The need to ensure the site is serviced with potable and wastewater was raised.	<p>Infrastructure will be delivered via:</p> <ul style="list-style-type: none"> <li>• A State Planning Agreement between the proponent and the state government to secure certain infrastructure;</li> <li>• Local Planning Agreement between the proponent and Campbelltown City Council will address local infrastructure such as open space;</li> <li>• Council's Contributions Plan; and</li> <li>• Other State contributions and funding sources.</li> </ul> <p>The community will have an opportunity to review and comment on these draft agreements when they are each placed on public exhibition. The draft State Planning Agreement will be exhibited by the Department at the same time as the draft Development Control Plan.</p> <p>Further to this, the Precinct Structure Plan will be an important tool to identify infrastructure, including elements of the planning agreements such as koala underpasses, as well as road infrastructure and public open space.</p> <p>The land to which the Precinct Structure Plan and Development Control Plan applies to, will align to the number of houses catered for by committed and planned infrastructure.</p> <p><u>(b):</u></p> <p>PLUSHI has confirmed the proposed maximum number of dwellings cap will ensure Sydney Water can service the site via the Macarthur Water Filtration Plant.</p> <p>The Department has received updated advice from Sydney Water that up to 600 dwellings can be accommodated via the Glenfield wastewater system for the proposal area in the short to medium term (5-10 years). Long term servicing will be provided via a potential future Upper Nepean Water Filtration Plant anticipated to be available from 2032. Sydney Water has also advised that they will engage with proponents to discuss potential alternative servicing opportunities.</p> <p>In light of this updated advice, further consultation with Sydney Water is required on the timing and delivery of wastewater servicing through Sydney Water's network, including the capacity for new connections over a 0-5, 6-10 and 11-15+ year time period prior to development consent. Private servicing, under the Water Industry Competition Act 2006, will only be considered as an alternative to Sydney Water's network, with written confirmation from Sydney Water, after consultation that adequate delivery of wastewater servicing is not achievable, and must explain the number of connections and time period that is affected in the proposed development timeframe.</p> <p>Therefore, at this time only 600 dwellings of the potential 3,300 homes can be developed initially until there is confirmation of the timing and delivery of wastewater servicing through Sydney Water's network or a private network solution has been identified. Further</p>

Issue raised	PLUSHI response
	housing may then be unlocked in the future when additional infrastructure is committed.

### 3.1.4 Other issues raised

Other matters of concern raised by submissions included:

- Objections to proposed Koala Corridors

One community submission objected to the intended future Koala Corridor A. An assessment of the koala corridors is provided in Part 4 of this report.

- Inadequacy of the exhibition process.

As mentioned above, the planning proposal was exhibited from 21 November 2022 to 19 December 2022 for a period of 28 days. The close of the exhibition period ensured there was no overlap with the end of school Term 4 and the commencement of the Christmas school holiday period (21 December 2022). Letters were sent out to nearby residents and landowners, in addition to notifications published in the Sydney Morning Herald, Daily Telegraph, Camden Reporter and Koori Mail newspapers as well as online notification.

It is noted that 28 days is the standard exhibition period for planning proposals. Further, submissions received after the close of the exhibition period have been considered in this assessment.

It is considered that adequate efforts were made to notify the community of the exhibition period for the planning proposal. Further, the community and agencies will be consulted on the draft State Planning Agreement and draft Development Control Plan when these are exhibited by the Department, anticipated later in 2024.

- Overdevelopment and underestimation of the proposed dwelling numbers.

The draft instrument proposes a dwelling cap of 3,300 homes. This figure has been used to guide the assessment of existing and anticipated infrastructure, traffic modelling, and to calculate the quantity of public open space required to support future residents. The dwelling cap will prevent overdevelopment and subsequent pressure on local resources and infrastructure. Any future proposal to amend the dwelling cap would need adequate justification and would be assessed by Council in the first instance prior to being submitted to the Department for a Gateway determination.

- Inadequacy of flooding and bushfire assessment.

The planning proposal was accompanied by a Strategic Bush Fire Study and a Preliminary Flood Modelling assessment.

The bush fire study concluded that the proposed development would not:

- create urban areas that were difficult to evacuate;
- create control difficulties during a bushfire or adversely affect other bush fire protection strategies; or
- place existing development at increased risk.

The flood assessment did not identify any significant constraints on land proposed to be zoned for urban development and advised the majority of the 1% Annual Exceedance Probability (AEP) event and Probable Maximum Flood (PMF) levels would be contained within environmental conservation lands.

As part of the preparation of the Precinct Structure Plan, PLUSHI will ensure the NSW Flood Inquiry recommendations are addressed. In particular, this includes understanding where the

PMF level is and flooding behaviour (such as duration, velocity, depth) and ensuring that any land uses proposed in the PMF requiring evacuation or other mitigation measures that these are in place prior to submitting the Precinct Structure Plan to the Secretary for endorsement.

## 3.2 Advice from Agencies, Utilities and Campbelltown City Council

PLUSHI consulted extensively with NSW Government agencies, including Campbelltown City Council (Council) throughout the exhibition process, receiving 16 submissions.

Submissions from NSW Government agencies and utilities were received from:

- Western Parkland City Authority (WPCA);
- Transport for NSW (Transport);
- Mining, Exploration & Geoscience;
- Environmental Protection Authority (EPA);
- Subsidence NSW;
- Transgrid;
- Environment and Heritage Group (EHG);
- Greater Cities Commission (GCC);
- Sydney Water;
- NSW Fire and Rescue;
- Museums of History NSW;
- NSW Health;
- Water NSW;
- Heritage NSW;
- Schools Infrastructure NSW (SINSW); and
- NSW Rural Fire Service (NSW RFS).

PLUSHI also received advice from Transport, Council, EHG, Water NSW, and Sydney Water post exhibition. As with late community submissions, agency submissions received after the close of exhibition were considered as part of this assessment.

The key issues raised included implementation of the Greater Macarthur Transit Corridor (GMTC), implementation of the koala corridors, provision for utilities including water and sewer, development controls, permissible land uses, protection of key water assets and heritage items.

**Attachment E – Submissions Table** outlines the issues raised in each submission and PLUSHI's response.

### 3.2.1 Environment and Heritage Group (EHG):

Environment and Heritage Group (EHG) did not initially support the rezoning. Following extensive consultation and subsequent refinements to the proposal post exhibition, the last correspondence received by PLUSHI did not object to the proposal but raised some concerns over some minor issues. An analysis of the key matters raised by EHG in their submission following public exhibition that relate to the proposed rezoning, and PLUSHI's response, is included below.

#### 1. Insufficient biodiversity information



EHG raised concern that insufficient information regarding biodiversity was provided with the Planning Proposal to inform the zone boundaries, the draft Structure Plan and land proposed for certification, and the clearing of approximately 53.5ha with the proposed UDZ.

PLUSHI response

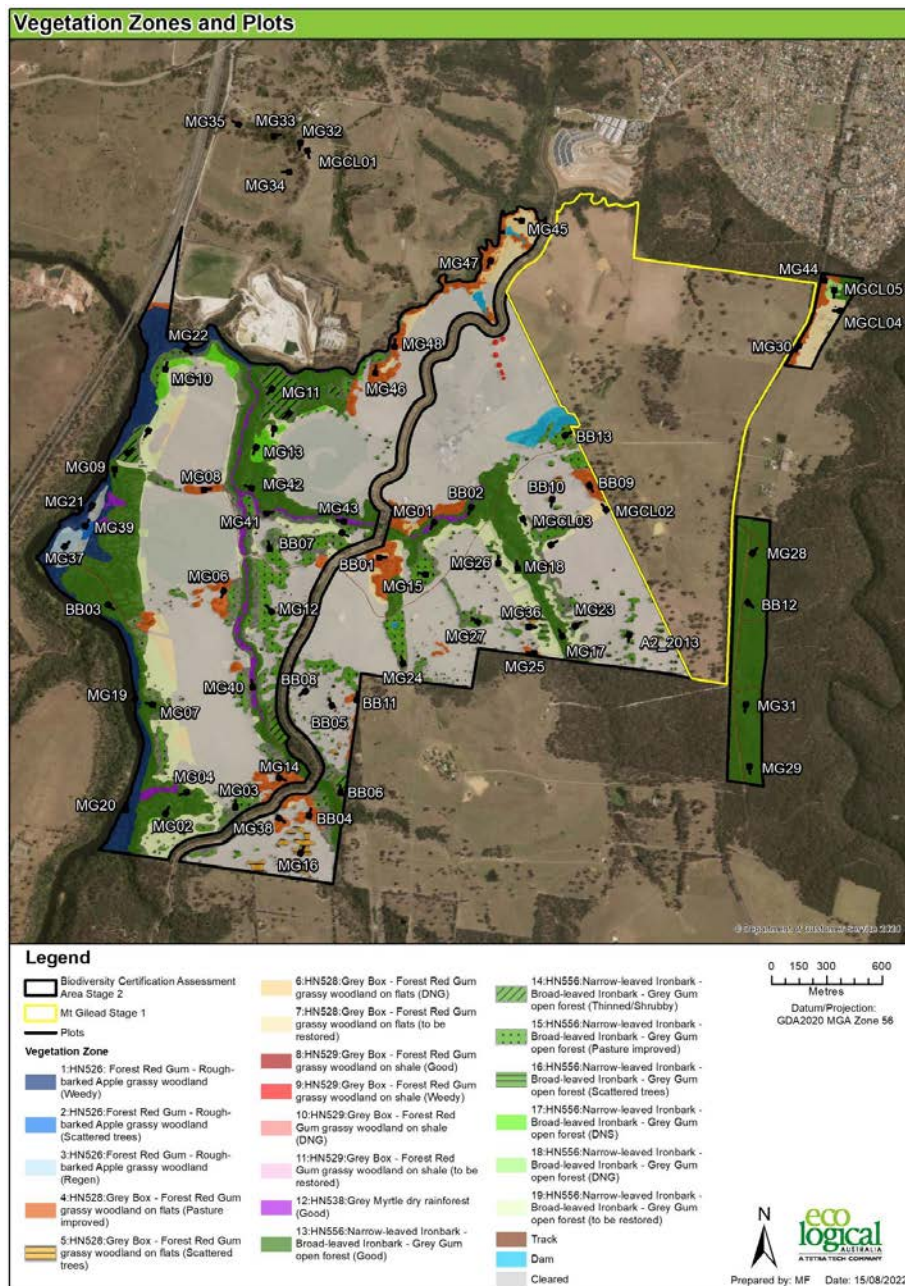
Zone boundaries: The planning proposal was accompanied by a *Biodiversity Certification Assessment Report & Biocertification Strategy, November 2022 (BCAR)* which although was prepared specifically for the separate biocertification application, provides information on the biodiversity values of the Gilead Stage 2 site which have helped inform the proposed zones.

In relation to the vegetation contained within the proposed UDZ, the report notes:

*“Of the habitat to be impacted, 6.43 ha is high quality habitat (intact vegetation with a high proportion of preferred browse species), 13.4 ha moderate quality and is 35.4 ha is low quality (modified/thinned vegetation/scattered paddock trees with a low abundance of PKFTs (areas dominated by regrowth Ironbark’s)).”*

10.5ha of high quality and potential high quality vegetation is no longer proposed to be zoned UDZ. These areas will retain the current RU2 Rural Landscape zoning until the Biocertification process has been completed. Following which, the outcomes of the Biocertification will inform the appropriate landuse zones for these sites.

The BCAR contains several detailed maps, see for example **Figure 2** below (which is Figure 13 from the BCAR) which identifies vegetation types and their quality.



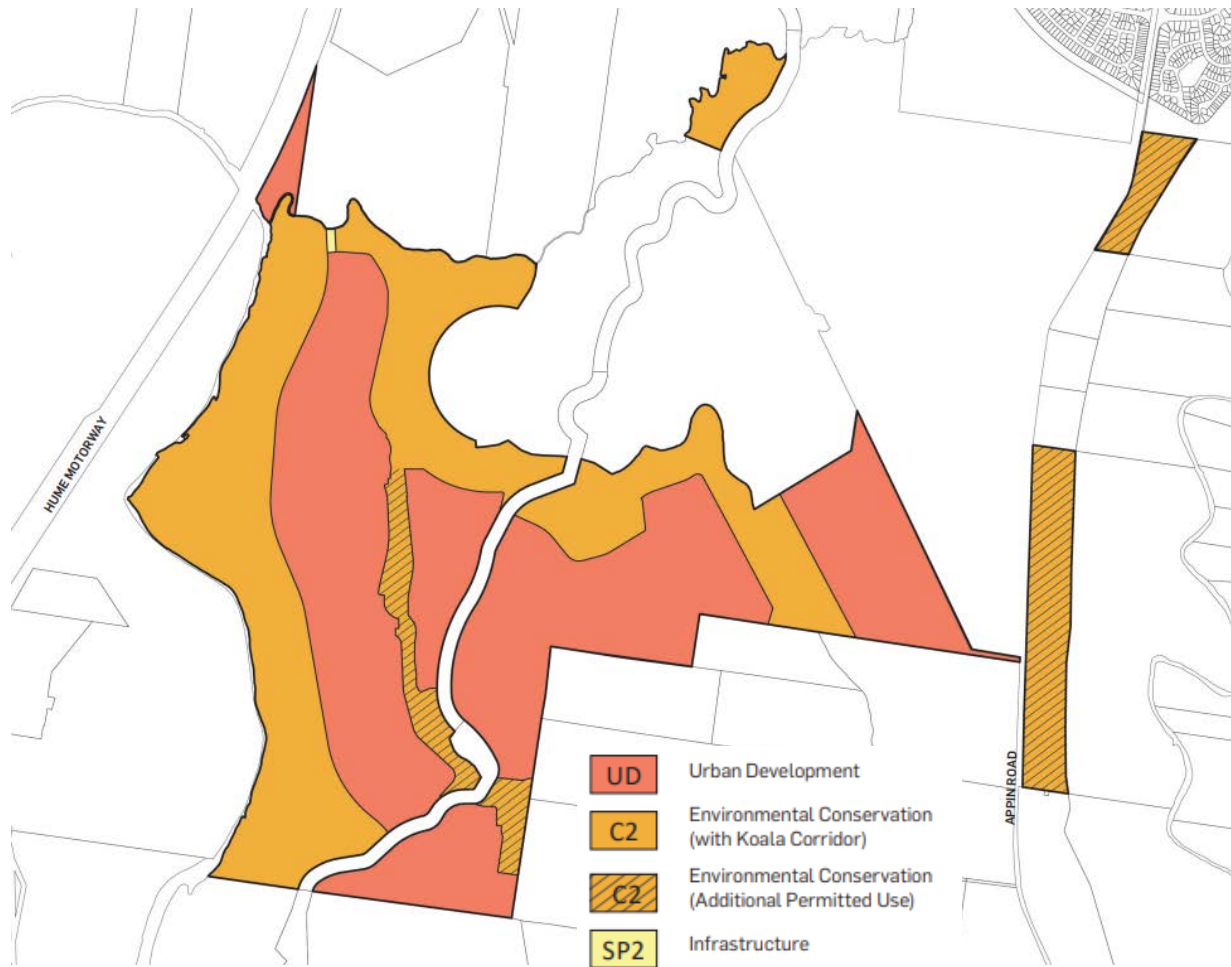
**Figure 2 Biometric Vegetation types (BCAR – Ecological Nov 22)**

Extensive investigations have been carried out to determine the draft koala corridor boundaries consistent with the methodology applied in the CPCP. This approach ensures a single consistent approach across the whole GMGA. The proposed C2 zone provides adequately zoned land to form part of the following koala corridors consistent with the OCSE advice (see Sections 4.1.2 and 4.1.3 below for more detail):

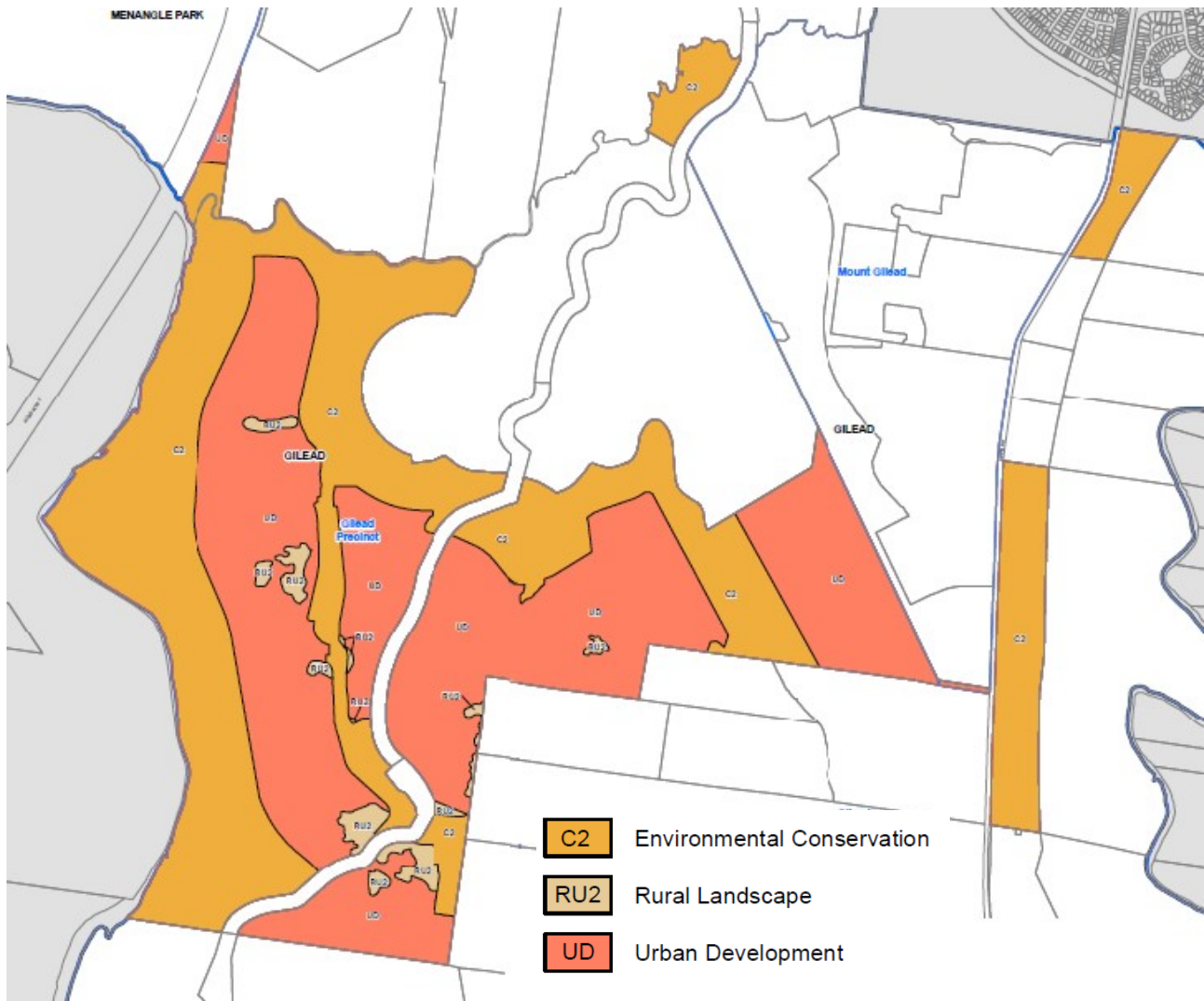
- Koala Corridor A (Menangle Creek);
- Koala Corridor B (Woodhouse Creek);
- Nepean River Koala Corridor; and
- Georges River Koala Corridor.

In addition to the koala corridors noted above, the proposal will also provide additional C2 zoning protection to existing vegetation along Nepean Creek. As noted earlier in this report, the total amount of C2 in the final maps is 247.8ha (approximately 50% of the site). 230ha of this C2 land

is also mapped as Koala Corridor (46% of the site). The various investigations have helped inform the overall landuses proposed for the site, see **Figures 3** and **4** below:



**Figure 3 Exhibited Land Use Zone Map**



**Figure 4 Final draft Land Use Zone Map**

Draft Structure Plan: The draft Precinct Structure Plan which formed part of the planning proposal (**Figure 5**) will need to be updated and finalised in accordance with the:

- controls in the draft LEP;
- outcomes of the TMAP; and
- confirmed number of houses that can be accommodated by infrastructure.

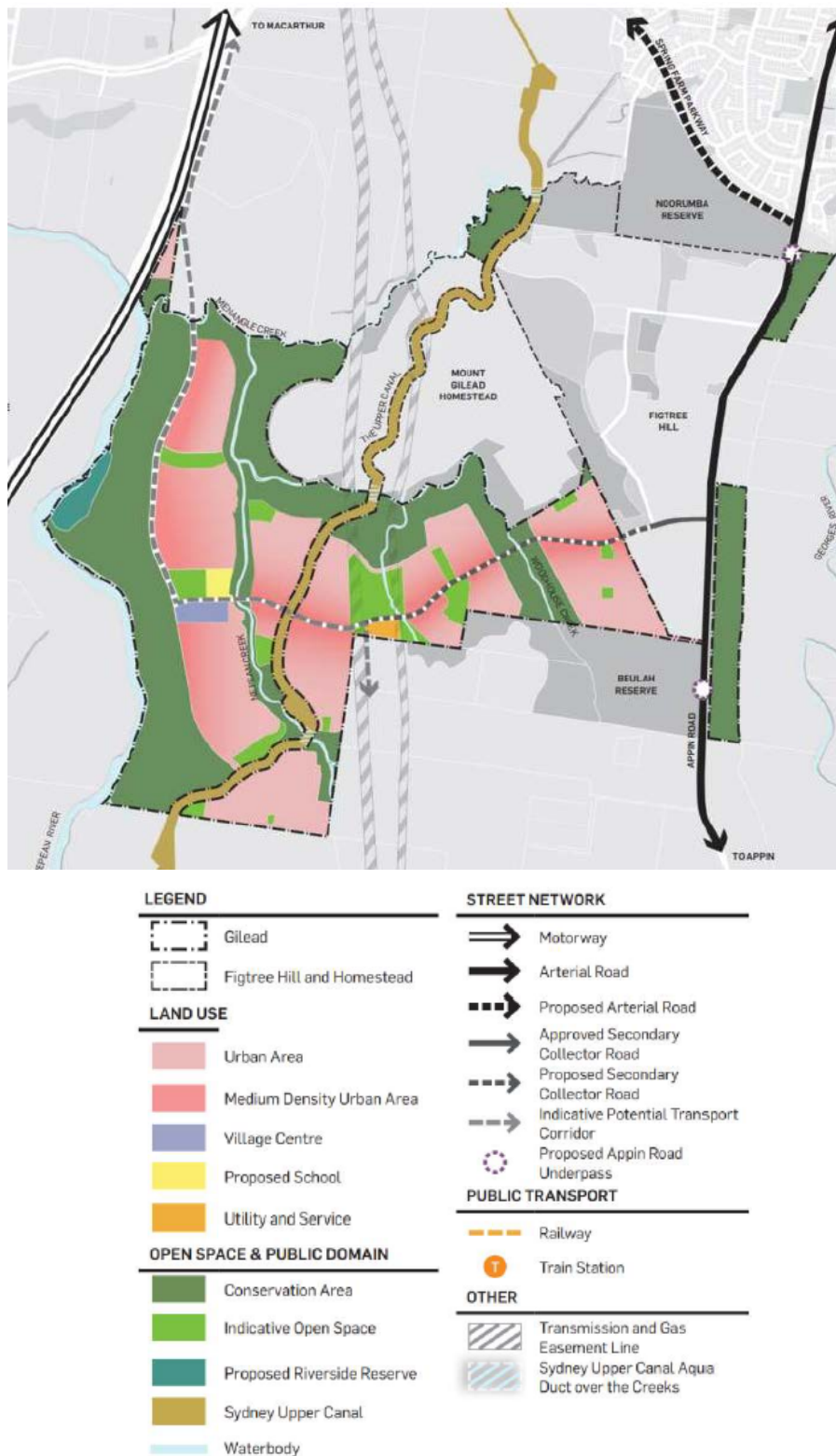
The draft Precinct Structure Plan noted several areas of open space which can potentially accommodate existing vegetation on the site. The draft LEP requires the Precinct Structure Plan to show areas of existing vegetation that will be protected and enhanced within the UDZ. This was a post exhibition change to address EHG's concerns about vegetation within the proposed UDZ.

Land proposed for certification: the certification of land is not a function of the planning proposal or rezoning process. Any decision in relation to the proposed UDZ boundaries does not fetter the Minister for Environment's decision-making powers in relation to the determination of the Biocertification application under the BC Act.

In addition to the temporary retention of the existing RU2 zone over certain areas of vegetation on the site, Part 3.6 of the WPC SEPP will continue to apply to the site as another temporary



measure until the Biocertification process is finalised. Part 3.6 of the WPC SEPP contains heads of consideration which Council must consider in relation to the disturbance of bushland caused by the clearing of native vegetation, prior to granting development consent. The Department may review the zoning of the site to ensure alignment with of the UDZ with any certified land, once the Biocertification process has been completed.



**Figure 5 Draft Precinct Structure Plan accompanying the Planning Proposal**

## 2. Inconsistency with advice and recommendations contained in the OCSE advice on the protection of the Campbelltown Koalas

- EHG noted that the BCAR and Strategy depicts several uses within the koala corridors that are inconsistent with the OCSE recommendations including intended uses within 'Riverside Reserve', basins and Asset Protection Zones (**APZ**).
- EHG noted detention basins within the koala corridors is inconsistent with the koala corridor conservation approach in the CPCP for the Appin Part Precinct. While the Department's final advice on the draft proposal which was reviewed as part of the earlier Technical Assurance Panel program stipulates permitted uses in the C2 land could include flood mitigation works, this has been removed from the list of permissible uses.
- EHG raised concern ensuring the movement of koalas through the corridors is addressed as part of the planning proposal.
- EHG raised concerns that the Koala corridor boundaries and location of buffers as per the OCSE requirements have not been identified on maps.
- EHG advised the Koala corridor boundaries should be revised to ensure that existing habitat that forms part of the corridor is conserved and not severed/cleared through their inclusion in the proposed certified area.
- Parcels of land east of Appin Road are identified as Strategic Conservation Area under the CPCP and form part of the Georges River Koala Corridor. EHG noted it is unclear why the proposal sought the C2 zone with additional uses for these parcels of land.

### PLUSHI response

Biocertification: While this finalisation report is not undertaking an assessment of the Biocertification application or its supporting documentation, the Department has ensured the permissible uses within a Koala Corridor align to the OCSE advice. See further information below.

Uses in a koala corridor: the Department can confirm that the draft LEP contains the proposed list of permissible uses for the koala corridors, which include:

- Environmental facilities (not including buildings); and
- Environmental protection works.

This list was finalised in consultation with EHG. The draft LEP has specific heads of consideration that the Planning Secretary must consider prior to granting concurrence.

Based on the final Technical Assurance Panel advice, the Department published the '*Guide to the Greater Macarthur Growth Area*' in November 2022. This contains further information on the application of the proposed concurrence clause, including:

*Relevant considerations a Development Application will need to address include:*

- *if native vegetation is proposed to be cleared;*
- *the size of the development and the consequential loss of land in the koala corridor available for revegetation;*
- *accessibility from the adjoining land for construction and maintenance;*
- *any mitigation measures such as revegetation; and*
- *consistency with the NSW Chief Scientist's advice and recommendations.*



Movement through koala corridors: Further information and investigations about crossings (such as underpasses and crossings of the Upper Canal) will be subject to detailed design at later stages and are a separate process to the rezoning of land. This current process will secure and protect an adequate amount of land under the C2 zone with associated statutory protections. The Department notes that the Gilead Stage 2 site, is just one of several sites relevant to the delivery of Koala Corridors. The Gilead Stage 2 site cannot deliver any koala corridor in its entirety. For example, Corridor A along Menangle Creek comprises at least six other different land holdings in addition to the Gilead Stage 2 site, and Corridor B comprises at least three other different land holdings in addition to the Gilead Stage 2 site. This proposal is not rezoning any of those other landholdings.

Koala corridor maps: The draft plan includes a 'Koala Corridors Map' which clearly maps the koala corridors as they apply to the Gilead Stage 2 site.

Koala corridor boundaries: PLUSHI has comprehensively assessed the proposed koala corridors for Greater Macarthur against the OCSE recommendations (see Section 4.1.3 below) and has confirmed the proposed corridors can achieve an average width of at least 390m. In response to EHG's submission, there is an extra 2.5 ha of existing vegetation that has been included in the Menangle Creek Koala Corridor, (refer to Section 3.3.1 for more information), and some additional areas of existing vegetation included in Woodhouse Creek Koala Corridor. PLUSHI notes that there is a significant amount of cleared former grazing land that has been incorporated into the koala corridors to provide for revegetation. The Nepean River corridor for example includes approximately 33.5ha of land that is currently cleared, which will provide for significant revegetated future koala habitat. This cleared land was initially identified as urban capable in the 2018 Interim Plan for the GMGA and could have potentially accommodated up to approximately 830 homes on the site.

Land east of Appin Road: In response to EHG's submission, PLUSHI further investigated this matter and agrees that these two parcels of land are intended form part of the Georges River Koala Corridor and they are now both included on the Koala Corridors Map. However as noted in Section 3.3.1, both of these sites remain subject to the additional permitted uses for the following reasons:

- to allow for interpretation and access of the locally heritage listed 'Glen Lorne' site; and
- to ensure the koala underpasses can be constructed on the eastern side of Appin Road at these sites. If 'roads' are not permissible on these lots, then delivering the koala underpasses would be at risk.

The Department notes that the Georges River Corridor will still significantly exceed the minimum 390m average width and the additional permitted uses for these sites will ensure critical east-west connectivity of Koala Corridors A and B can be achieved, thereby ensuring consistency with the OCSE advice.

3. Transit Corridor. EHG note that the location of the proposed crossing of Menangle Creek for the Greater Macarthur Transit Corridor (**GMTC**) is inconsistent with the update structure plan for the GMGA dated November 2022 and should be removed from the area proposed to be certified in the Biocertification application.

### PLUSHI response

The GMGA Structure Plan (Nov 2022) is indicative only. Each rezoning in the growth area must be generally consistent with the growth area structure plan. The draft plan includes a Transport Corridors Map which was prepared in consultation with Transport and reflects the current position on the GMTC. The Transport Corridors Map may be updated in the future to align to any new decision from Transport in relation to the alignment of the GMTC.

The Department considers that EHG's concerns raised during exhibition of the proposal are considered to have been appropriately mitigated and adequately addressed in the draft plan.

### **Additional consultation with EHG under section 3.25 of the EP&A Act:**

Under section 3.25 of the *Environmental Planning and Assessment Act 1979* (the **EP&A Act**) the Department is required to consult with the Chief Executive of EHG if critical habitat or threatened species, populations or ecological communities, or their habitats, will or may be adversely affected by the proposal. Due to the Critically Endangered Ecological Communities located within the proposed UDZ, on 21 April 2023, PLUSHI wrote to EHG to seek comments on the planning proposal.

EHG provided a response to PLUSHI on 16 May 2023 (**Attachment G**) generally reiterating concerns already raised in EHG's submission on the public exhibition of the proposal, including:

- The proposal is likely to impact a minimum of 53.5 hectares of native vegetation as the proposed UDZ contains the critically endangered flora and habitat for threatened species and may therefore overestimate the area suitable for development.
- The proposal appears to be inconsistent with the recommendations of the Office of Chief Scientist and Engineer for the protection of the Campbelltown Koalas.
- The proposal may not adequately protect biodiversity in that:
  - the C2 Environmental Conservation zone boundary does not apply to some land with biodiversity values which should be conserved; and
  - the Additional Permitted Uses clause allows development in the C2 zone that is inconsistent with the zone objectives 'to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values' and 'to prevent development that could destroy, damage or otherwise have an adverse effect on those values'.
- The biodiversity certification application should ideally be considered before the proposal is finalised.

These issues have been addressed in Section 3.2.1 above.

### 3.3 Post-exhibition changes

A number of minor post exhibition changes have been made to the draft plan, many of these have already been discussed in earlier sections of this report. Post exhibition changes have been made to address issues raised in submissions and as a result of PLUSHI's detailed finalisation assessment. The tables below outline these changes. It should be noted there were a number of administrative changes as a result of legal drafting and mapping specifications, these are not discussed below. No re-exhibition is required as all of the changes are:

- minor in nature;
- implement the intent of the proposal; and
- address issues raised in submissions.

#### 3.3.1 PLUSHI's recommended changes

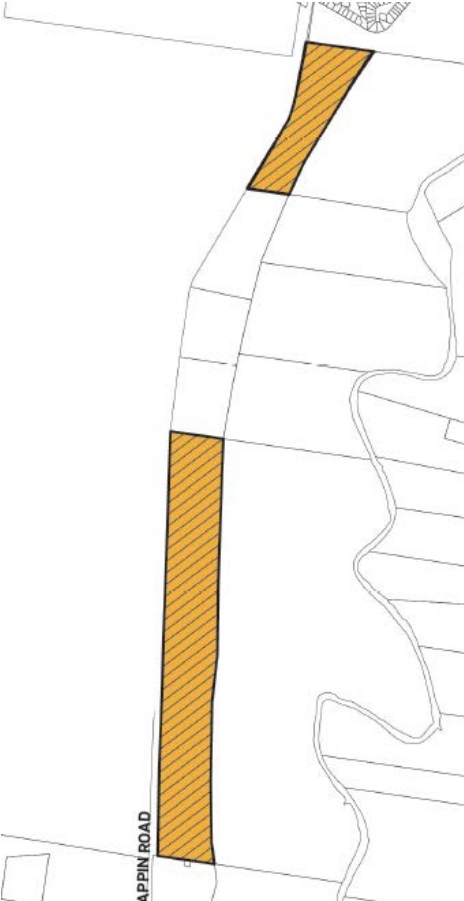
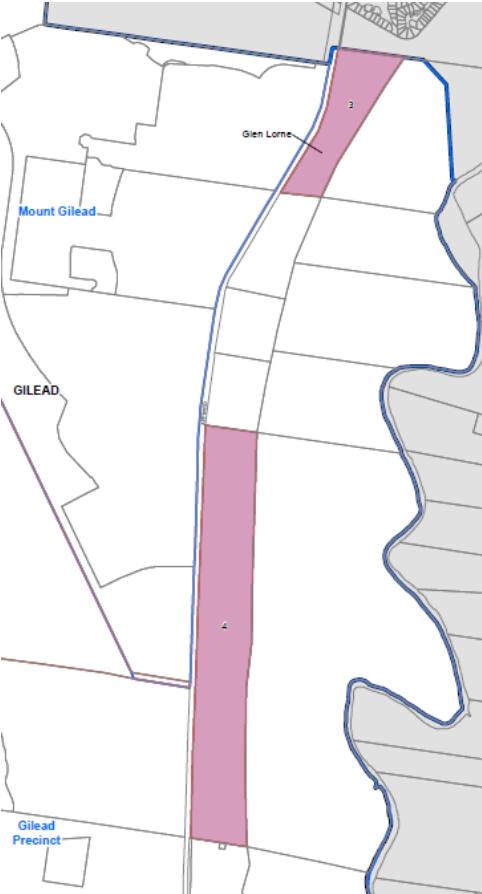
A summary of key changes to the new zones (including koala corridors) is as follows:


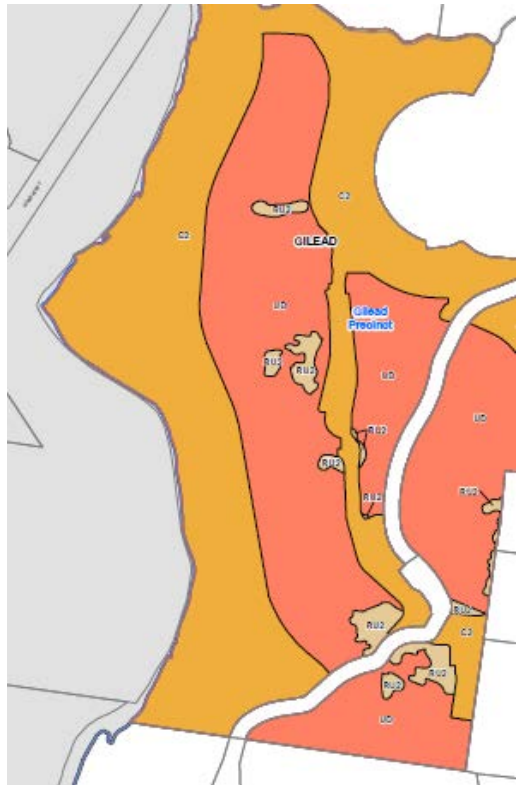
Feature	Total at exhibition (ha)	% of site at exhibition	Final (ha)	Difference (ha)	% of site (495ha)
Amount of C2 Environmental Conservation Land	242.6	49%	247.8	+5.2	50%
Amount of C2 zoned land that is also mapped as Koala Corridor.	191	38.5%	230	+39	46%
UDZ	252.4	51%	236	-16.4	48%
RU2 Rural Landscape	0	0%	10.5	+10.5	2%


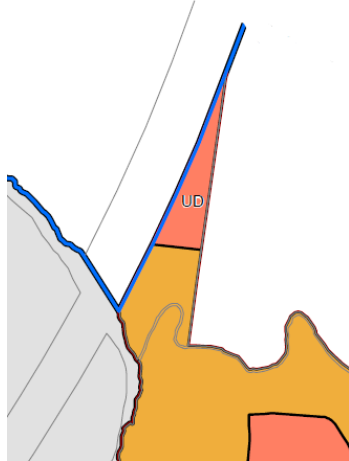
**Table 4** outlines post exhibition changes to the exhibited maps.

**Table 5** outlines post exhibition changes to the proposed written provisions.

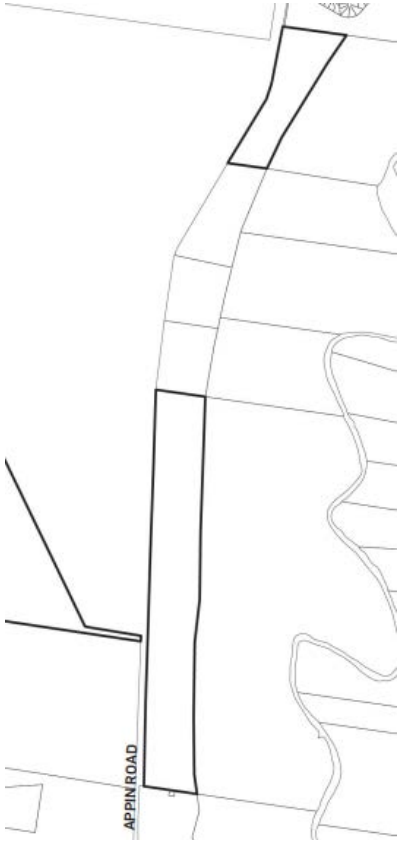

Table 4 Key post exhibition changes to maps

Map title	Exhibited Map	Final Draft Map
Additional Permitted Uses (APU)	<p>The APU map identifies land which is subject to additional permitted uses.</p> <p>Additional Permitted Uses were identified on the exhibited zone map with a hatch overlay.</p> 	<p>There are now dedicated APU maps removing the need for a hatching layer over the zone maps.</p> <p>The Glen Lorne lot is specifically identified as it relates to section 6.8 and Schedule 1 part (2) of the draft LEP. These provisions seek to provide for heritage interpretation opportunities in relation to the local heritage significance of the Glen Lorne site.</p> <p>Despite EHG objections, both of these lots have been maintained on the APU maps so that the proposed Koala underpasses near Beulah and Noorumba Reserves can be built. These underpasses are critical to achieving east west connectivity along Koala Corridors A and B between the Georges and Nepean Rivers.</p> 

Map title	Exhibited Map	Final Draft Map
<p>Zone Maps</p>	<p>A number of minor amendments to the zone maps have been made since exhibition as outlined below.</p> <p>The exhibited zone map did not include any RU2 zone remaining on the Gilead Stage 2 site and showed the adjoining Mount Gilead Homestead.</p> <p>As noted above, Additional Permitted uses were also shown on the exhibited zone map, identified with a hatch.</p> 	<p>Minor amendments to the zone maps have been made as a result of the existing RU2 zone remaining on sites with high or potential high value vegetation (10.5ha in total) which was located within the UDZ during exhibition.</p> <p>As the Mount Gilead Homestead site was never part of the proposal and no changes to the planning controls applying to that site were proposed, the Homestead lot has been excluded from the final draft zone map. The current planning controls for that site will remain unchanged in the Campbelltown LEP.</p> 

Map title	Exhibited Map	Final Draft Map
	<p>The exhibited map proposed the triangular portion of land north of Menangle Creek to be zoned entirely UDZ.</p> <p>The original zone map showed a small portion of proposed SP2 Infrastructure zoning for the proposed Greater Macarthur Transit Corridor (GMTC) crossing of Menangle Creek.</p> 	<p>The land zoning map was modified to divide the lot into part UDZ and part C2. The C2 has been applied to existing vegetation to expand Koala Corridor A along Menangle Creek by approximately 2.5ha. Consequential amendments have been made to also include this additional C2 in the Koala Corridor Map.</p> <p>The updated zone map shows no SP2 zoning as the C2 zone has been applied to this portion of the site, with provision for a crossing in this general area enabled by the Transport Corridors Map.</p> 



Map title	Exhibited Map	Final Draft Map
<p>Clause Application Map / Koala Corridors Map</p>	<p>The exhibited Clause Application Map (CAP) identified the site's portion of koala corridors. This title adopted the existing terminology for mapping koala corridors in the Campbelltown LEP.</p> <p>The exhibited CAP map did not include the two parcels east of Appin Road.</p> 	<p>This mapping layer has been renamed the 'Koala Corridor Map' and updated to include the two parcels of land east of Appin Road as they form part of the George River Koala Corridor.</p> <p>The final draft Koala Corridor Map also includes some additional areas of existing vegetation into Corridor B along Woodhouse Creek.</p> 
<p>Minimum Lot Size Map</p>	<p>None exhibited.</p>	<p>A minimum lot size of 5ha has been applied to the C2 zone to prevent fragmentation.</p>
<p>Transport Corridors Map (TCM)</p>	<p>None exhibited.</p>	<p>Following consultation with Transport, it was decided the most effective way to identify and protect land required for transport corridors was through a Transport Corridors Map. The map and associated concurrence clause (Section 6.4 of the draft LEP) requires Council to obtain the concurrence of Transport prior to consent being granted</p>

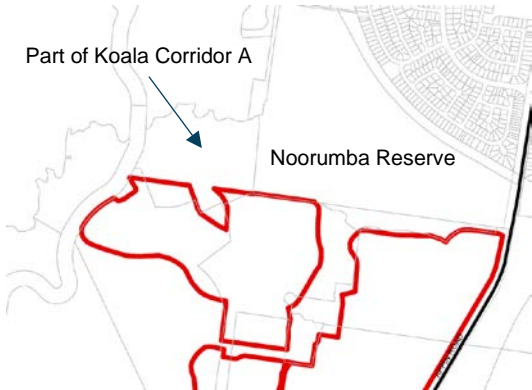
Map title	Exhibited Map	Final Draft Map
		<p>for proposed development on corridor land). This approach is consistent with the existing framework established for the Aerotropolis in Chapter 4 of the WPC SEPP.</p> <p>The Transport Corridors Map is likely to be updated over time to reflect the regional road network. The Transport Corridors Map along with Schedule 1(3) of the draft LEP, is the mechanism by which roads are permissible across mapped Koala Corridors.</p>
Height of Building Map (HOB)	The Planning Proposal included a draft HOB map.	This has not been included in the final set of draft maps as the HOB controls will be located in the final Precinct Structure Plan, and this will provide for flexibility at the DA stage, and a consistent framework within the Wilton and Greater Macarthur Growth Area.
Greenfield Housing Code Map (GHC)	None exhibited	<p>The Department prepared a GHC map in conjunction with the final draft maps.</p> <p>As a part of preparing this map, a house-keeping amendment has been prepared for the Figtree Hill site, to ensure that the GHC did not just apply to land identified and mapped as Koala Corridor.</p> <p>However, the UDZ does not differentiate between low and medium density housing, and this is required for the GHC to function. Identifying areas of low and medium density housing will be a function of the Precinct Structure Plan. Therefore, the GHC map will be updated to include the Gilead Stage 2 site once the Precinct Structure Plan has been endorsed by the Secretary. The final GHC map will only progress the amendment for the Figtree Hill site.</p> 

Table 5 Key post exhibition changes to the Draft LEP

Provision Title	Exhibited Provision	Final draft LEP
Aims of Precinct Plan	The Planning Proposal proposed a number of aims for the Gilead Precinct largely informed by existing aims in the WPC SEPP.	<p>Additional aims have been inserted.</p> <p>One new aim seeks to protect and enhance Aboriginal cultural heritage and environmental heritage.</p> <p>The aims refer to the Greater Macarthur strategic documents, which include:</p> <ul style="list-style-type: none"> <li>• Greater Macarthur 2040 Interim Plan (Nov 2018);</li> <li>• Structure Plan (Nov 2022); and</li> <li>• Guide to the Greater Macarthur Growth Area (Nov 2022).</li> </ul>
Suspension of covenants, agreements and instruments	The planning proposal sought to include a standard clause suspending covenants, agreements and instruments.	This clause has been removed from the draft LEP as approval is required from the Governor. The insertion of this standard clause following determination of the draft LEP as this is largely an administrative step for this proposal. Further public exhibition to insert this clause into the Precinct Plan is not considered necessary.
Concurrence of Transport for NSW	None exhibited.	As noted above, in conjunction with the Transport Corridors map, an associated concurrence clause has been inserted into the draft LEP requiring the concurrence of Transport prior to the granting of development consent for land identified in or near an identified transport corridor.
Land Use table	Flood mitigation works were originally included in the permissible uses for C2 land.	Following consultation with EHG and the Department's Conservation and Sustainability Team, Flood Mitigation Works was removed from the permissible uses as it was decided to be incompatible with the intent of the C2 zone.
Land Use Table	Electricity generating works were originally included in the prohibited uses for zone 1 (UDZ).	Electricity generating works have been removed from the list of prohibited uses for the UDZ.
Retail floor areas	The proposal sought to limit the size of the local centre to 5,200m <sup>2</sup> of gross lettable space.	This clause was modified to refer to gross floor area. The square meterage was subsequently raised to 7,500m <sup>2</sup> as the approximate equivalent to 5,200m <sup>2</sup> gross lettable area.
Exceptions to development standards	The proposal sought to require Council to obtain Secretary's concurrence prior to granting consent to any development seeking to vary development standards.	The requirement for Council to obtain the Planning Secretary's concurrence has been removed from the draft LEP as this is considered to be a local development matter

Provision Title	Exhibited Provision	Final draft LEP
		and will streamline the development assessment process.
Development Control Plan	<p>The planning proposal generally sought to insert Development Control Plan provisions largely informed by existing provisions in the WPC SEPP, but with some minor variations.</p> <p>In particular, the proposal sought to include the following additional category of subdivision for which development consent could be granted prior to the DCP being finalised:</p> <ul style="list-style-type: none"> <li>• <i>Subdivision of land to create residue lots for future development or conservation purposes.</i></li> </ul>	<p>To ensure consistency with existing provisions, the DCP controls in the draft plan now include the requirement for a staging plan.</p> <p>The additional category of subdivision was not included as it would duplicate existing provisions.</p>
Environmental facilities – buildings, prohibited in koala corridor.	None exhibited.	Section 6.13 was included in the draft LEP to clarify that buildings are not permissible in koala corridors.
Schedule 1 Additional Permitted Uses in Zone C2	<p>The proposal originally sought to include the additional permitted uses for C2 land not forming part of a koala corridor:</p> <ul style="list-style-type: none"> <li>• Education and Information Facilities;</li> <li>• Building identification signs;</li> <li>• Business identification signs;</li> <li>• Eco-tourist facilities;</li> <li>• Kiosks;</li> <li>• Recreation areas;</li> <li>• Water supply systems; and</li> <li>• Roads.</li> </ul>	<p>Following consultation with EHG and the Conservation and Sustainability team (CPCP) this list of APUs has been reduced in the draft LEP to only include:</p> <ul style="list-style-type: none"> <li>• Roads; and</li> <li>• Water supply systems.</li> </ul>
Schedule 1 Additional Permitted Uses - Glen Lorne	None exhibited	In recognition of the local heritage significance and the ongoing work between the proponent and the University of Sydney to investigate archaeology of the site, a tailored list of additional permitted uses has been included in the draft LEP to enable interpretation and adaptive reuse opportunities for the community to visit and appreciate the site.

Provision Title	Exhibited Provision	Final draft LEP
		<p>These additional uses are:</p> <ul style="list-style-type: none"> <li>• Building identification signs;</li> <li>• Information and education facilities; and</li> <li>• Car parks.</li> </ul> <p>A head of consideration has been included to require proposed development to be related to the heritage significance of the site. This consideration does not apply to 'Roads' as this permissible use is required to construct and connect the koala underpass at Appin Road ensuring Koala Corridor A along Menangle Creek can have east-west connectivity between the Nepean and Georges River Koala Corridors.</p>
Schedule 1 Additional Permitted Uses – Use of transport corridor land in Zone C2	None exhibited	<p>The draft LEP includes provision to ensure that Roads are a permissible use on land identified on the Transport Corridors Map. Without this provision, road infrastructure would not be permissible across koala corridors.</p>
Structure Plan	<p>The Planning Proposal proposed the following provision in relation to the preparation of a Precinct Structure Plan for the site:</p> <p>The Final Structure Plan must provide for all of the following:</p> <ul style="list-style-type: none"> <li>• An open space network of at least 29.1 hectares, comprising of active and passive areas, excluding land identified for biodiversity corridors;</li> <li>• Areas for medium and low density residential development;</li> <li>• Koala corridors consistent with the Clause Application Map and other areas for Environmental Conservation as necessary;</li> <li>• Local or neighbourhood centre;</li> <li>• School site if required;</li> <li>• High order road network and hierarchy;</li> <li>• Koala underpasses at Appin Road;</li> <li>• Transport corridor with an appropriate width and scale; and</li> <li>• Any other information considered relevant.</li> </ul>	<p>Several of the Structure Plan requirements were modified and the full list is included in Section 6.1 of the draft LEP, some key changes from exhibition require the Precinct Structure Plan to include:</p> <ul style="list-style-type: none"> <li>• proposed height of buildings;</li> <li>• vegetation must be protected and enhanced;</li> <li>• the location of at least 29.1ha of open space, including— <ul style="list-style-type: none"> <li>- at least 20.9ha of open space for outdoor community sports, including playing fields and associated facilities; and</li> <li>- at least 8.2ha of open space for recreation, including parks, gardens, conservation bushland and nature reserves; and</li> </ul> </li> <li>• The land proposed to be used for drainage and stormwater management.</li> </ul>

Provision Title	Exhibited Provision	Final draft LEP
Consideration of Development Applications	The planning proposal sought to insert a clause requiring the consent authority to refer DA's on land in the UDZ to the Planning Secretary prior to granting consent. This referral was to seek the Secretary's comments on the consistency of the DA on the relevant structure plans.	The final draft LEP establishes a concurrence role (Section 6.3 of the draft LEP) for the Planning Secretary for any Development on the site. This is anticipated to be a temporary measure until delivery arrangements are secured for the proposed koala underpasses at Noorumba and Beulah Reserves. Following which, the concurrence clause will be reduced to only apply to DAs within mapped Koala Corridors.
Transport Corridor	None exhibited.	As noted above, in conjunction with the Transport Corridors Map, an associated clause has been inserted into the draft LEP (Section 6.4) requiring the concurrence of Transport prior to council granting consent for development on transport corridor land.
Affordable housing	The proposal sought a provision to require 15 affordable houses	The draft instrument requires 5% affordable housing applied to medium density. This is consistent with the existing Campbelltown LEP clause 8.4 for the Glenfield Precinct.

## 4 Department assessment

The proposal has been subject to detailed review and assessment through the Department's Gateway determination (**Attachment B**) and subsequent planning proposal processes. It has also been subject to public, agency and Council consultation and engagement.

The following considers the finalisation of the proposal against relevant Section 9.1 Directions, SEPPs, Regional and District Plans and Council's Local Strategic Planning Statement.

As outlined in the Gateway determination report (**Attachment F**), the planning proposal submitted to the Department for finalisation:

- Remains consistent with the Regional and Western City District Plan relating to the site;
- Remains consistent with the Greater Macarthur Growth 2040 Interim Plan (2018) and the Growth Area Structure Plan (November 2022);
- Remains consistent with Campbelltown City Council's Local Strategic Planning Statement;
- Remains consistent (or justifiably inconsistent) with relevant Section 9.1 Directions; and
- Remains consistent with all relevant SEPPs.

The following tables (**Tables 6 and 7**) identify whether the proposal was consistent with the assessment undertaken at the Gateway determination stage. Where the proposal is now inconsistent with this assessment, requires further analysis or requires reconsideration of any unresolved matters these are addressed in Section 4.1.



**Table 6 Summary of strategic assessment**

	Consistent with Gateway determination report Assessment	
Regional Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
District Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Local Strategic Planning Statement	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Section 9.1 Ministerial Directions	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No, refer to section 4.1
State Environmental Planning Policies (SEPPs)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

**Table 7 Summary of site-specific assessment**

Site-specific assessment	Consistent with Gateway determination report Assessment	
Social and economic impacts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Environmental impacts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Infrastructure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

## 4.1 Detailed assessment

### 4.1.1 Ministerial Directions

PLUSHI has reviewed the planning proposal against the Ministerial Directions. In addition to the Ministerial Directions already discussed in the Gateway determination report, the proposal is considered to be consistent with the Directions, except for:

#### Direction 1.4 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.

The planning proposal seeks to introduce a number of site-specific provisions, some of which may be rolled out across the broader Gilead Precinct and GMGA as additional land is rezoned.

The inconsistency is justified as the proposed site-specific provisions are all required in response to achieve the strategic vision of the GMGA, in particular to deliver the suite of koala corridor protection measures.

**Table 5** above outlines the justification for post exhibition changes reflected in the draft LEP and addresses the justification for several site-specific provisions (such as the transport corridors, affordable housing, additional permitted uses for the Glen Lorne site, etc).

An associated future amendment to the *Environmental Planning and Assessment Regulation* will be made to require DAs to include an ‘assessment of consistency’ against the final Precinct Structure Plan before any development consent can be granted.

### Direction 8.1 Mining, Petroleum Products and Extractive Industries

The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum, and extractive materials are not compromised by inappropriate development.

The site is located in the South Campbelltown Mine Subsidence District.

Future development will be captured by the Integrated Development provisions of the EP&A Act and referred to Subsidence Advisory for general terms of approval. Future development will need to be consistent with relevant Surface Development Guidelines specified by Subsidence Advisory.

Mining, Exploration and Geoscience NSW (MEG) provided advice following the exhibition of the planning proposal. MEG did not object to the proposal and advised that although the subject site contains high quality metallurgical coal resources, the Bulli Coal Seam is positioned around 500-600m below ground surface, the site is heavily faulted, and extraction of coal is not considered economically viable. PLUSHI understands however the site has not been subject to long wall mining, nor is long wall mining planned for.

### 4.1.2 Recommendations of the Office of Chief Scientist and Engineer

The OCSE has published its report titled *Advice on the protection of the Campbelltown Koala population* (April 2020) and at the time of writing this assessment, the report could be publicly accessed at: [https://www.chiefscientist.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0005/318830/Koalas-Advice-Final.pdf](https://www.chiefscientist.nsw.gov.au/__data/assets/pdf_file/0005/318830/Koalas-Advice-Final.pdf).

Further advice requested by the Department was provided in an additional report titled *Response to questions about advice provided in the Koala Independent Expert Panel Report 'Advice on the protection of the Campbelltown Koala population'* (February 2021) [https://www.chiefscientist.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0005/485924/OCSE-Response-to-questions\\_Campbelltown-Koalas-Feb-2021.pdf](https://www.chiefscientist.nsw.gov.au/__data/assets/pdf_file/0005/485924/OCSE-Response-to-questions_Campbelltown-Koalas-Feb-2021.pdf).

The Department subsequently sought further advice regarding the CPCP. That second advice was provided in a report titled *Advice regarding the protection of koala populations associated with the Cumberland Plain Conservation Plan* (May 2021) [https://www.chiefscientist.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0006/485925/Report-2\\_CPCP-and-principles-for-koalas\\_May-2021.pdf](https://www.chiefscientist.nsw.gov.au/__data/assets/pdf_file/0006/485925/Report-2_CPCP-and-principles-for-koalas_May-2021.pdf).

While the finalisation of the Gilead Stage 2 proposal has been based on all advice received in the three above reports, the following provides a detailed assessment against the four OCSE recommendations in the April 2020 report.

#### **Recommendation 1 – Georges River Koala Reserve**

*The Georges River Koala Reserve should be protected and revegetated as set out in the draft CPCP, ensuring that revegetation is undertaken in such a manner as to ensure long term sustainability (i.e. species are planted to maintain genetic diversity and minimise kinship to ensure reproduction). Connectivity and threats should be considered within this corridor. Fencing should be placed on Appin Road and a connectivity structure be developed with the bridge over the Georges River*

#### PLUSHI response

As noted in **Table 4** above; the Gilead Stage 2 site contains two parcels of land east of Appin Road which form part of the Georges River Koala Corridor. Therefore, post exhibition changes have been made to ensure the sites are included on the Koala Corridors map and will be zoned C2 Environmental Conservation. Therefore, the draft plan is considered consistent with Recommendation 1.

## Recommendation 2 – Connectivity and habitat

### 2(a)(i)

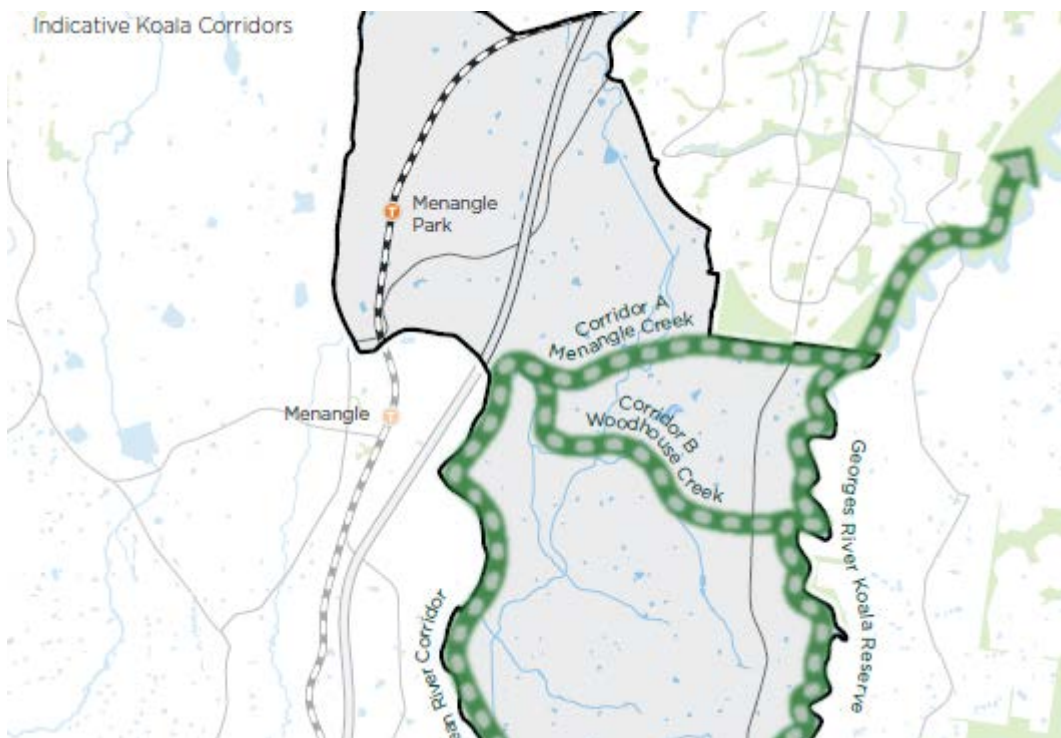
*Within the proposed Mount Gilead development:*

- *The Menangle Creek to Noorumba Reserve Corridor (A) should be used for koala movement if:*
  - *A connectivity structure can feasibly be constructed on Appin Road. The proposed tree-top bridge is not likely to be adequate and would not be used by koalas. A land bridge should be considered to allow koalas and other fauna to cross Appin Road, an example of this is being developed for wallabies at Mona Vale.*
  - *If the crossing is not feasible, the koala habitat at Noorumba will be isolated and not function as connected koala habitat, therefore should be fenced off at Appin Road. In this case, the koalas within this fragmented area will need to be actively managed.*

### PLUSHI response

Following receipt of this advice, the proponent (Lendlease) sought to amend their already executed state planning agreement with the State Government to include a koala underpass at Appin Road to facilitate Corridor A along Menangle Creek. Since then, Transport for NSW has exhibited the Amended Review of Environmental Factors, which contains designs for underpasses at Noorumba and Beulah Reserves. The A/REF was determined in January 2024.

The Department committed to further investigating and delivering corridor A as land is rezoned, noting the corridor crosses multiple landholdings and only a portion of Corridor A is secured in the Gilead Stage 2 site. Corridor A was included in the Greater Macarthur 2040 Update (December 2021), which showed the koala corridors in the GMGA.



**Figure 6 Indicative Koala Corridors as shown in the Dec 2021 update**

(<https://www.planning.nsw.gov.au/sites/default/files/2023-03/greater-macarthur-2040-update.pdf> )

**2(a)(ii)**

- *The Woodhouse Creek to Beulah Reserve Corridor (B) is an important northern connection for the koala population between the Georges River Reserve and the Nepean Corridor and should be retained. The proposed measures to protect the habitat in the corridor are currently not adequate and should be improved with the measures outlined in c). The underpass near Beulah Reserve as proposed by Lendlease should be constructed.*

**PLUSHI response**

Corridor B along Woodhouse Creek is identified in **Figure 6** above. This recognises Corridor B's importance consistent with this recommendation. PLUSHI notes the final draft maps provide protection for a significant portion of Corridor B through the proposed C2 zone and Koala Corridors Map (**Figure 7**). An assessment of the adequacy of corridor B is included in **Table 9** below.



**Figure 7 Excerpt from the Koala Corridor Map, primarily showing the Gilead Stage 2 component of Koala Corridor B (NB Corridor B meets Corridor A in the north west however the Koala Corridor Map shows all koala corridors as a single continuous layer)**

**2(a)(iii)**

- *Close attention should be paid to test the feasibility of the design of the koala connectivity at the confluence of Menangle Creek and Nepean River, near the Hume Highway and possibly under three bridges.*

PLUSHI response

The detailed design of bridges is out of scope for this proposal, which is to secure the koala corridors with appropriate land use zones and controls. The Department will continue to work with landowners and Transport on the location of creek crossings. The detailed design of future roads must provide for koala connectivity, such as through elevated bridges over the creeks. Therefore, the exhibited planning proposal and draft plan are consistent with Recommendation 2a.

**Recommendation 2(b)**

Recommendation 2b is relevant to areas of the GMGA that are within the CPCP boundary and primarily relates to Ousedale and Mallett Creeks which are south of the Gilead Stage 2 site. Further, as the Gilead Stage 2 site is not part of the CPCP, Recommendation 2b is not applicable.

**Recommendation 2(c)**

Due to the importance of Recommendation 2(c), the recommendation is shown in full here, then itemised responses are provided.

*Habitat within identified corridors should be:*

- *Protected (especially from development creep)*
- *Widened through revegetation (average size 390 to 425 m)*
- *Include a buffer on either side of the corridor habitat that is at least 30 m wide from the corridor to the exclusion fence with feed trees permitted in this buffer area*
- *Include, between the buffer area and the urban areas, koala proof fencing to prevent the movement of koalas out of the corridor into urban areas (with trees more than 3 m from the fencing to avoid damage) and the movement of domestic dogs (amongst other potential threats) into the corridor*
- *For sites where exclusion fencing is infeasible due to steep terrain, then additional buffer width should be utilised (buffer ~60 m), with a traffic speed limit of 40 km/h and predator / dog monitoring*
- *Asset protection zone is outside the exclusion fencing, within the development footprint*

*Further, connectivity structures within corridors should also be assessed including local roads and other infrastructure (e.g. the Upper Canal).*

**Protected (especially from development creep)**PLUSHI response

The draft plan includes a suite of corridor protection measures. This includes a statutory Koala Corridors Map, limited permissible uses, and a concurrence clause for development on the site. The draft plan will apply the C2 Environmental protection zone to the mapped koala corridors which is a much more appropriate zone providing stronger environmental protections than the current RU2 Rural Landscape zoning. Overall, the entire site contains approximately 230ha of mapped koala corridors (46% of the site). The draft plan implements this component of Recommendation 2c.



## Widened through revegetation (average size 390 to 425 m)

### PLUSHI response

To achieve a minimum average corridor width of at least 390m, cleared land which was previously identified as urban capable in the initial 2018 GMGA Structure Plan, has now been identified and mapped as koala corridor in the final draft maps.

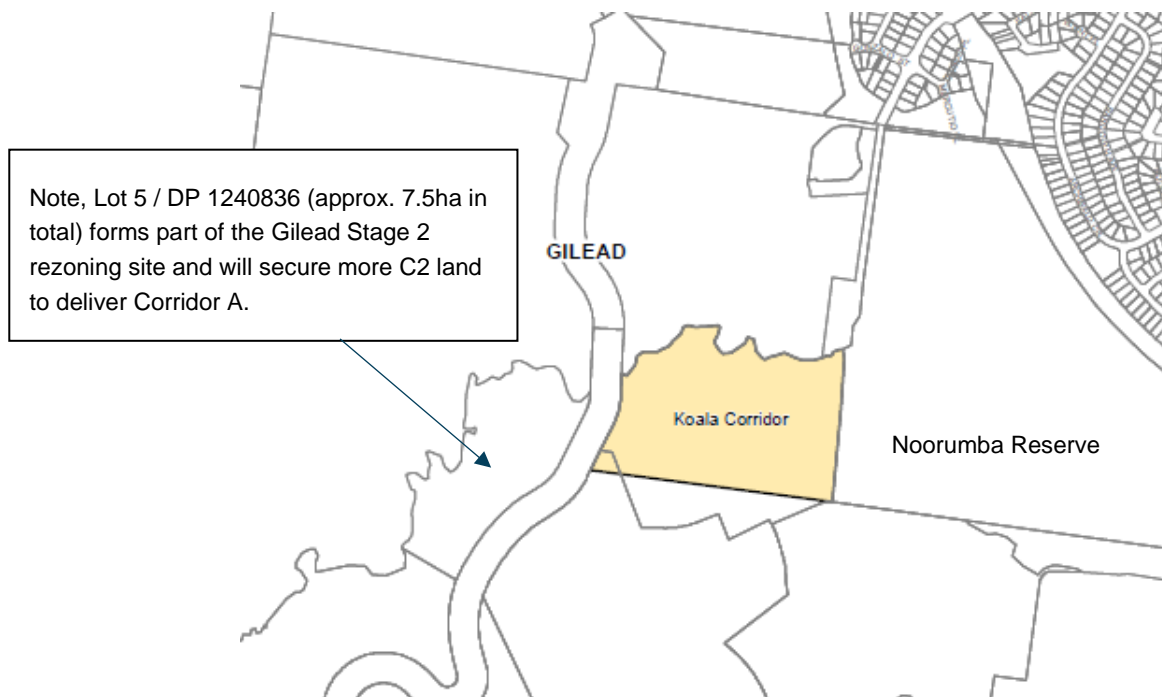
This can be seen for e.g.:

- Corridor A - transects 9, 10 and 16 in **Figure 11** below;
- Corridor B – transects 12 and 16 in **Figure 12** below; and
- Nepean Corridor – transects 1, 2, 3, 4, 5, 6, 7, 8, 8, 10, 11, 12 and 13 in **Figure 13** below.

These transects all extend the corridor beyond the existing vegetation boundary into cleared areas which will provide for revegetation. For example, the Nepean River corridor alone includes approximately 33.5ha of cleared land to achieve the overall average of at least 390m (refer **Figure 12** below for an aerial view of transects over cleared land).

It is important to also note that the first portion of Koala Corridor A to be protected was through the 2022 rezoning of the Figtree Hill site. The rezoning of the site was accompanied by a new koala corridor map (titled in the Campbelltown LEP as 'Clause Application Map') which identified the Figtree Hill portion of Corridor A. This portion of Corridor A is bounded by Menangle Creek to the north, Upper Canal to the west and Noorumba Reserve to the East. The mapped area is well beyond the existing vegetation and will provide for 8.8ha of revegetation (see **Figure 8b** below).

As noted in **Table 4** above, the Greenfield Housing Code application map has been amended to clarify that complying development cannot occur on the mapped koala corridor in the Figtree Hill site.



**Figure 8(a) Excerpt from Campbelltown LEP Clause Application Map - Sheet CAP\_003 showing the existing mapped portion of corridor A in Figtree Hill in yellow.**





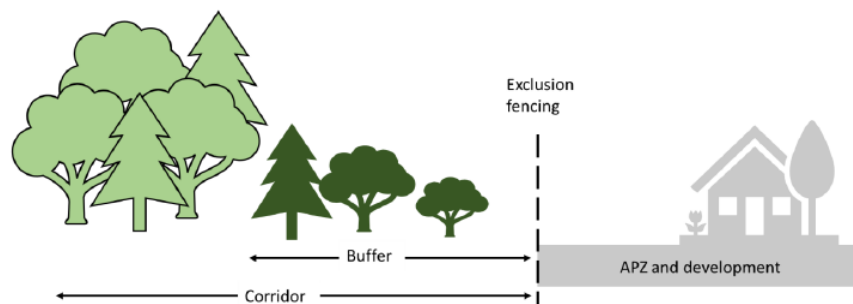
**Figure 8(b) Excerpt from Nearmap showing the approximate portion of Corridor A in Figtree Hill**

Therefore, PLUSHI has demonstrated that the draft plan implements this component of Recommendation 2c.

*Include a buffer on either side of the corridor habitat that is at least 30m wide from the corridor to the exclusion fence with feed trees permitted in this buffer area. Include, between the buffer area and the urban areas, koala proof fencing to prevent the movement of koalas out of the corridor into urban areas (with trees more than 3 m from the fencing to avoid damage) and the movement of domestic dogs (amongst other potential threats) into the corridor.*

#### PLUSHI response

In February 2021, PLUSHI received additional advice. Question 4: *Interpretation of Recommendation 2 (C) “Connectivity and Habitat”*, specifically related to further understanding the intention behind corridor buffers. The advice clarified that buffers are part of a koala corridor, not in addition to a koala corridor. Therefore, the buffers are part of the mapped koala corridors in the draft maps, which all work towards achieving at least 390m average width over time as land is rezoned.



**Figure 9: “The separation of the vegetated buffer (which can include koala feed and shelter trees, with a bias towards the area adjacent to the corridor) and APZ.” Page 19, [https://www.chiefscientist.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0005/485924/OCSE-Response-to-questions\\_Campbelltown-Koalas-Feb-2021.pdf](https://www.chiefscientist.nsw.gov.au/__data/assets/pdf_file/0005/485924/OCSE-Response-to-questions_Campbelltown-Koalas-Feb-2021.pdf)**

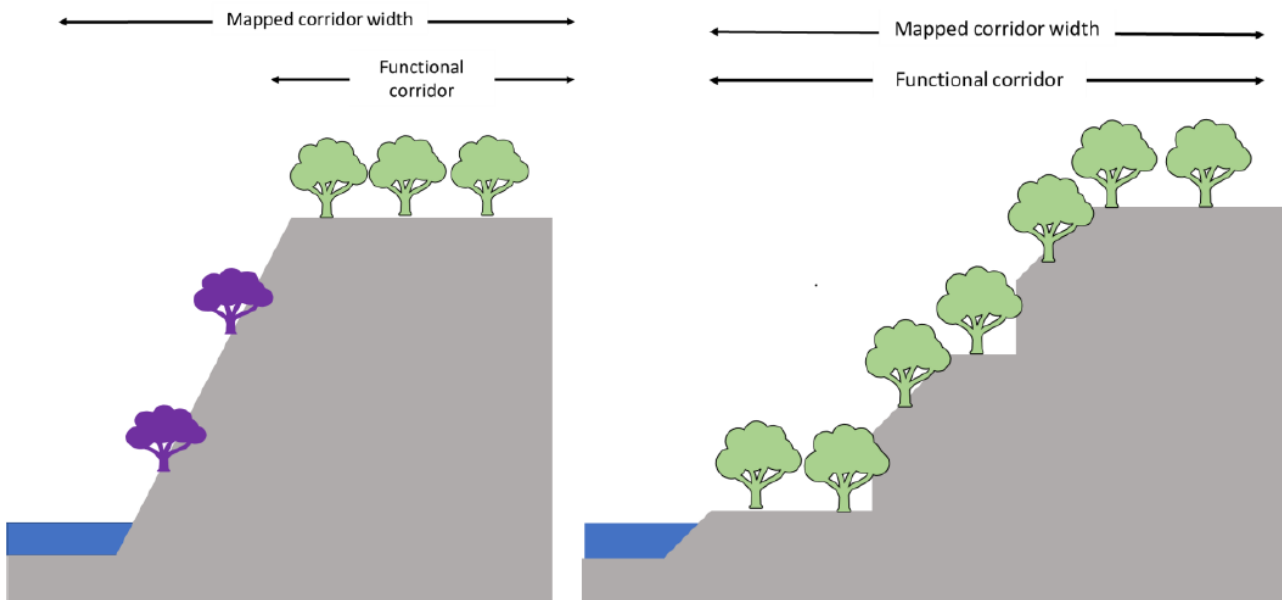
PLUSHI understands this has been an area of confusion and it has been interpreted that the buffers are in addition to the corridors. However, the application of the above advice in the draft

plan for Gilead Stage 2 is consistent with the approved CPCP where the boundary of the koala corridor is in many instances the existing vegetation line. Therefore, PLUSHI has demonstrated that the draft plan implements this component of Recommendation 2C.

*For sites where exclusion fencing is infeasible due to steep terrain, then additional buffer width should be utilised (buffer ~60 m), with a traffic speed limit of 40 km/h and predator / dog monitoring.*

#### PLUSHI response

PLUSHI notes that in some areas, there is steep terrain along the western edge of the Nepean River corridor. PLUSHI has taken care to understand this issue more. Additional advice received demonstrated that areas of steep terrain should not be included in the koala corridor transect calculations. This methodology has been implemented consistently along the whole Nepean River corridor. See in particular transects 8, 9, 10, 11, and 12 in **Figure 13** below, which do not extend to the western edge of the site due to steep terrain in this location.



**Figure 10: “Corridors in riverine areas. The ‘green’ trees are those in the functional area of the corridor, the ‘purple’ trees are less likely to be easily accessible.” Page 39**

[https://www.chiefscientist.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0006/485925/Report-2\\_CPCP-and-principles-for-koalas\\_May-2021.pdf](https://www.chiefscientist.nsw.gov.au/__data/assets/pdf_file/0006/485925/Report-2_CPCP-and-principles-for-koalas_May-2021.pdf)

It is important to note transects are applied only to land that can provide for a ‘functional corridor’ uses (that is, flatter land) and exclude steeper areas from the average width calculations, as these steeper areas are not considered ‘functional’.

Therefore, PLUSHI is satisfied the draft plan implements this component of Recommendation 2c.

*Asset protection zone is outside the exclusion fencing, within the development footprint*

#### PLUSHI response

Asset Protection Zones will be located within the proposed UDZ and are not located within the proposed koala corridors (that is, C2 zoned land).

Therefore, PLUSHI is satisfied the draft plan implements this component of Recommendation 2c.

*Further, connectivity structures within corridors should also be assessed including local roads and other infrastructure (e.g. the Upper Canal).*

#### PLUSHI response

PLUSHI is continuing to work with Water NSW, Council and the proponent to ensure connectivity across the Upper Canal. Further, the final Structure Plan and DCP to be prepared for the site will address the road network including any considerations for connectivity. PLUSHI notes that the final Structure Plan and DCP do not form part of this finalisation assessment.

Therefore, PLUSHI is satisfied the draft plan (as far as relevant at this stage in the development process) implements this component of Recommendation 2c.

#### *Recommendation 3 – Monitoring and adaptive management & Recommendation 4 – disease prevention*

These matters are not applicable to the subject rezoning.

### 4.1.3 Koala Corridor calculations

The following koala corridors traverse parts of the Gilead Stage 2 site:

- Georges River Koala Corridor;
- Menangle Creek Koala Corridor (Corridor A);
- Woodhouse Creek Koala Corridor (Corridor B); and
- Nepean River Koala Corridor.

As noted earlier in this assessment, it is important to note that the corridors cross multiple landholdings and planning proposals are a pathway to rezone land to secure corridors with new landuse zones and controls. The corridors will be progressively rezoned and secured over time as land is rezoned. Although each future planning proposal may seek to refine and alter the length of the transects that apply to their site, the overall minimum average of 390m must be achieved.

PLUSHI has undertaken a thorough assessment of the Gilead Stage 2 site's proposed portions of these corridors, noting the Gilead stage 2 site does not deliver any one of the above corridors in their entirety.

Separate maps and tables have been prepared for Menangle Creek Corridor A, Woodhouse Creek Corridor B and the Nepean River Corridor, which demonstrate how each corridor can meet the requirements of the OCSE. The transects were used to confirm the boundaries of the Koala Corridor Mapping (see **Figure 15** below). A corresponding map and table have not been prepared for the Georges River Koala Corridor as this has been finalised within the CPCP. Therefore, no assessment of that corridor's ability to meet the OCSE advice is required, further, this report is not assessing or reviewing the CPCP.

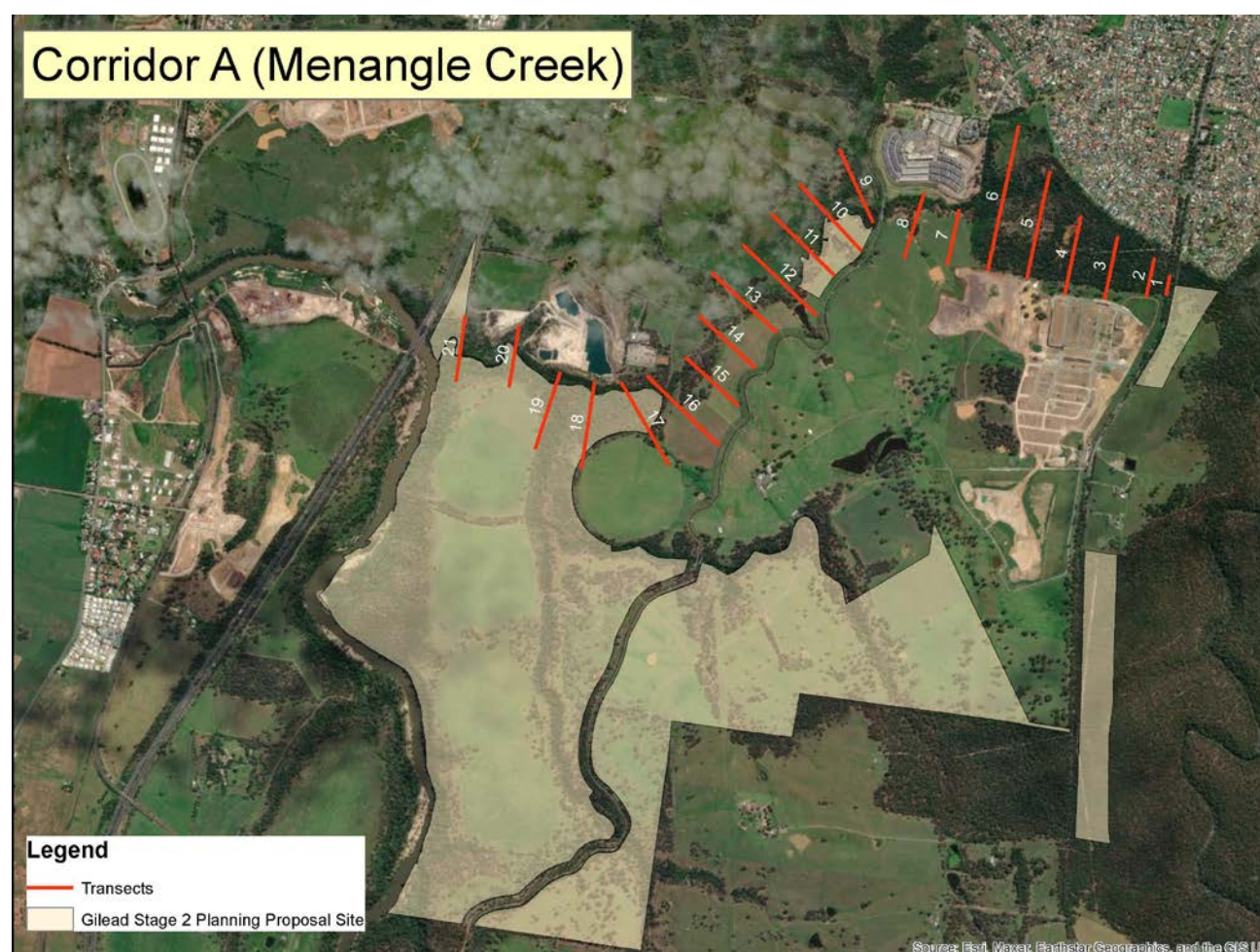
As noted above, PLUSHI has made some minor post exhibition changes to the final SEPP maps to ensure that the overall koala corridors will meet the OCSE advice. Further detail on each of the corridors is provided below. The applicable portion of the Gilead Stage 2 site that is relevant to each corridor is shown in the maps and table below in beige.

#### Menangle Creek Koala Corridor (Corridor A)

Corridor A is an east-west corridor and connects the Nepean River to the Georges River Corridor. It crosses multiple private landholdings and incorporates Noorumba Reserve. A substantial portion of Corridor A is located north of Menangle Creek which is mapped as 'avoided' land under the CPCP. The CPCP was amended post exhibition to align to the OCSE advice, and this extended to amending the CPCP in relation to delivering Corridor A.



The Department notes the part of Corridor A north of Menangle Creek is largely subject to the Rosalind Park Planning Proposal (<https://www.planningportal.nsw.gov.au/ppr/under-assessment/proposed-rosalind-park-urban-release-area>).



**Figure 11 Corridor A (Menangle Creek) transects**

The red lines are the final corridor transects which have been measured and checked with GIS data as part of PLUSH's assessment. The transects were used to confirm the boundaries of the Koala Corridor Mapping (see **Figure 15** below).

**Table 8 Corridor A transect measurements (east to west)**

Transect Number	Exhibited transect width (m)	Final transect width (m)	Additional information
1 (Appin Rd)	103.00	103.00	This transect does not form part of the Gilead Stage 2 planning proposal site. Transects 1 – 6 are within Noorumba Reserve.
2	201.65	201.65	As Above.
3	323.65	323.65	As Above.

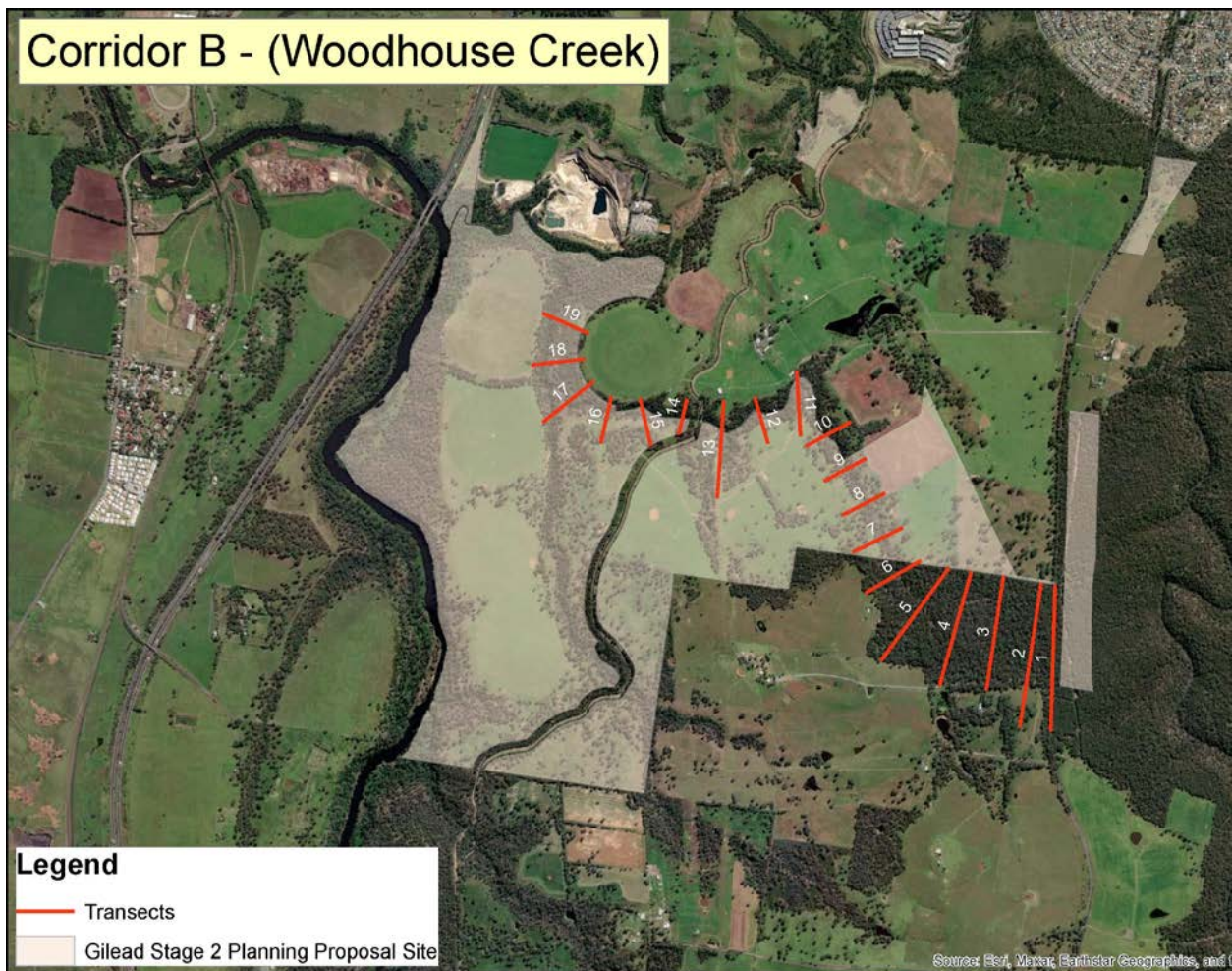
Transect Number	Exhibited transect width (m)	Final transect width (m)	Additional information
4	397.23	397.23	As Above.
5	548.13	548.13	As Above.
6	739.01	739.01	As Above.
7	282.57	282.57	This transect does not form part of the Gilead Stage 2 planning proposal site. Transects 7 and 8 are predominantly within the Figtree Hill site.
8	346.65	346.65	As Above.
9	n/a	410.00	This transect was added post exhibition following further refinement and assessment of Corridor A. This was done to ensure the transects provide a “realistic reflection of the actual corridor width” as required by the OCSE, and inserting the transect will achieve better “consistency in the distance between and angles of the transects” in line with the OCSE advice. This increased the total number of transects from 20 at exhibition, to 21 at finalisation.
10	456.69	456.69	<p>The Gilead Stage 2 planning proposal site in this area is bounded by Menangle Creek to the north west; therefore, the current planning proposal is only proposing to deliver the portion of the corridor south of Menangle Creek.</p> <p>North of Menangle Creek is the Rosalind Park site.</p> <p>The Gilead Stage 2 site is shown in brown on the ‘Corridor A’ map.</p>
11	507.48	441.08	As above
12	441.08	507.48	This transect does not form part of the Gilead Stage 2 planning proposal site.
13	438.13	438.13	As Above.
14	383.87	383.87	As Above.
15	359.28	359.28	As Above.
16	499.34	499.34	As Above.



<b>Transect Number</b>	<b>Exhibited transect width (m)</b>	<b>Final transect width (m)</b>	<b>Additional information</b>
17	653.92	480.00	<p>The Gilead Stage 2 planning proposal site in this area is bounded by Menangle Creek to the north and Mount Gilead Estate to the south and east. Therefore, the planning proposal is proposing to deliver the portion of the corridor between Menangle Creek and Mount Gilead Estate.</p> <p>The Gilead Stage 2 site is shown in brown on the 'Corridor A' map.</p>
18	441.23	441.23	As above
19	212.28	403.00	<p>The Gilead Stage 2 planning proposal site is bounded by Menangle Creek to the north; therefore the planning proposal is proposing to deliver the portion of the corridor south of Menangle Creek.</p> <p>North of Menangle Creek is the Rosalind Park site.</p> <p>The Gilead Stage 2 site is shown in brown on the 'Corridor A' map.</p>
20	212.60	313.00	As above
21 (Nepean Rv Corridor)	333.77	333.77	This is the only part of Corridor A where the Gilead Stage 2 site is capable of delivering an entire transect length.
<b>Total Transect Width</b>	<b>7881.56</b>	<b>8408.76</b>	This is the sum of the transect widths that comprise indicative mapping for Corridor A.
<b>Average Width</b>	<b>394.10</b>	<b>400.42</b>	This is the total transect width divided by the number of transects.

### Woodhouse Creek Koala Corridor (Corridor B)

Koala Corridor B is generally an east-west corridor and connects Corridor A to the Georges River Corridor. It crosses multiple private landholdings and incorporates Beulah Reserve. A substantial portion of Corridor B is proposed to be delivered as part of the Gilead Stage 2 planning proposal.



**Figure 12 Corridor B (Woodhouse Creek) transects**

The red lines are the final corridor transects which have been measured and checked with GIS data as part of PLUSHI's assessment. The transects were used to confirm the boundaries of the Koala Corridor Mapping (see **Figure 15** below).

Table 9 Corridor B (Woodhouse Creek) transect measurements

Transect Number	Exhibited transect width (m)	Final transect width (m)	Additional information
1	760.91	760.91	This transect does not form part of the Gilead Stage 2 planning proposal site. Transects 1 – 6 are mostly within Beulah Reserve.
2	756.75	756.75	As above.
3	601.04	601.04	As above.
4	617.23	617.23	As above.
5	597.91	597.91	As above.
6	335.80	335.80	As above.
7	293.12	293.12	The Gilead Stage 2 site is shown in brown on the 'Corridor A' map.
8	250.05	250.05	As above.
9	250.00	250.00	As above.
10	268.48	268.48	The Gilead Stage 2 planning proposal site is bounded by Woodhouse Creek therefore the planning proposal is proposing to deliver the portion of the corridor south of Woodhouse Creek. The Gilead Stage 2 site is shown in brown on the 'Corridor B' map.
11	342.41	342.41	As above.
12	251.89	251.89	As above.
13	514.74	514.74	As above.
14	272.38	<b>210.08</b>	This transect length was reduced post exhibition to ensure it did not encroach into the Upper Canal land.
15	287.30	<b>254.00</b>	This transect length was reduced post exhibition to ensure it did not encroach into the Upper Canal land.

Transect Number	Exhibited transect width (m)	Final transect width (m)	Additional information
16	249.67	249.67	<p>The Gilead Stage 2 planning proposal site in this area is bounded by Mount Gilead Estate to the east; therefore, the planning proposal is proposing to deliver the portion of the corridor west of the Mount Gilead Estate property boundary.</p> <p>The Gilead Stage 2 site is shown in brown on the 'Corridor B' map.</p>
17	318.39	318.39	As above.
18	282.01	282.01	As above.
19	261.86	261.86	As above.
<b>Total Transect Width</b>	<b>7511.94</b>	<b>7416.34</b>	This is the sum of the transect widths that comprise indicative mapping for Corridor B.
<b>Average Width</b>	<b>415.61</b>	<b>390.33</b>	This is the total transect width divided by the number of transects.



### Nepean River Koala Corridor

The Nepean River Corridor is a north-south corridor running the length of the GMGA. It crosses multiple private landholdings and is primarily mapped as 'avoided' under the CPCP. The northern most portion of the Nepean River Corridor is within the Gilead Stage 2 site.



**Figure 13 Nepean River transects**

The red lines are the final corridor transects which have been measured and checked with GIS data as part of PLUSHI's assessment. The transects were used to confirm the boundaries of the Koala Corridor Mapping (see **Figure 15** below).

Table 10 Nepean River Corridor

Transect Number	Exhibited transect width (m)	Final transect width (m)	Additional information
1	280.33	280.33	The Gilead Stage 2 site is shown in brown on the 'Nepean River Corridor map. The entire transect is within the Gilead Stage 2 site.
2	278.79	278.79	As above.
3	260.03	260.03	As above.
4	278.35	<b>266.63</b>	Transects 4,6, 7, 8, 11, 12 and 13 have been refined post exhibition to accommodate the loss of lengths in transects 14 and 15 and adjusted to ensure a smooth corridor boundary.
5	304.32	304.32	The entire transect is within the Gilead Stage 2 site.
6	418.66	<b>491.00</b>	Transects 4,6, 7, 8, 11, 12 and 13 have been refined post exhibition to accommodate the loss of lengths in transects 14 and 15 and adjusted to ensure a smooth corridor boundary.
7	578.80	<b>580.81</b>	As above.
8	335.22	<b>328.41</b>	As above. <b>Note:</b> Transects 8-12 exclude steeper escarpment areas adjacent to the Nepean River from the width measurements.
9	235.46	235.46	The entire transect is within the Gilead Stage 2 site.
10	217.66	217.66	The entire transect is within the Gilead Stage 2 site.
11	227.38	<b>229.03</b>	Transects 4,6, 7, 8, 11, 12 and 13 have been refined post exhibition to accommodate the loss of lengths in transects 14 and 15 and adjusted to ensure a smooth corridor boundary.
12	212.26	<b>215.60</b>	As above.
13	369.10	<b>343.00</b>	As above.
14	584.21	<b>558.00</b>	This transect length was reduced post exhibition to ensure it did not encroach into the Upper Canal land.
15	357.73	<b>347.00</b>	This transect length was reduced post exhibition to ensure it did not encroach into the Upper Canal land.

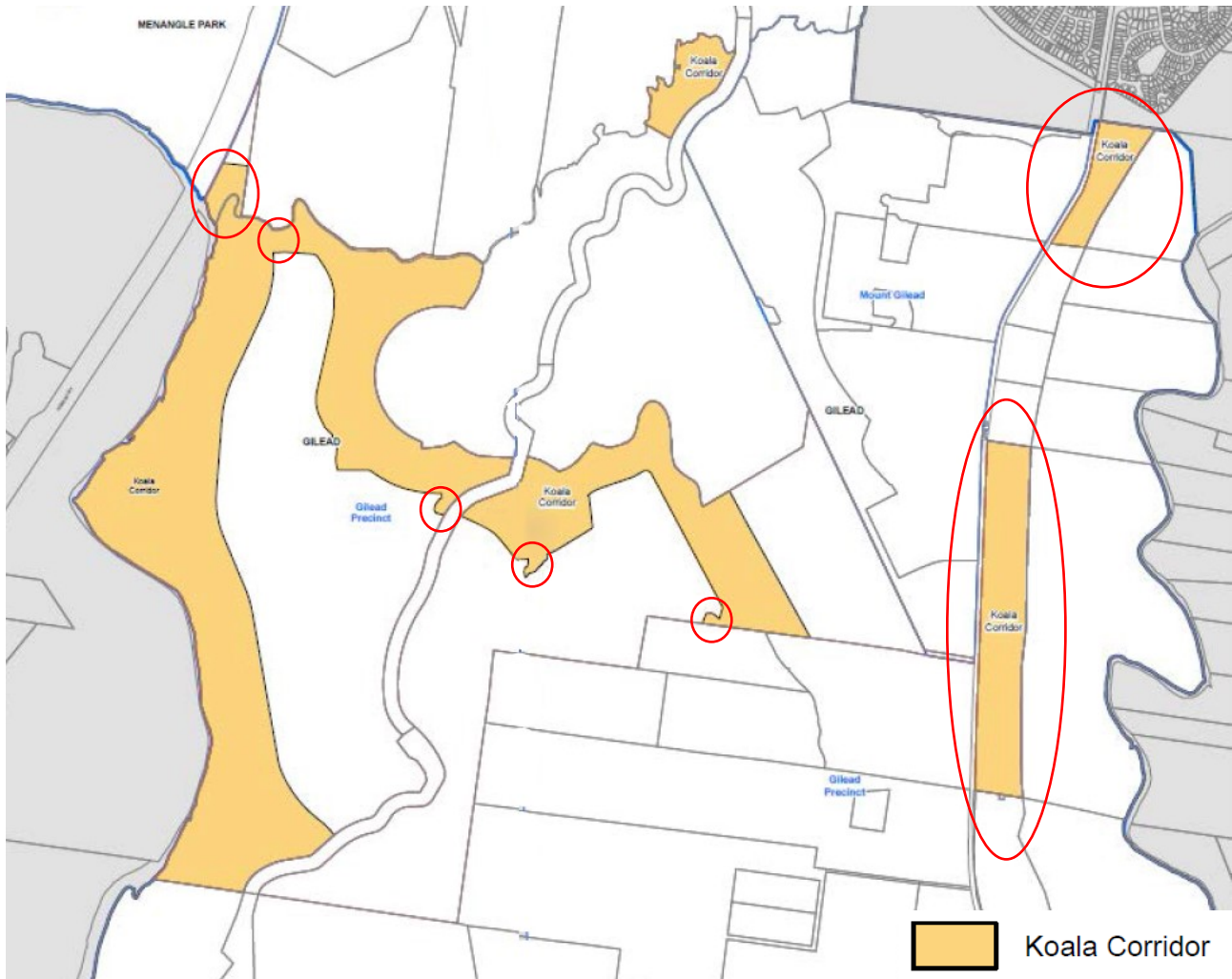


<b>Transect Number</b>	<b>Exhibited transect width (m)</b>	<b>Final transect width (m)</b>	<b>Additional information</b>
16 to 149	53,188.78	53,188.78	Transects 16 to 149 do not form part of the Gilad Stage 2 planning proposal site but are covered by the CPCP and are identified as 'avoided' land.  The total combined width of transects 16 to 149 is 53,188.78m
<b>Total Transect Width</b>	<b>58,127.08</b>	<b>58124.85</b>	This is the sum of the transect widths that comprise indicative mapping for the Nepean River Corridor.
<b>Average Width</b>	<b>390.11</b>	<b>390.10</b>	This is the total transect width divided by the number of transects.

A summary of the exhibited and final draft Koala Corridor mapping is shown in Figures 14 and 15 below:



**Figure 14 Exhibited Koala Corridor Map exhibition (then called 'Clause Application Map'), comprising 191ha.**



**Figure 15 Final draft Koala Corridor Map comprising 230ha, with main additional areas outlined in red.**

**Note 1:** as outlined in Table 10 above, there are minor amendments to the boundary of the Nepean River Koala Corridor however these changes are not visible at this precinct scale.

**Note 2:** The Koala Corridor Maps are across two WPC SEPP maps: KLC\_002 and KLC\_007.

#### 4.1.4 Removal of SP2 zoning and new Transport Corridors Map

The exhibited maps as part of this planning proposal identified SP2 zoning for the transit corridor on the land zoning map. SP2 zoning of this corridor no longer forms part of the land zoning maps to be inserted into the SEPP. The reason for this change is explained below.

##### Role of Transport Corridors Map

The Transport Corridors Map will indicate the location of key arterial and sub-arterial roads required in the future instead of having a SP2 Infrastructure applied to these corridors on the land zoning map.

This approach has already been implemented in Part 4.4 – Development Controls – general 4.27 Transport Corridors, for land subject to the Western Sydney Aerotropolis in the Western Parkland City SEPP. There is the potential for additional roads to be included on this map, as a result of the outcomes of the Transport Management and Accessibility Plan.

This Transport Corridors Map is an overlay and will be supported by a provision requiring the concurrence of Transport for NSW in certain circumstances. This provision is aimed at protecting transport corridors by requiring Transport for New South Wales to provide concurrence to development that has the potential of preventing roads from being built on land identified on the transport corridor map.

##### Transit corridor to be included on the Transport Corridor Map

The location of the transit corridor is indicatively shown in the Greater Macarthur Structure Plan. This proposed new road will link Appin to Macarthur in the north. This road is shown on the Transport Corridor Map and supported by a SEPP provision requiring Transport for New South Wales concurrence as discussed above. Further refinements to the corridor may be made as planning for the regional road network continues.

##### Zoning map changes due to the removal of SP2 zoned corridors

As discussed earlier in this report, the SP2 corridors are no longer shown on the final draft land zoning maps.

## 5 Consultation

PLUSHI consulted with the following stakeholders on the draft maps and draft LEP:

**Table 11 Consultation**

Stakeholder	Consultation	PLUSHI is satisfied with the draft LEP
Mapping	Draft maps have been prepared by the Department's ePlanning team and meet the technical requirements.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Planning Secretary (PPA)	The Planning Secretary was consulted on the terms of the draft instrument under clause 3.36(1) of the <i>Environmental Planning and Assessment Act 1979</i> ( <b>Attachment D</b> ).	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No, see below for details
Parliamentary Counsel Opinion	On 12 February 2024, Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at <b>Attachment PC</b> .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Deputy Secretary Biodiversity Conservation and Science	On April 24, 2023, the Deputy Secretary Biodiversity Conservation and Science was consulted under clause 3.25 of the <i>Environmental Planning and Assessment Act 1979</i> on the proposed LEP. This has been discussed in section 3.2 above. Further consultation occurred throughout 2023.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Office of Chief Scientist and Engineer (OCSE)	On 1 May 2023, the OCSE was consulted on the proposed LEP. This was to ascertain if the measures to protect the koala habitat within the planning proposal meets previous advice. The OCSE replied on 26 May 2023 declining to provide further comment ( <b>Attachment H</b> ).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Water NSW	On 30 May 2023, Water NSW was consulted on the draft instrument and mapping. Water NSW requested to revise the requirements of the Precinct Structure Plan (clause 6.1(2)) to show land proposed to be allocated for drainage reserves and stormwater management. An additional requirement has been included to address Water NSW's concerns.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details

Stakeholder	Consultation	PLUSHI is satisfied with the draft LEP
Transport for NSW	On 30 May 2023, Transport was consulted on the draft instrument and mapping. PLUSHI notes (as previously discussed in this report) that future refinements to the Transport Corridors Map may be necessary as planning for the regional road network progresses. Further consultation occurred throughout 2023.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Campbelltown City Council	On 30 May 2023, Council was consulted on the draft instrument and mapping. Some final minor amendments were made in consideration of Council's comments ( <b>Attachment I</b> ). Further consultation occurred throughout 2023.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Proponent (Lendlease)	On 30 May 2023, the Proponent was consulted on the draft instrument and mapping. Final amendments were made to the written instrument and maps in consideration of Lendlease's comments ( <b>Attachment J</b> ) and further consultation with EHG. Further consultation occurred throughout 2023.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details

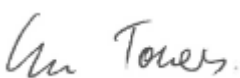
## 6 Recommendation

It is recommended that the Minister's delegate as the local plan-making authority determine to make the draft LEP under clause 3.36(2)(a) of the EP&A Act because:

- The draft LEP has strategic merit being consistent with Western City District Plan, the Greater Macarthur Growth Area 2040 Interim Plan (2018), and the updated Structure Plan and Guide (2022).
- It is consistent with the Gateway Determination.
- Issues raised during consultation have been assessed in this report and PLUSHI is satisfied that post exhibition changes to both the draft maps and instrument adequately address these issues, in particular those raised by EHG.



Chantelle Chow  
Manager, Macarthur Region



9/5/24

Graham Towers  
A/Director, Local Planning (Southern, Western and Macarthur Region)

## Attachments

Attachment	Document
A	Exhibited Planning Proposal
B	Gateway Determination 16 November 2022
C	Secretary submitting the proposal to the Department for finalisation 16 March 2023
D	Section 3.36(1) consultation with the Planning Secretary as PPA
E	Table summarising agency and Campbelltown City Council's submissions
F	Gateway Determination report
G	3.25 consultation response from EHG 16 May 2023
H	Response from OCSE 26 May 2023
I	Campbelltown City Council comments on draft LEP and maps
J	Lendlease comments on draft LEP
PC	Final draft instrument and Opinion from Parliamentary Counsel's Office.
Maps	Draft SEPP and LEP maps
LEP	Draft LEP
MCS	Map Cover Sheet