



IRF23/2620

Gateway determination report – PP -2023-2012

Macarthur Grange Golf Course – Updated proposal

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Acknowledgment of Country

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

Contents

1	Planning proposal.....	1
1.1	Overview.....	1
1.2	Objectives of planning proposal	1
1.3	Explanation of provisions	2
1.4	Site description and surrounding area.....	5
1.5	Mapping.....	7
1.6	Background	10
1.7	Resubmit Conditions.....	11
2	Need for the planning proposal	11
3	Strategic assessment	11
3.1	Regional Plan	11
3.2	District Plan	16
3.3	Local.....	17
3.4	Local planning panel (LPP) recommendations	20
3.5	Section 9.1 Ministerial Directions	20
3.6	State environmental planning policies (SEPPs)	23
4	Site-specific assessment	23
4.1	Environmental.....	23
4.1.1	Scenic Hills Landscape & Visual Impacts.....	23
4.1.2	Biodiversity	24
4.1.3	Watercourses and Riparian Corridors	27
4.1.4	Bushfire	28
4.1.5	Aboriginal Heritage	29
4.1.6	Contamination	29
4.2	Social and economic.....	29
4.2.1	Economic.....	29
4.2.2	Social.....	30
4.3	Infrastructure	30
4.3.1	Traffic and Transport	30
4.3.2	Utility Services	32
4.3.3	Infrastructure Easements.....	33
5	Consultation.....	34
5.1	Community	34

5.2	Agencies.....	34
6	Timeframe	34
7	Local plan-making authority	34
8	Assessment summary	34
9	Recommendation.....	35

Table 1 Reports and plans supporting the proposal.

Relevant reports and plans
Attachment A – Macarthur Grange Planning Proposal Council Report - September 2023
Attachment B – Planning Proposal Report from Proponent – June 2020
Attachment C – Council Report
Attachment D – Council Resolution
Attachment E – Letter of support from GCC
Attachment F – Bushfire Assessment (prepared by Eco Logical June 2020)
Attachment G – Preliminary Contamination Investigation (prepared by Senversa May 2020)
Attachment H – Flora and Fauna Assessment (prepared by Eco Logical June 2020)
Attachment I – Infrastructure Report (prepared by Craig & Rhodes May 2020)
Attachment J – Land Dedication Plan
Attachment K – Planning Agreement Letter of Offer
Attachment L – Response to Council on the Planning Panel Recommendation
Attachment M – Riparian Constraints Assessment (prepared by Eco Logical May 2020)
Attachment N – Traffic Assessment (prepared by The Transport Planning Partnership May 2020)
Attachment O – Urban Design Report (prepared by Architectus June 2020)
Attachment P- Visual Impact Analysis (prepared by Architectus February 2023)
Attachment Q – Aboriginal Heritage Report (prepared by Eco Logical May 2020)
Attachment R – Addendum to Infrastructure Report (prepared by Craig & Rhodes February 2023)
Attachment S – Cover letter from Council
Attachment T – Draft DCP

Attachment U – Department Resubmit Letter

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Campbelltown
PPA	Campbelltown City Council
NAME	Macarthur Grange Planning Proposal (53 Homes)
NUMBER	PP-2023-2012
LEP TO BE AMENDED	Campbelltown Local Environmental Plan 2015
ADDRESS	Macarthur Grange Golf Club, Raby Road, Varroville
DESCRIPTION	Lot 3900, DP 1170905
RECEIVED	17/07/2023
FILE NO.	IRF23/2620
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal seeks to provide for a rural residential community subdivision by amending the provisions of the *Campbelltown Local Environmental Plan (LEP) 2015* while protecting the environmentally significant areas of the Scenic Hills Landscape. To achieve this, the proposal will:

- establish a long-term management arrangement for the ongoing protection and future use of this part of the Scenic Hills maintaining the landscape character and scenic qualities.
- ensure that future development within the site responds to the topography and the location of significant vegetation;
- provide a mix of lot sizes, including 53 rural residential lots, ranging from 0.5ha to 2.75ha to facilitate environmental conservation and a rural residential community;
- provide for a range of uses on the land surrounding the golf club building including a function centre, restaurant, and café;
- provide for a north-south walking and cycle link through the site connecting to existing cycle paths, potential future trails through the Scenic Hills and wider planned Sydney Green Grid projects;
- provide a series of 'lookout parks' at key high points connected by the walking and cycle path; and

- establish a Hilltop Conservation Area to protect and restore major areas of contiguous significant vegetation.

The objectives of this planning proposal are clear and adequate.

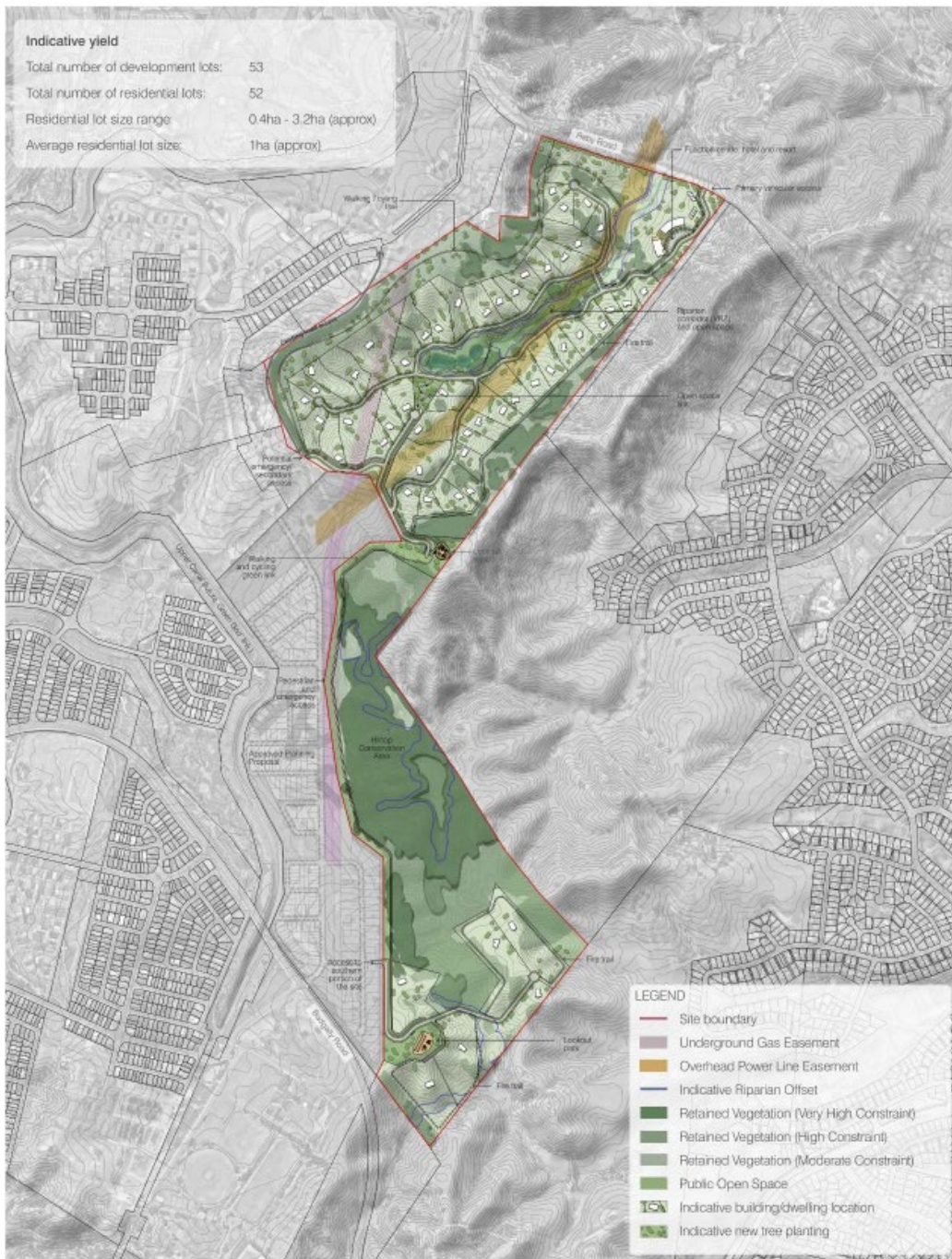


Figure 1 – Indicative Masterplan

1.3 Explanation of provisions

The planning proposal seeks to amend the *Campbelltown LEP 2015* (CLEP 2015) as per the changes below:

- Amend the Land Zoning Map to rezone the site from C3 Environmental Management to a mix of the following zones C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living and RE1 Public Recreation.

- Introduce a new site specific clause to only enable a Community Title Subdivision is permissible on Lot 3900 DP 1170905 for a neighbourhood scheme. Subdivision within this part should not result in lots which provide an area less than 5,000m² or exceed a density of 2.5 dwellings per hectare.
- Amend Schedule 1, Additional Permitted Uses for the land fronting Raby Road (existing clubhouse precinct) to support a future function centre, restaurant, and café use.
- Amend the Land Reservation Acquisition Map to identify the land reserved for a public purpose being open space.

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	C3 Environmental Management	C2 Environmental Conservation C3 Environmental Management C4 Environmental Living RE1 Public Recreation
Maximum height of the building	9m	No changes proposed
Minimum lot size	100ha	No changes proposed The proposal seeks to implement the subdivision as a Neighbourhood Scheme. Therefore, an amendment of the Lot Size Map to support minimum 5,000m ² lots is not required.
Number of dwellings	N/A	53
Land Reservation	Currently identifies land required for a public purpose such as open space roads and utilities.	Update the Land Reservation Acquisition Map based on the updated Land Zoning Map. Land is reserved exclusively for a public purpose, being open space.
Additional Permitted Uses	Nil	Inclusion of the following uses in Schedule 1 as permissible with consent over the 6ha club house, neighbourhood property lot: <ul style="list-style-type: none"> • Function centre • Restaurant or cafe
Clauses	Clause 4, Principal Development Standards	To ensure that only a Community Title Subdivision would be permissible, an amendment of Clause 4.1AA is proposed to allow subdivision on the site in accordance with the Community Land Development Act 1989 for a neighbourhood scheme – ensuring each subdivision lot will have an area not less than 5000 square metres and not exceed density of 2.5 dwellings per hectare.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

The supporting concept plan (see Figure 1) proposes approximately 53 Environmental Living lots within a community title setting, including a ridgetop open space system with walking, and cycling trails and 2 'lookout/pocket' parks and supporting infrastructure and facilities.

Council notes that a site-specific development control plan (DCP) will be prepared in association with this proposal and a local voluntary planning agreement (VPA) is required to dedicate the proposed open space to Council. The proponent has prepared a draft DCP (**Attachment T**) and a VPA Letter of Offer (**Attachment K**) but these require updating to reflect the current proposal.

The open space proposed to be dedicated to Council is shown on the Land Dedication Plan (**Attachment J**) as seen in Figure 2 which includes the proposed RE1 land. The remaining riparian land within the C2 zone will be managed through a community scheme.

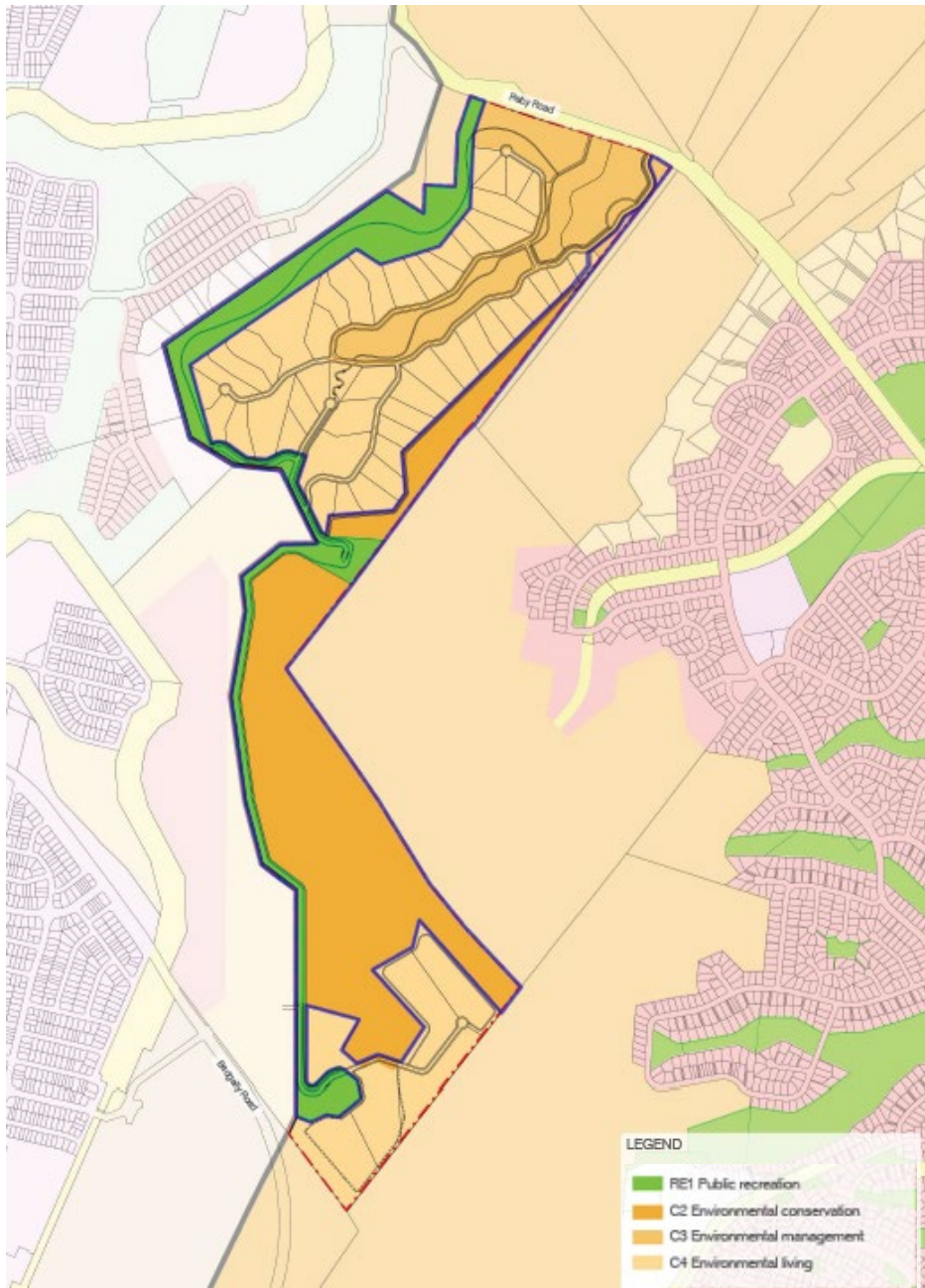


Figure 2 Subject site (source: Attachment J Land Dedication Plan)

1.4 Site description and surrounding area

The site, known as Macarthur Grange, Varroville, is identified as Lot 3900, DP 1170905. The site occupies a total area of 129.5ha, of which 71.9ha is currently utilised by the Macarthur Grange Golf Club on the northern portion. The remaining land on the southern end of the site contains remnant Cumberland Plain vegetation and cleared low density grazing patches (see Figure 3).



Figure 3 Subject site (source: Attachment A Planning Proposal)

The irregularly shaped site is bounded by Raby Road to the north, Gregory Hills Drive to the South, and borders the Camden Local Government Area (LGA) boundary to the west. Land to the west of the site comprises new housing developments as part of the South West Growth Area (SWGA) which has been developed for urban purposes.

A number of watercourses and riparian corridors run through the site including Bunbury Curran Creek through the southern portion.

The site is located within the Scenic Hills Protection Area as shown in the left map for Figure 4 below. Under the Campbelltown LEP 2015, the site is identified as Steep land for the Scenic Hills (orange area in Figure 5) and Escarpment Preservation Area (hatched area in Figure 5).



Figure 4 Scenic Hills Protection Area (site in yellow within the Scenic Hills in red outline)
(source: Attachment T Draft DCP)

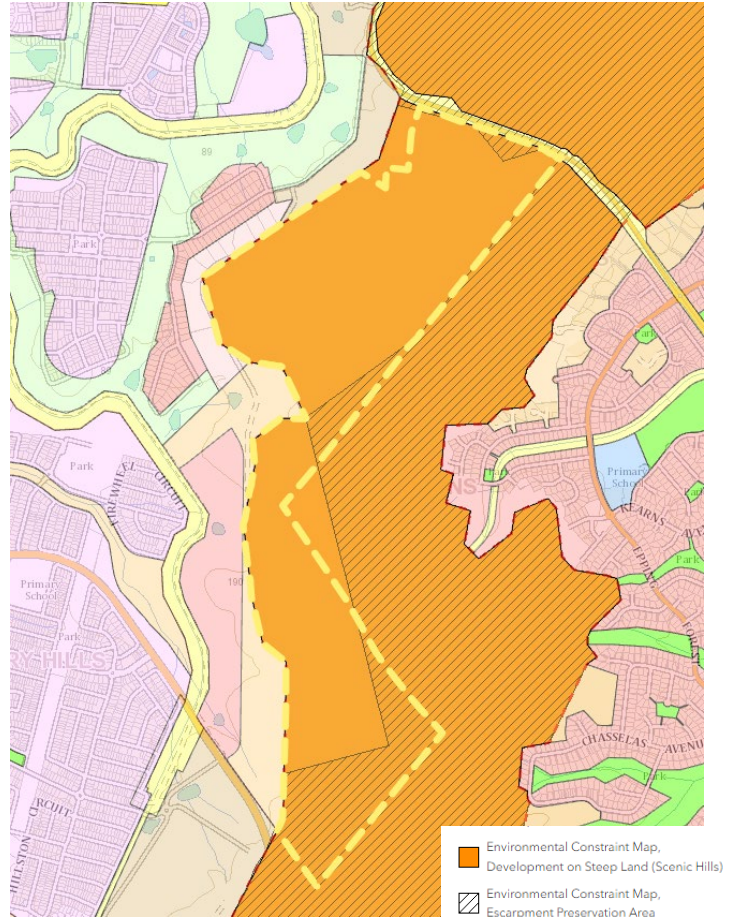


Figure 5 Environmental Constraints Map (source: Campbelltown LEP 2015)

There are significant utilities that traverse the site (see Figure 6 overleaf) including:

- Three high pressure gas pipelines that transect the western portion of the site - the Eastern Gas Pipeline (EPG) and Jemena Gas Network pipeline (JGN) under the ownership of Jemena, and Moomba to Sydney Ethane Pipeline runs parallel to JGN and under the ownership of Gorodok Pty Ltd (APA Group);
- Transgrid's 132kV overhead transmission cables within a 60-metre-wide easement that transect the centre of the site;
- Endeavour Energy's 66KV overhead transmission cable that transects the southern boundary of the site; and
- Telstra network cables to the north of the site.

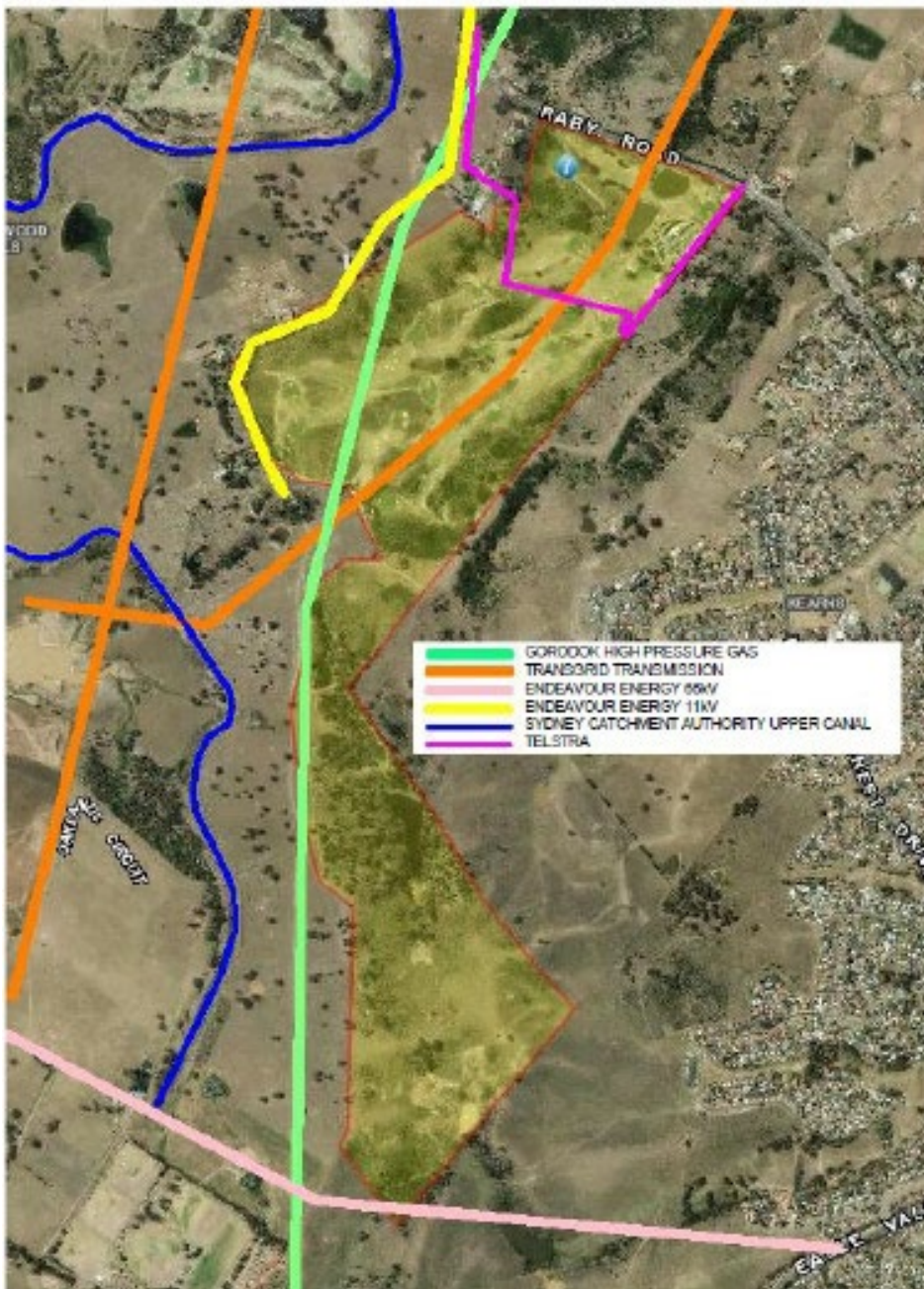


Figure 6 Existing Utilities (source: Attachment I Infrastructure Report)

1.5 Mapping

The planning proposal includes current and proposed mapping showing the changes to the following CLEP 2015 maps: Zoning Map and Additional Permitted Use Map.

However, the proposal is missing the current and proposed maps associated with the Land Reservation Map and Clause Application Map. These maps should be included prior to exhibition.

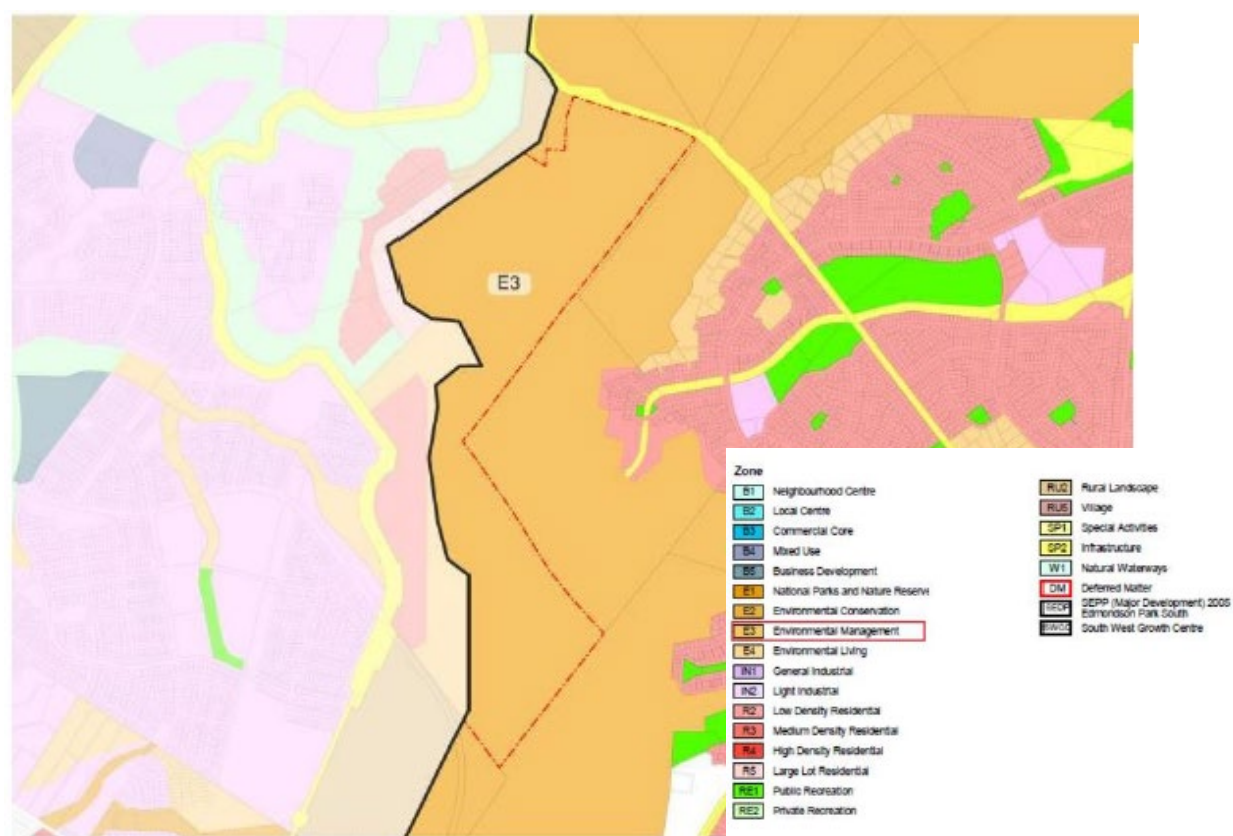


Figure 7 Current Zoning map

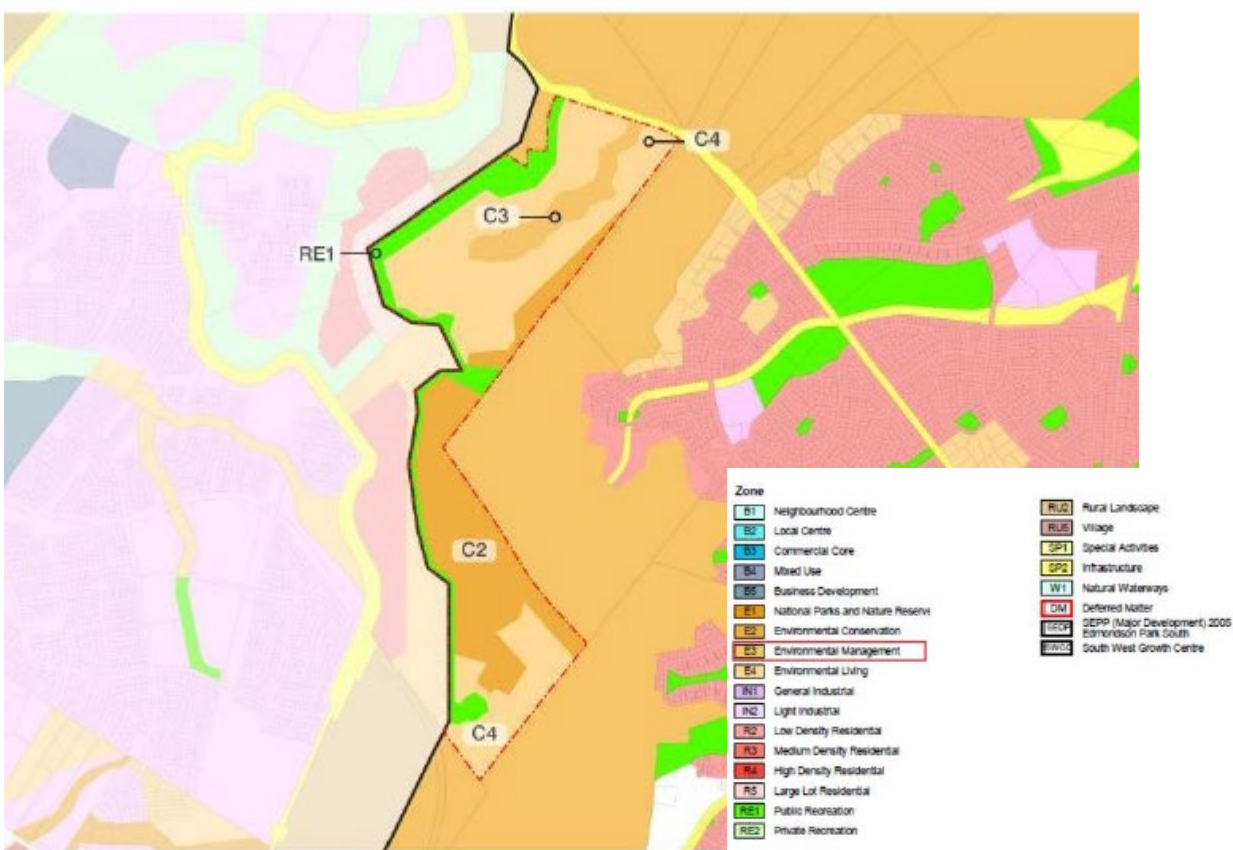


Figure 8 Proposed Zoning map

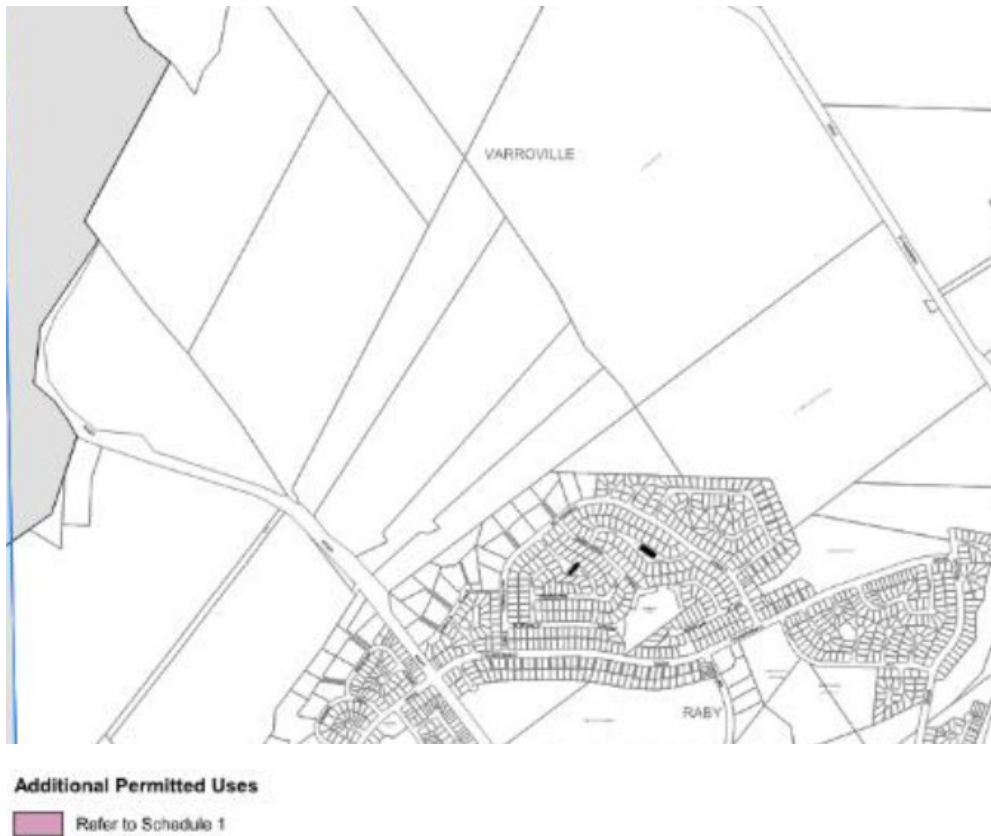


Figure 9 Existing Additional Permitted Uses map

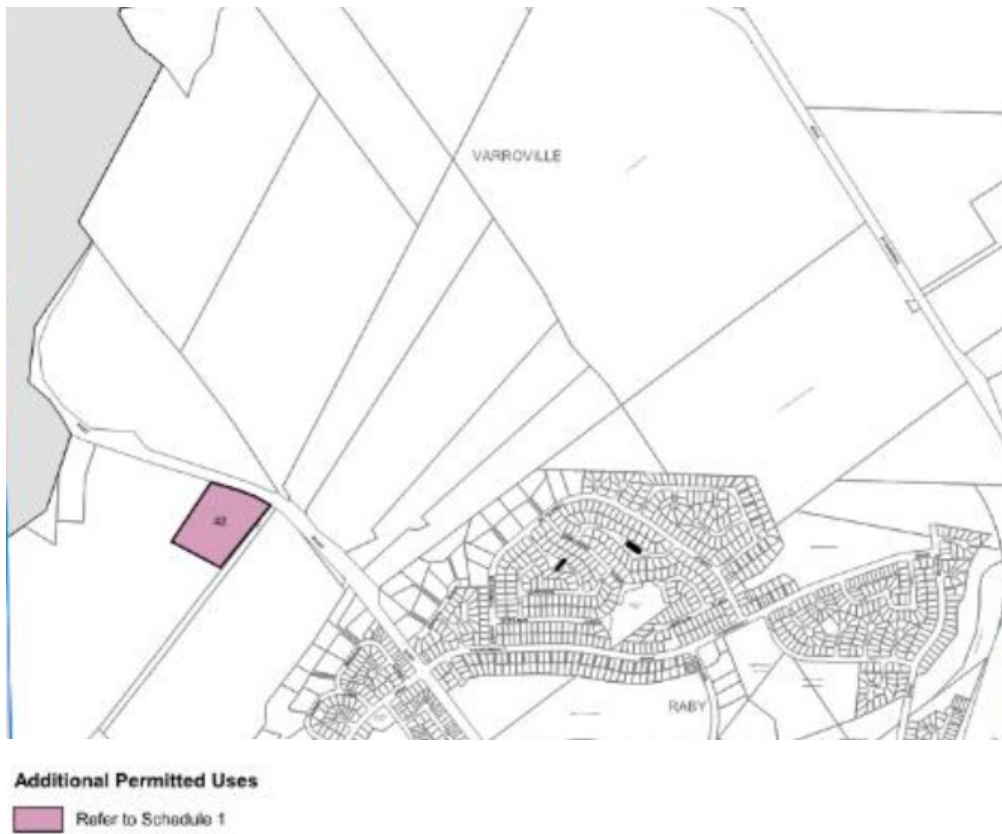


Figure 10 Proposed Additional Permitted uses map

1.6 Background

Table 4 Planning Proposal History

Timeline	Status	Council/Department Support	Planning Proposal
2011	Nomination for urban development by landowner through Government's 'Potential Home Sites' Program	Not supported by the Department. Site deemed unsuitable for development due to separation of the site, lack of utility supply, and development pressures within the Scenic Hills.	N/A
February 2016	Planning Proposal request considered at Council meeting.	Not supported by Council Inconsistent with Council's policy position to protect the Scenic Hills.	529-569 residential lots. Rezone land to R2 Low Density Residential
July 2022	Revised Planning proposal request lodged by File Planning Pty Ltd on behalf of the Landowner considered by Council at Council meeting	Supported by Council Planning proposal updated to seek subdivision through community title with larger rural living lots. Council raised concerns consistent with the previous reasons for refusal when briefed on updated 2020 PP.	63 large rural/residential lots. Rezone the site from C3 Environmental Management to a range of zones including C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living and RE1 Public Recreation. Amend the Minimum Lot Size from 100ha to part 5,000m ² , 8ha, 10ha and 40ha; and Amend Schedule 1, Additional Permitted Uses to facilitate a future function centre, restaurant and café for the existing club house part of the site.
November 2022	Planning Proposal 2022-2889 submitted to the Department by Council for Gateway assessment. Department issued a resubmit notice.	Not supported by the Department. Department issued a resubmit notice for the planning proposal application 2022-2889. This notice is further discussed below in section 4.1 of this report.	Planning Proposal seeks to implement the subdivision as a Neighbourhood Scheme. Amendment of the Lot Size Map to support minimum 5,000m ² lots is not required as it is a neighbourhood scheme.
September 2023	Current Planning Proposal submitted to the Department by Council for Gateway assessment.	Updated proposal attaches a letter of conditional support from the Greater Cities Commission.	Additional information provided on servicing, visual impact, and a letter of conditional support from the Greater Cities Commission.

1.7 Resubmit Conditions

In November 2022, the Department issued a resubmit notice for the previous planning proposal application (**Attachment U**). This required the planning proposal be updated to address the following before resubmission:

- completion of the further visual analysis recommended by the Council, of more distant views associated with the East Edge Scenic Protection Lands and the potential impact on those views as a consequence of the proposed rezoning of the 'Southern Point' land of the subject site (refer to section 4.1 of this report);
- consultation with the Greater Cities Commission (GCC) to confirm the future strategic direction of the Scenic Hills and Metropolitan Rural Area and obtain their support for the proposal being resubmitted for a Gateway determination (refer to section 3.1 of this report);
- further justification to demonstrate alignment with the intent/objectives of Councils Local Strategic Planning Statement, Local Housing Strategy and relevant Ministerial Directions (refer to section 3 of this report);
- consultation with relevant utility providers such as Sydney Water, to confirm that the anticipated development can be adequately serviced (refer to section 4.3 of this report); and
- the proposal be updated as necessary in consideration of the above.

An assessment of whether these items have been satisfactorily actioned is provided throughout this report.

2 Need for the planning proposal

The planning proposal has not directly resulted from an endorsed local strategic planning statement, strategic study, or report, but is an owner-initiated Planning Proposal Request.

The planning proposal is considered the best means of achieving the intended outcomes for the site accommodating rural residential development and providing conservation, access to and connection within the Scenic Hills Landscape. The proposal demonstrates strategic merit and consistency with the Greater Sydney Region Plan, Western City District Plan and Council's LSPS.

3 Strategic assessment

3.1 Regional Plan

The Greater Sydney Region Plan, A Metropolis of Three Cities, provides a framework and vision to guide land use and planning decisions for the next 20 years. The plan provides directions to accommodate for a growing Sydney, and identifies strategies to provide increased jobs, housing and infrastructure to create more liveable cities.

Under the Region Plan and Western City District Plan, the majority of the site is identified as being Metropolitan Rural Area (MRA) as shown in Figure 11 overleaf.

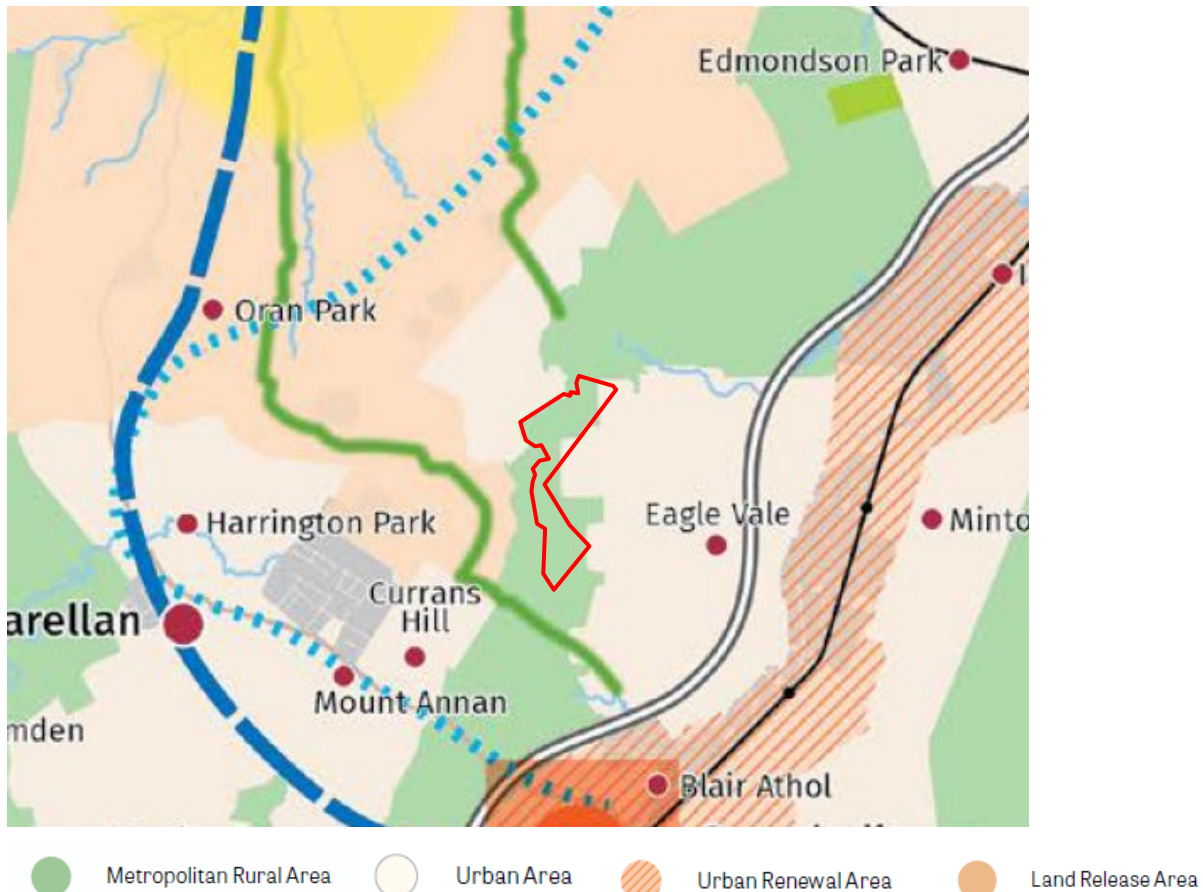


Figure 11 Structure Plan for the Western City District (source: Greater Sydney Region Plan)

Under the resubmit conditions, Council was required to consult the Greater Cities Commission (GCC) regarding the strategic direction of the Scenic Hills and Metropolitan Rural Area (MRA) and obtain their support. Council has obtained updated advice from the GCC (**Attachment E**). The GCC is generally supportive of the proposal which will deliver limited large lot housing in accordance with Council's Local Housing Strategy, as well as conservation and public open space land within the Scenic Hills aligned with Council's Strategic Framework and First Nations' aspirations.

The GCC also note the proposal is consistent with the relevant Objectives and Strategies for the MRA in the Region Plan and associated Planning Priorities and Actions in the Western City District Plan. They note the proposal will deliver biodiversity, cultural heritage and scenic benefits. Notably, no objection to the planning proposal was raised.

However, the GCC raised that the proposal should be exhibited alongside the draft Scenic Hills Strategic Framework which is being prepared by Council to address strategic intent. Council has advised that this Framework is still being prepared and unable to be exhibited concurrently. The Department notes that there is sufficient guidance in the existing planning framework to support the proposal and the protection of the Scenic Hills. It is also be noted that Council have not raised issues with the proposals compliance with the protection of the Scenic Hills.

The GCC also raised that the proposal should be updated as per the advice from the Council commissioned McGregor Coxall Planning Proposal Strategic Review. This subject review recommended that the planning proposal be accompanied by a relevant DCP and Voluntary Planning Agreement (VPA) that suitably revises and resolves at a suitable level of detail:

- The layout, distribution/siting and notional number of allotments;
- Links to adjoining areas, road alignments and interface treatments (4);


- The design, extent, embellishment, accessibility, and role of open space;
- The management/ownership regime for conservation areas, vegetation, and riparian areas;
- The role of the existing dam; and
- The delivery mechanisms required.

It is noted that the proponent has provide a draft DCP (**Attachment T**) and VPA offer (**Attachment K**) but these require updating to reflect the current proposal. The Department also requests exhibiting these supplementary documents with the proposal.

The following table provides an assessment of the planning proposal against other relevant aspects of the Region Plan.

Table 5 Regional Plan assessment

Regional Plan Objectives	Consistent	Justification
Objective 2 - Infrastructure aligns with forecast growth	No but justifiable	<p>Under the Region Plan, the site is not located within an Urban Area, Urban Renewal Area, Land Release Area, or Urban Investigation Area. As the site is not within an identified growth area, supporting infrastructure required for new residential development would need to be either installed or upgraded at the cost of the proponent.</p> <p>Most of the site is currently not serviced by any infrastructure for water, sewer, electricity, gas or telecommunications.</p> <p>However, the site adjoins the land release areas in the South West Growth Area (SWGA), and the Servicing and Infrastructure Report (Attachment I) and Addendum (Attachment R) notes that the site can be serviced by water, sewer and electricity through extensions of services from the SWGA.</p> <p>Water and sewer can be serviced via either conventional or alternative means once the bulk water and sewer upgrades are delivered at the Currans Hill reservoir and West Camden Sewer Treatment Plant in late 2023.</p> <p>The site's electricity demands can also be serviced by Endeavour Energy's South Leppington 11kV feeder SL1432.</p>
Objective 4 – Infrastructure use is optimised	Yes	The proposal seeks to leverage off the planned infrastructure and services being developed for the SWGA.
Objective 10 – Greater housing supply	Yes	The proposal seeks to provide additional housing in the Campbelltown LGA and will contribute to the housing target set for the Western City District.
Objective 11 – Housing is more diverse and affordable	Yes	The proposal seeks to provide some larger environmental living lot opportunities adjacent to the SWGA. Council also note that this is a form of housing underrepresented in Council's Local Housing Strategy.

Regional Plan Objectives	Consistent	Justification
Objective 13 – Environmental heritage is identified, conserved and enhanced	No but justifiable	The site is located in the Scenic Hills and the proposal seeks to acknowledge the prevailing environmental heritage qualities of this area through the placement of the proposed housing, intention to rehabilitate the environmentally sensitive woodland and riparian areas, and improve public access to the strategic ridgetop lands as outlined by the draft DCP (Attachment T) and VPA offer (Attachment K) but require updating.
Objective 25 - Coast and waterways are protected and healthier	Yes	The site contains a number of watercourses and riparian corridors including Bunbury Curran Creek through the southern portion. The Riparian Constraints Assessment (Attachment M) outlines the recommended rehabilitation and conservation works for the on-site watercourses. Further assessment is provided in section 4.1 of this report.
Objective 27 - Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Yes	<p>Significant vegetation is identified on the site according to the Terrestrial Biodiversity Map under the Campbelltown LEP 2015 (see Figure 12 below). no changes are proposed to the current Terrestrial Biodiversity maps or associated controls.</p>  <p>Figure 12 Terrestrial Biodiversity Map (source Campbelltown LEP 2015)</p> <p>The Flora and Fauna Assessment (Attachment H) also identifies the vegetation communities across the site including Cumberland Plain</p>

Regional Plan Objectives	Consistent	Justification
		<p>Woodland. The proposal notes that significant vegetation will be retained within a community titled lot which includes 24ha hilltop conservation reserve within the area of highest biodiversity value. The proposal will provide rehabilitation and protection in-perpetuity of currently degraded Cumberland Plain Woodland. Areas proposed for residential lots, road, walking trails and the lookout parks are proposed to be located in areas with nil or low biodiversity value.</p> <p>Future development would be supported by vegetation management plans which would identify opportunities to manage and enhance existing vegetation.</p> <p>As part of the on-going management and public ownership, a Biodiversity Stewardship Agreement could potentially be entered into by Council. Any resultant biodiversity credits generated as a result of the Stewardship Agreement would be applied to the on-going management of the subject land.</p>
<p>Objective 28 – Scenic and Cultural landscapes are protected</p>	<p>No but justifiable</p>	<p>As mentioned previously, the site is located within the Scenic Hills Landscape and MRA. Although additional housing will be permitted, there are no changes proposed to the identification of the site under the LEP as Scenic Hills and the environmental zone will be retained across the majority of the site.</p> <p>The proposal also seeks to protect views of the Scenic Hills from the public realm through limiting development to large lots supporting modest dwellings nestled into the landscape allowing the grassy paddocks and native vegetation to dominate views of the site.</p> <p>The Visual Impact Assessment (Attachment P) provides a thorough view analysis of the Scenic Hills. The views assessed typically represent locations in the public domain where a relatively significant number of people are likely to congregate or pass, and potentially, experience a view of the proposal. The visual analysis in the report shows that the viewpoints have a negligible, low, or moderate visual impact rating.</p>
<p>Objective 29 - Environmental, social, and economic values in rural areas are protected and enhanced.</p>	<p>No but justifiable</p>	<p>This objective encourages any development within the MRA to <i>be used for more productive rural uses</i>. This may include, but is not limited to, development for agricultural purposes, opportunities to grow fresh food, increase tourism, and enhance the cultural heritage.</p> <p>The development proposed does not align with the agricultural production future envisioned for the MRA. However, the proposed walking trail with two lookout parks that would provide the first part of a potential linkage from the Western City Parklands to the Mt Annan Botanic Gardens which could improve social values.</p> <p>The planning proposal enables a portion of this linkage to occur through the site (via the local road and open space network) but is also reliant on privately owned neighbouring properties to be developed to allow for this linkage to link these two locations.</p>

Regional Plan Objectives	Consistent	Justification
Objective 30 – Urban tree canopy is increased	Yes	The proposal seeks to conserve the important vegetation remnants, corridor linkage opportunities and rehabilitate the riparian zone, with no significant loss in biodiversity values and potential to maintain and increase tree canopy cover.
Objective 31 - Public open space is accessible, protected and enhanced.	Yes	The proposal seeks to provide “ <i>access to green connections between the Western Sydney Parklands to the north and the Mount Annan Gardens to the south</i> ” to address this objective. It is understood Council are investigating development of a future potential open space network that could support this outcome. The proposal aims to provide two new lookout parks and walking trails through the site. However, the implementation of this whilst protecting the Cumberland Plain Woodland communities as a conservation area is yet to be established.
Objective 37 – Exposure to natural and urban hazards is reduced	Yes	Council advise that appropriate bushfire hazard management strategies underpin the proposal.

3.2 District Plan

The site is located within the Western City District and the Greater Cities Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic, and environmental assets.

The planning proposal is generally consistent with several priorities in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the Western City District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979. Table 6 includes an assessment of the planning proposal against relevant directions and actions.

Table 6 District Plan assessment

District Plan Objectives	Consistent	Justification
W5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport	Yes	The proposal will provide additional housing in the Campbelltown LGA and contribute to the housing target set for the LGA.

District Plan Objectives	Consistent	Justification
W12 – Protecting and improving the health and enjoyment of the District's waterways	Yes	The site contains a number of watercourses and riparian corridors which the proposal seeks to conserve and rehabilitate. Further assessment is provided in section 4.1 of this report.
W14 – Protecting and enhancing bushland and biodiversity	No but justifiable	<p>The proposal aims to protect the majority of the existing vegetation within a community titled lot which includes 24ha hilltop conservation reserve. It also seeks to rehabilitate and protect in-perpetuity of currently degraded Cumberland Plain Woodland through a vegetation management plan.</p> <p>Areas proposed for residential lots, road, walking trails and the lookout parks are proposed to be located in areas with nil or low biodiversity value.</p>
W16 – Protecting and Enhancing Scenic Landscapes	No but justifiable	<p>The site is located within the Scenic Hills Landscape and the proposal seeks to minimise the visual impacts of the new residential development through the layout of the masterplan and landscaping.</p> <p>The Visual Impact Assessment (Attachment P) provides a thorough view analysis of the Scenic Hills. The views assessed typically represent locations in the public domain where a relatively significant number of people are likely to congregate or pass, and potentially, experience a view of the proposal. The visual analysis in the report shows that the viewpoints have a negligible, low, or moderate visual impact rating.</p>
W17 – Better Managing Rural Areas	No but justifiable	<p>This priority notes <i>'Limited growth of rural-residential development could be considered where there are no adverse impacts on the amenity of the local area and the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area. This could include the creation of protected biodiversity corridors, buffers to support investment in rural industries and protection of scenic landscapes.'</i></p> <p>It is considered this proposal meets the above as it has the potential to protect biodiversity and scenic landscapes. A new lookout, parks and walking trail is proposed which enhances social values.</p>
W18 – Delivering high quality open space	Yes	The proposal aims to provide two new lookout parks and walking trails through the site. However, the implementation of this whilst protecting the Cumberland plain woodland communities as a conservation area is yet to be established.

3.3 Local

Under the resubmit conditions, Council was required to provide further justification to demonstrate alignment with the intent/objectives of Councils Local Strategic Planning Statement, Local Housing Strategy (LHS) and relevant Ministerial Directions.

Council note in **Attachment A** that the LHS states that the Scenic Hills between Campbelltown and Camden are to be protected in alignment with the Western City District Plan. A key objective of the LHS is to: *To focus new housing within the existing urban area and designated growth areas to protect the important semi-rural character of the LGA and the Metropolitan Rural Area.* The LHS outlines the following action of relevance to this Planning Proposal which seeks to increase housing diversity as follows: *Council will identify suitable locations for executive housing and large lot environmental living* The Planning Proposal is consistent with the Local Housing Strategy as it identifies a suitable location for large lot environmental living which does not detract from vistas to the Scenic Hills. It is argued this proposal is in accord with this action and as suggested by the updated Visual Impact Assessment (**Attachment P**) the vistas of the Scenic Hills are only minimally impacted.

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 7 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	<p>The Campbelltown LSPS provides a 20-year land use vision for the Campbelltown region. The key priorities of the LSPS related to the Scenic Hills are:</p> <ul style="list-style-type: none"> • Planning Priority 2 – Creating high quality, diverse housing <ul style="list-style-type: none"> ○ Action 2.5 - contain urban development to existing urban areas and within identified growth and urban investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area. • Planning Priority 3 – Embracing our heritage and cultural identity <ul style="list-style-type: none"> ○ Action 3.6 - Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn • Planning Priority 5 – Embracing our unique landscapes <ul style="list-style-type: none"> ○ Action 5.1 - Work in partnership with stakeholders to investigate the possibility of connecting the Western Sydney Parklands to include the Scenic Hills, the Australian Botanic Garden and open space areas along the Nepean River. ○ Action 5.6 - Work in collaboration with relevant stakeholders to review and implement the recommendations of the Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands study. ○ Action 5.10 - Ensure development is undertaken in accordance with relevant legislation to preserve and/or enhance scenic and cultural landscapes. <p><u>Department Comment:</u></p> <p>The Campbelltown LSPS places high emphasis on the retention of the Scenic Hills. The future vision for the MRA, along with the Scenic Hills, is to preserve the views, heritage, and environmentally sensitive areas. It is recognised that there may be possibilities of connecting the Scenic Hills to the Western Sydney Parklands, as the applicant proposes to include a walking trail with 2 lookout parks that would provide the first part of a potential link which allows for Action 5.1 to potentially occur.</p> <p>Action 5.6 encourages implementation of the Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands study. The study analyses landscape unit 2, which is relevant to the Macarthur Grange Site. It discusses how there are residential buildings already located from mid distance views to the site and how these structures can still impact</p>

Local Strategies	Justification
	<p>the quality of the ridgeline due to the hard edges.</p> <p>In support of the proposal is a Visual Impact Analysis. This visual analysis in the report shows that all the viewpoints chosen for analysis have a negligible, low, or moderate visual impact rating. The Department is satisfied that the visual analysis does not result in most views being significantly impacted.</p> <p>It is noted that Action 2.5 of the LSPS is that urban growth should be within the existing urban area or within the identified priority growth urban investigation areas and this proposal does not comply. However, as the Western City District Plan, which is a state policy can override local strategies, can allow for limited rural residential development it is considered that discretion can be applied.</p>
Local Housing Strategy (LHS)	<p>The Campbelltown LHS was adopted by Council on 29 September 2020 and conditionally approved by the Department on 8 July 2021. The LHS provides a 20-year strategy for housing in Campbelltown LGA. The 5 year housing target to 2026 was revised to a range of 7100-8250 dwellings.</p> <p>The LHS does not identify any new areas for housing growth as there is adequate capacity within the existing urban areas through current active planning proposals and planned growth within the Greater Macarthur Priority Growth Area in the short to medium term to deliver future housing supply to meet the projected dwelling demand for the Campbelltown LGA.</p> <p>Section 3.5 of the LHS highlights that the natural environment is a key component of the Campbelltown LGA character and the Scenic Hills form part of the areas which represent significant features both in terms of biodiversity but also Campbelltown LGA's character. The rural and natural environment settings are clearly highly valued with the natural characteristics of land bordering LGAs to the west and east, an important feature of the area which is identified to be maintained in the future.</p> <p><i>"A key requirement of the LHS is to ensure that housing growth does not compromise this rural character element of the LGA, in part represented by its picturesque setting and high value heritage and natural environments.</i></p> <p><i>Of key importance: The Scenic Hills between Campbelltown and Camden are to be protected in alignment with the Western City District Plan."</i></p> <p>The LHS also provides the following vision for Campbelltown housing to 2041:</p> <p><i>"Housing will respond to environmental considerations and will be well- connected to community services, public transport, open space and recreation facilities. New housing will contribute to liveable neighbourhoods that encourage the community to interact in a walkable, high amenity and urban environment."</i></p> <p>Based on the above, the planning proposal is inconsistent with the LHS. However, as the Western City District Plan, which is a state endorsed policy can override local strategies, can allow for limited rural residential development it is considered a relatively low yield (53 lots) rural residential development could be entertained.</p>

3.4 Local planning panel (LPP) recommendations

The Campbelltown Local Planning Panel (the Panel) considered the planning proposal report in February 2021. The following advice was provided:

- The "northern part" of the proposal (north of the scenic lookout located approximately at the midpoint of the site) demonstrated potential for some site-specific merit given that it:
 - Generally, respects one of the Council's "Scenic Hills" policy aims of shielding any development from the existing urban area in Campbelltown.
 - Potentially would contribute to the retention and management of significant vegetated land in the Scenic Hills achieved through the C2 Environmental Conservation zone within a community title subdivision.
 - Proposes to dedicate land to the community by rezoning land RE1 Public Recreation and thereby provides for public access which does not currently exist, noting that the masterplan requires access to proposed RE1 Public Recreation land through a future community title estate and that this has the potential to create ongoing access, liability and maintenance issues that will render Council somewhat limited in its ability to resolve.
- The "southern part" of the proposal does not demonstrate strategic and site-specific merit given that it is conceived in isolation from existing and potential future land uses in the vicinity, potential adverse visual impact and to permit the efficient and orderly development of the land.
- The proposal in an amended form, permitting development on the northern part of the subject land, and inclusive of the Council officer recommendations, would better demonstrate strategic merit and tangible community benefits by way of a continuous RE1 Public Recreation Zone commencing at Raby Road, thence along the ridgeline and terminating at the midpoint lookout.
- It is considered the presentation of future proposals for limited development in the Scenic Hills is probable, and in this regard, it would be desirable for the Council to develop a more detailed delivery strategy that supports provision for public access, dedication of land and scenic and environmental protection in consultation with landowners to secure implementation of Council's policy aim for the Scenic Hills. This should be considered holistically across the Scenic Hills and not just for this one site.

It is noted that the Local Planning Panel described the northern half of the proposal having some merit, but the southern half does not. Discussion on points raised including isolation of development and the role of the Scenic Hills is discussed in section 4 of this report.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 8 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
1.4 Site Specific Provisions	No but justified	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>The proposal is inconsistent with this direction as it seeks to insert two site specific clauses for the site:</p> <ul style="list-style-type: none"> • a new additional permitted clause to enable a function centre, restaurant and café across the current golf clubhouse; and

		<ul style="list-style-type: none"> a community title subdivision clause. <p>The inconsistency with this direction is considered to be of minor significance as it will enable the appropriate development of the site as agreed to by Council.</p>
3.1 Conservation Zones	No but justified	<p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>The proposal is inconsistent with this direction as it seeks to reduce the conservation standards that currently apply to the land – i.e., rezoning part of the site from C3 Environmental Management to C4 Environmental Living and RE1 Public Recreation. Areas of C2 Environmental Conservation are also proposed.</p> <p>It is noted that the areas of highest ecological value are to be protected within the C2 zone which is a higher level of protection than the existing C3 zone. Also the proposal is primarily for large lot rural-residential living and building envelopes can be located to avoid loss of environmental values.</p> <p>Recent biodiversity investigations in respect of the site have concluded that Council would unlikely be pursuing a Strategic Biodiversity Certification pathway, as a relevant management approach.</p> <p>However, the draft Voluntary Planning Agreement in its most recent (Council informed) iteration proposes the dedication of approximately 59ha of the site to Council, including the areas of the site with the greatest biodiversity significance located within the proposed 33ha Hilltop Conservation Area. This final configuration would be further refined via a Biodiversity Development Assessment Report for the site, with any ecological offsets identified in such process after application of the principles of avoidance and minimisation of ecological impact.</p> <p>It is noted that the proposed zoning regime has had regard to a biodiversity informed (Flora and Fauna Study) Master Plan, underpinned by the avoid, minimise and mitigate principles. As part of the on-going management and public ownership, a Biodiversity Stewardship Agreement could potentially be entered into by Council.</p>
3.2 Heritage Conservation	Yes	<p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The Aboriginal Heritage Due Diligence Assessment (Attachment Q) has identified areas of potential high and moderate significance across the site (see Figure 18). The assessment concluded that where areas of moderate and high archaeological potential would be impacted by future development, further assessment would be required at Development Application stage in the form of an Aboriginal Cultural Heritage Assessment (ACHA), which would include Aboriginal community consultation.</p> <p>Therefore, the proposal is consistent with this direction.</p>

4.3 Planning for Bushfire Protection	TBC	<p>The objectives of this direction seek to: protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and encourage sound management of bush fire prone areas.</p> <p>This direction applies to a planning proposal in proximity to bushfire prone land (see Figure 17). It requires consultation with the NSW Rural Fire Service (RFS) prior to public exhibition.</p> <p>The Bushfire Assessment (Attachment F) identifies limited hazards and suggests relevant management practices which can be readily implemented including APZs to be accommodated in the master plan.</p>
4.4 Remediation of Contaminated Land	Yes	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The planning proposal is supported by a Preliminary Site Investigation (Attachment G) which concludes that the site is likely to be suitable for the proposed use and that should any contamination be identified during redevelopment of the site, including the presence of asbestos in buried services, then it should be assessed in-line with relevant guidelines at that time.</p>
5.1 Integrating Land Use and Transport	No but justified	<p>The objective of this direction is to improve access to housing, jobs and services by walking, cycling and public transport, reduce dependence on cars, support the efficient and viable operation of public transport services, and provide for the efficient movement of freight.</p> <p>The proposal is inconsistent with this direction as it is approximately 4km from the closest major public transport node in Minto or Leumeah. The masterplan layout relies on an internal road network to link the individual sites with access to Raby Road where there are no public transport linkages. As the site is outside of the growth area, infrastructure connections to transport options are not likely to be provided.</p> <p>Whilst the site is relatively isolated from major public transport linkages, it is noted that the proposal is consistent with the District Plan as it relates to rural residential housing. Any traffic impacts associated with the proposal would be of minor significance as demonstrated by the traffic study.</p>
5.2 Reserving Land for Public Purposes	Yes	<p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and remove reservations when acquisition is no longer required.</p> <p>This direction applies as Council intends to rezone part of the site to RE1 Public Recreation and identify it for acquisition.</p> <p>The proposal is consistent with this direction as Council agrees to the dedication of land to Council.</p>
6.1 Residential Zones	No but justified	<p>This direction aims to encourage the provision of diverse housing types to provide for existing and future needs. The proposal does not strictly require assessment against this provision as no residential</p>

zones are proposed, however, rural residential development is proposed in a new C4 Environmental Living zone.

The proposal is inconsistent with this direction as it will enable additional housing on the urban fringe and the majority of the site is not currently serviced.

However, the inconsistency is justified as the LHS outlines the following action of relevance to this planning proposal which also seeks to increase housing diversity as follows: *Council will identify suitable locations for executive housing and large lot environmental living*. Council's report argues this aligns with the District Plan which allows for consideration of limited growth of rural-residential development including where this would protect biodiversity corridors and scenic landscapes.

3.6 State environmental planning policies (SEPPs)

The consistency of the planning proposal with the relevant SEPP is discussed in the table below.

Table 9 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Housing SEPP	The Housing SEPP provides incentives to supply affordable and diverse housing in the right place.	Yes	The planning proposal would not restrict compliance with the Housing SEPP (should it be applicable). Delivery of any affordable housing and/or affordable housing contributions would be considered at the development application stage, in accordance with the Housing SEPP and any site-specific provisions (such as in relation to specific requirements for affordable housing contributions).

4 Site-specific assessment

4.1 Environmental

4.1.1 Scenic Hills Landscape & Visual Impacts

Under the resubmit conditions, Council was required to complete further visual analysis of more distant views associated with the East Edge Scenic Protection Lands and the potential impact on those views as a consequence of the proposed rezoning of the 'Southern Point' land of the site.

An updated Visual Impact Assessment (**Attachment P**) was provided which addresses the above condition. The views assessed in the report typically represent locations in the public domain where a relatively significant number of people are likely to congregate or pass, and potentially, experience a view of the proposal. In addition, some viewpoints were chosen because of their public prominence and to assess whether the site can be seen from the viewpoint location. The visual analysis in the report shows that the viewpoints have a negligible, low, or moderate visual

impact rating. The Department is satisfied that the visual analysis does not result in most views being significantly impacted.

It was considered that these impacts could be mitigated through future landscape planting along the boundary edge that interfaces with Raby Road, as well as the re-vegetation of the existing riparian corridor, to provide an additional level of screening to the built form and retain the landscape character.

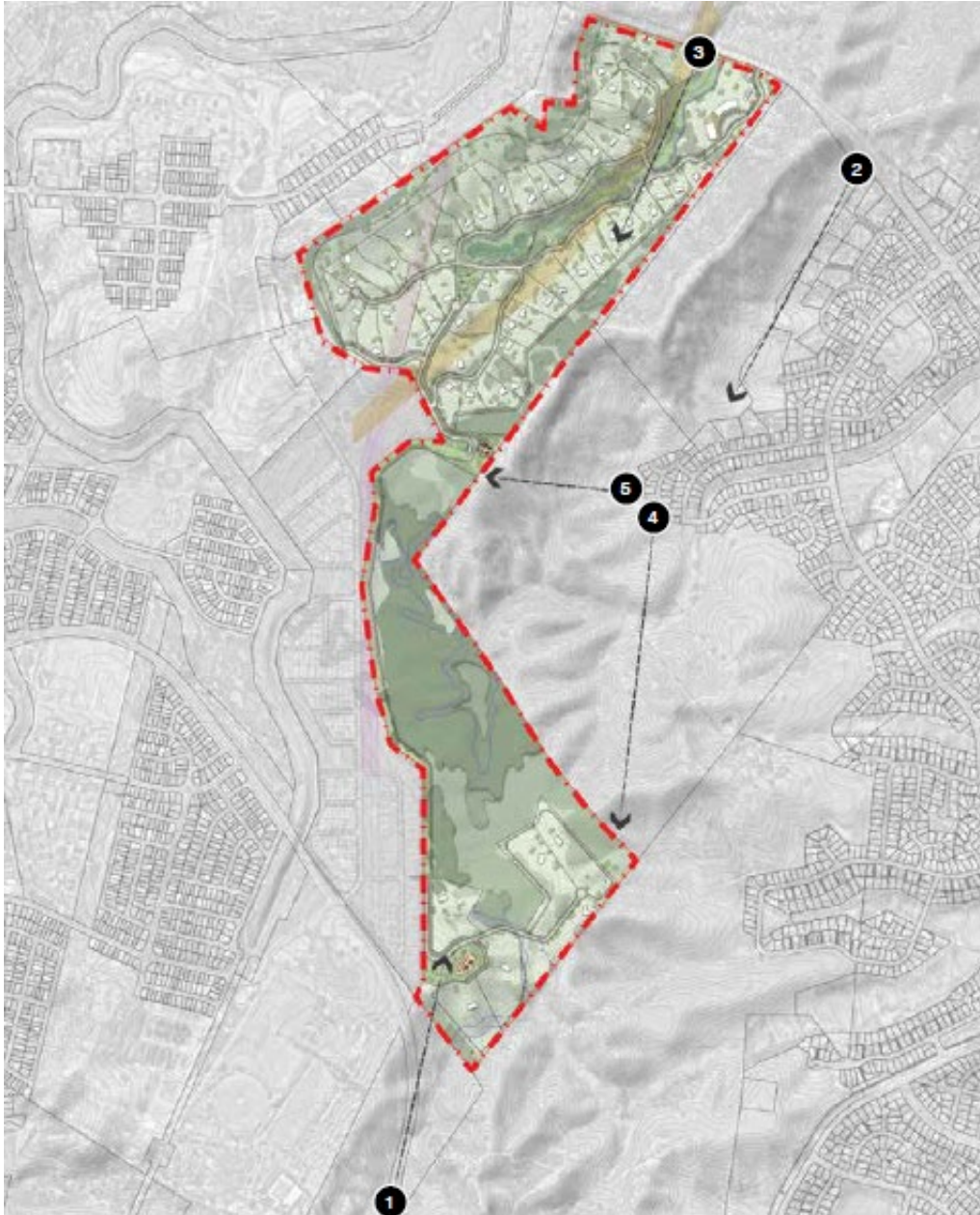


Figure 13 Viewpoint locations map (source: Attachment P Visual Impact Assessment)

4.1.2 Biodiversity

The Flora and Fauna Assessment (**Attachment H**) identified six vegetation communities previously mapped across the site (see Figure 14) including:

- Cumberland Riverflat Forest (corresponds to River-flat Eucalypt Forest listed as endangered under the BC Act);

- Cumberland Shale Hills Woodland (corresponds to Cumberland Plain Woodland / Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest BC Act and EPBC Act respectively);
- Cumberland Shale Plains Woodland (corresponds to Cumberland Plain Woodland / Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest BC Act and EPBC Act respectively);
- Undifferentiated Regenerating Shrubs;
- Urban Exotic/Native; and
- Weeds and Exotics.

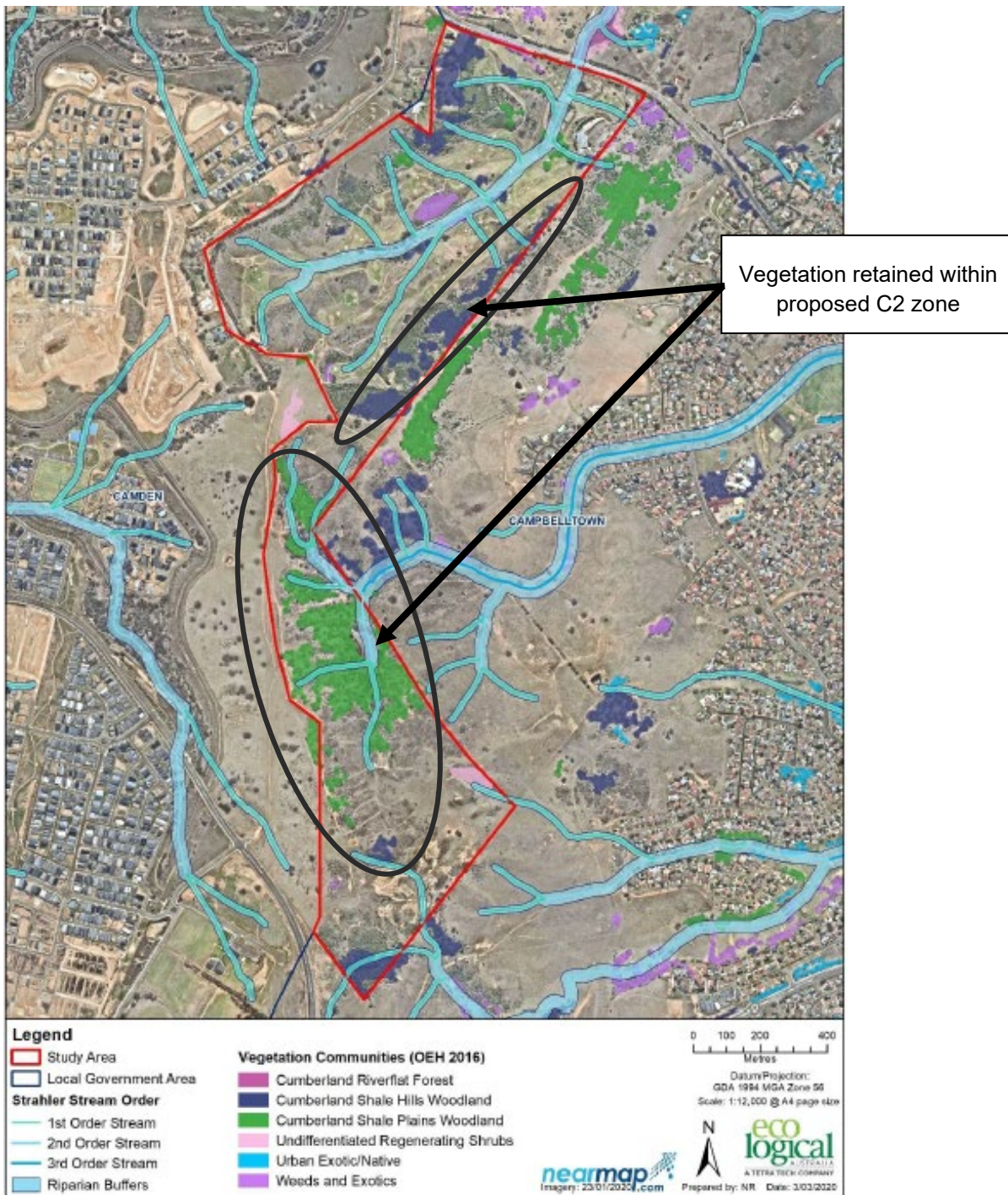


Figure 14 Vegetation mapping (source: Attachment H Flora and Fauna Assessment)

As shown in Figure 14, the majority of mapped vegetation which is of high quality Cumberland Plain Woodland will be retained in the proposed C2 zone and part of the Hilltop Conservation Area. this area will be rehabilitated and protected in perpetuity. Figure 15 illustrates the ecological constraints on the site however the previous subdivision plan is laid across the map and requires updating to reflect the current subdivision plan.

However, the remaining vegetation is located in either the existing C3 zone or proposed C4 and RE1 zones. The report notes that the proposal may result in clearing of potential threatened species habitat and that further threatened species surveys would be required at the DA stage.

Council note that a Biodiversity Development Assessment Report may be prepared at the DA stage and a Vegetation Assessment Report to evaluation koala habitat on the site. Council should consult the Environment and Heritage Group (EHG) on the proposal during exhibition.

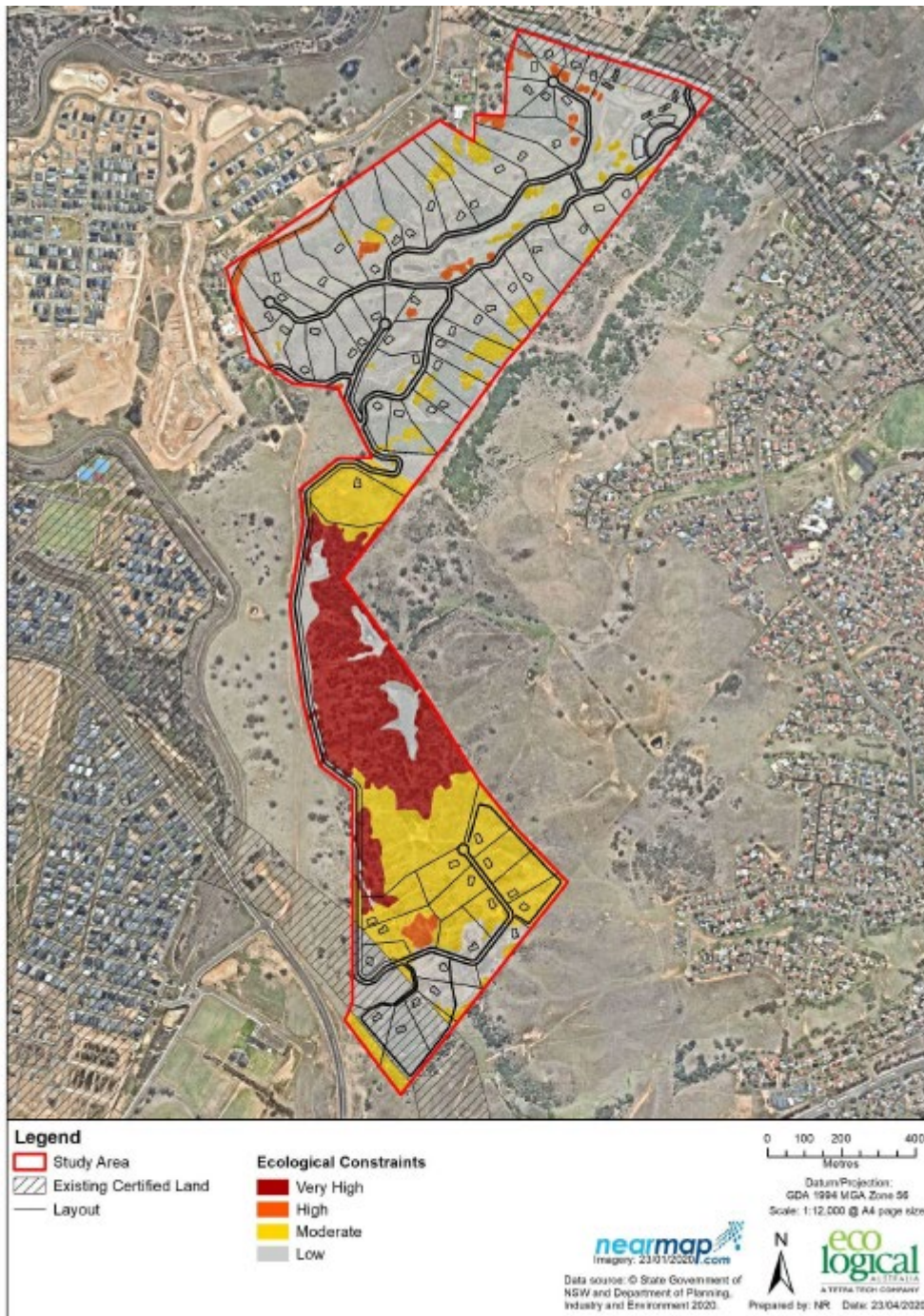


Figure 15 Ecological Constraints (source: Attachment H Flora and Fauna Assessment)

4.1.3 Watercourses and Riparian Corridors

The Riparian Constraints Report (**Attachment M**) assesses the waterways within the site, mapping the Top of Bank and condition of riparian vegetation, to confirm the current condition of the waterways. The assessment concluded that the 13 first order creeks, including 12 within the highly modified golf course area, did not meet the definition of a river under Water Management Act 2000, as they had no defined bed and banks. Further, there were three additional creeks which had no defined bed or banks upstream of the mapped dam. The assessment recommends that Natural Resources Access Regulator (NRAR) now DPE Water be engaged to support the ‘removal’ of these creeks, which would remove the need to address these areas as waterfront land under the Water Management Act 2000.

For waterways that meet the definition of a river, the NRAR Guidelines outline the need for a Vegetated Riparian Zone (VRZ) adjacent to the channel to provide a transition zone between the terrestrial environment and watercourse.



Figure 16 Top of Bank (validated March 2020) with reach numbers (source: Attachment M Riparian Constraints Report)

4.1.4 Bushfire

The site contains bushfire prone land (Vegetation Category 1, 2 and 3, and Vegetation Buffer) as shown in Figure 17. The Bushfire Assessment (**Attachment F**) identifies the proposal is capable of meeting the NSW Rural Fire Service, Planning for Bushfire Protection 2019 requirements. The assessment identified suitable asset protection zones (APZs) from existing vegetation to be retained and areas of the site to be revegetated such as the riparian corridors.

The assessment also considered access arrangement to the site in the event of a bushfire and noted that the access / egress arrangements and the design of internal roads and property access will need to be further addressed at the DA stage.

Council will be requested to consult the NSW Rural Fire Service on the proposal.

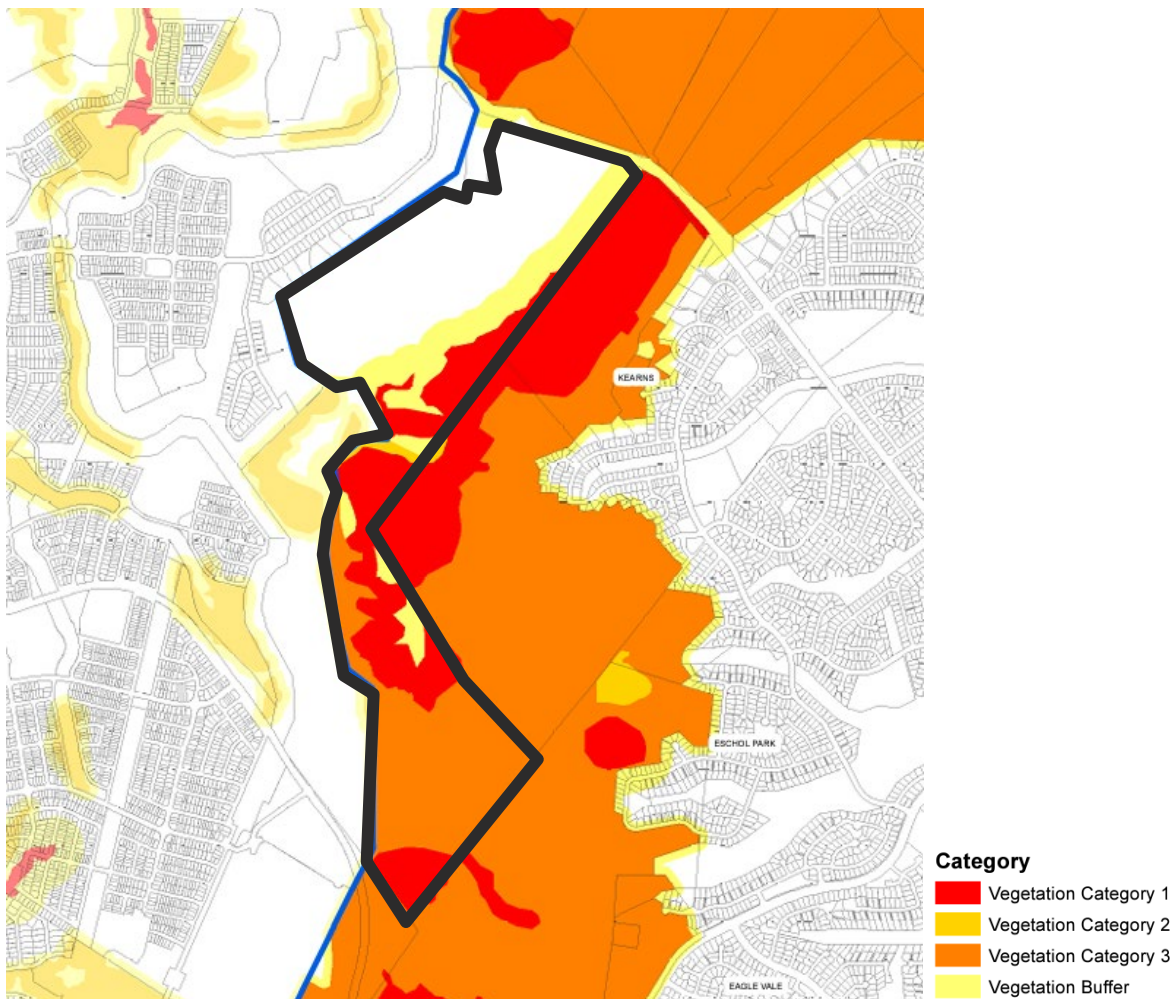


Figure 17 Bushfire Map (source: Campbelltown City Council)

4.1.5 Aboriginal Heritage

The Aboriginal Heritage Assessment (**Attachment Q**) identifies several areas of high and moderate archaeological potential across the site as shown in Figure 18. An *Aboriginal Cultural Heritage Assessment Report* (ACHAR) would be required to be undertaken at the DA stage for any future development on this site for the long-term management of the conservation areas.



Figure 18 Aboriginal Archaeological Potential (source: Attachment Q Aboriginal Heritage Assessment)

4.1.6 Contamination

A Preliminary Site Investigation (**Attachment G**) was undertaken and concluded that the potential risk of serious contamination if considered to be low and acceptable. But due to difficulties investigating the site topography and existing built form of the site, there may still be potential for contamination on site. This may present complexities during the DA process and should be managed accordingly in line with relevant guidelines.

4.2 Social and economic

4.2.1 Economic

The proposal does not generate notable economic impacts or benefits. The proposal states that large rural-residential lots would attract business owners and jobs for the city. However, the District Plan states that Rural-residential development is neither an economic value of the district's rural areas, nor will it play a role in meeting regional or district scale demand for housing. It is noted a future function centre, restaurant and café is noted as requested additional uses in the existing clubhouse precinct. The proposal also provides the potential for delivery of executive housing.

4.2.2 Social

The proposal aims to provide various public recreational opportunities including:

- 2 new lookout parks;
- 3km of new dedicated public walking and cycling path;
- 15ha zoned public recreation;
- A new function centre and restaurant and café; and
- A potential link between the Western Sydney Parklands and the Mount Annan Botanic Gardens.

The proposal states that these opportunities can give new access to the Scenic Hills Landscape.

Council notes that the proposed RE1 zone will be dedicated to Council through a local VPA (**Attachment K**) but further work is required to update and execute this offer.

4.3 Infrastructure

4.3.1 Traffic and Transport

The site being in the Scenic Hills is somewhat isolated from transport infrastructure. It proposes a single access off Raby Road. Advice from Transport will be sought on the proposed access arrangements to the site and if they are suitable.

Overall, the traffic assessment (**Attachment O**) notes there would be no adverse traffic implications resulting from the proposed development, provided that the right turn treatment is provided at Raby Road/Macarthur Grange site access intersection.

However, the site is poorly serviced by public transport. The Traffic Assessment notes (**Attachment O**) bus route 850 Narellan to Minto currently operates along Raby Road. However, the nearest bus stops are located at Thunderbolt Drive and Lakeside Entrance, which are approximately 820m east and 1.7km west of the site, respectively. The service frequency of bus route 850 is about 30 minutes during the morning and afternoon peak periods and 60 minutes during off-peak periods. A new stop at Macarthur Grange should be considered and Transport comment sought.

Of further concern, the site is almost 3km long from north to south but only approximately 150m to 800m wide. It should be noted the southern half of the proposal is limited to 18 residential lots (proposed zoned C3 Environmental Living). These lots will be isolated from services as access is required via the northern half of the site to enter Raby Road which is up to approximately 2.7km away, from that point the nearest retail centre is the Emerald Hills Shopping Centre in Leppington which is approximately another 2km away.

It is also noted that plans in the Urban Design Report (**Attachment N**) alludes to potential emergency/secondary access onto an approved planning proposal at 190 Raby Road Gledswood Hills in the Camden Local Government Area. This is shown on Figure 19 overleaf. The Traffic Assessment (**Attachment O**) also alludes to a potential for a future site access to Gregory Hills Drive-Badgally Road intersection to the south of this site.

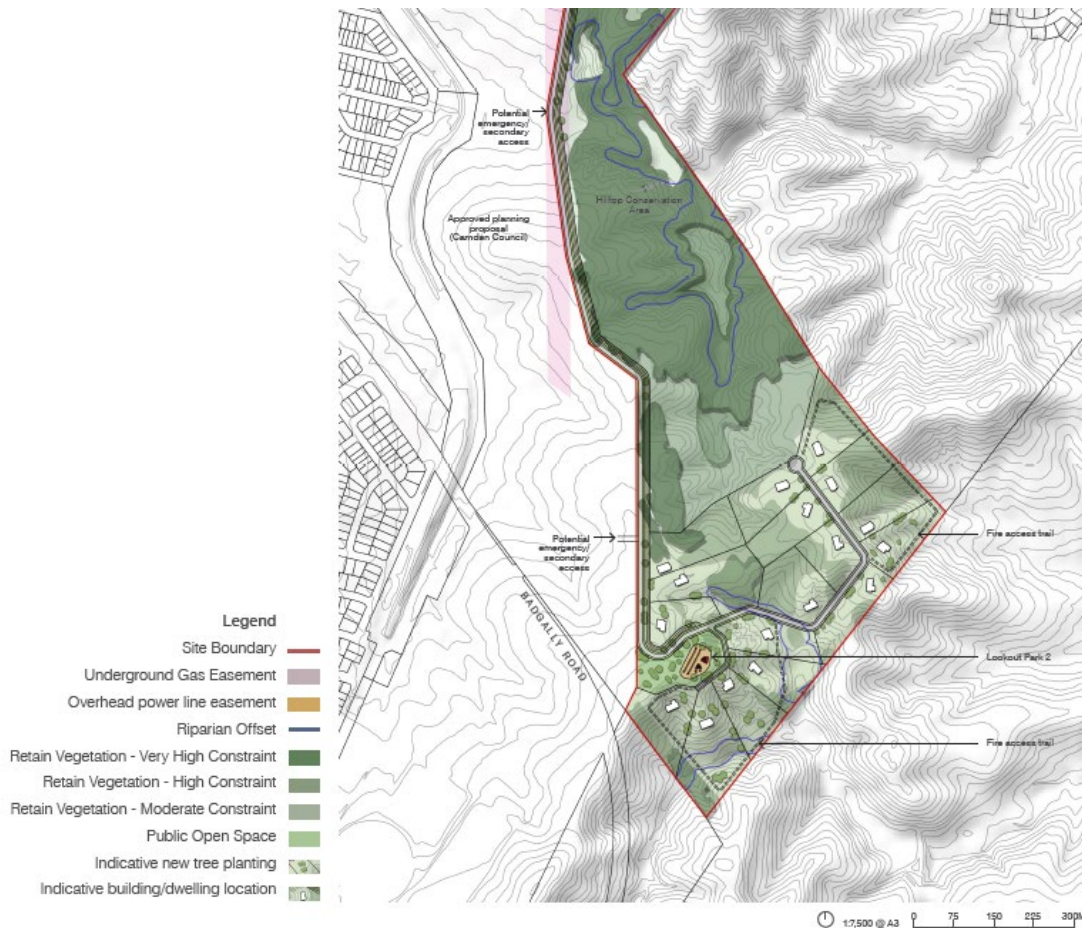


Figure 19 – Structure Plan (southern half of site) Source: Urban Design Report

The planning proposal at 190 Raby Road is subject to Amendment 21 to Camden LEP 2010 and the LEP was made in 2019 (Figure 20 overleaf). This site is subject to Schedule 13 of the Camden DCP. On the figure below, Macarthur Grange is adjacent to the site to the bottom. C3 Environmental Living zone lies immediately to the west with a minimum lot size of 800m². While more intense development is proposed immediately adjacent to the site, neither this proposal nor the approved proposal at 190 Raby Road confirms a secondary/emergency access is to be provided. 190 Raby Road has its main access off Badgally Road which is a sub arterial road connecting Camden Valley Way to Campbelltown. Badgally Road is also less than 100m from the south-west corner of Macarthur Grange.

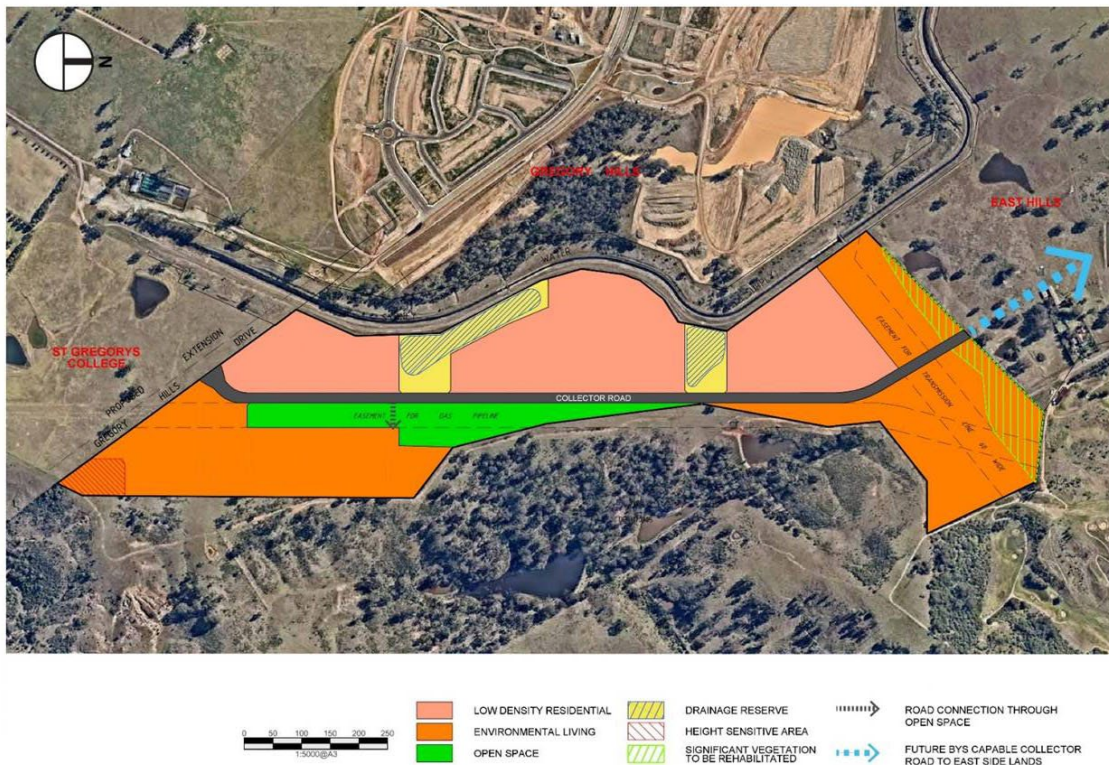


Figure 20: 190 Raby Road Gledswood Hills Indicative Layout Plan (Source Figure S13-1: Camden Council) – Macarthur Grange directly below this site.

The Gateway is conditioned to clarify if there is any proposed secondary access to the southern half of the site prior to exhibition. Further due to the remoteness of the location it is proposed Transport and NSW Rural Fire Service be contacted to see if the access to the site is satisfactory. It will also be sought that due to the proximity of the site to the Camden Council boundary it be notified. Comment will be sought if an additional access to the site can be entertained via 190 Raby Road.

4.3.2 Utility Services

The Addendum to the Infrastructure and Servicing Report has been prepared (**Attachment R**) to the Infrastructure Report has found that the site can be serviced by water, sewer, and electricity. Water and sewer can be serviced via either conventional or alternative means once the bulk water and sewer upgrades are delivered at the Currans Hill reservoir and West Camden Sewer Treatment Plant in late 2023. This is yet to be confirmed with Sydney Water, and the addendum has relied on servicing updates provided from Sydney Water and current snapshots of Sydney Water's Hydra servicing database.

The addendum also noted as the lot sizes are around 1 hectare each, a far more cost effective and water efficient way of servicing the development would be for each lot to have its own onsite treatment.

The site's electricity demands can be serviced by Endeavour Energy's South Leppington 11kV feeder SL1432. The site is not connected to gas; however, this is possible via a gas main for the development at Epping Forest Drive and Elbe Place that would need to be extended to Raby Road.

The addendum believes that the anticipated development can be adequately serviced. This is further discussed in section 3.1 of this report. However, consultation with the relevant utility

providers is recommended during the exhibition period. In addition, Camden Council should be consulted on the proposal due to its proximity to the Local Government Area border and potential reliance on the South West Growth Area infrastructure.

4.3.3 Infrastructure Easements

The site is affected by 3 high pressure gas pipelines including the Moomba to Sydney Ethane Pipeline, high voltage 132kV overhead transmission cables within a 60m wide easement owned by TransGrid and 66kV overhead transmission cables owned by Endeavour Energy.

The Infrastructure Report (**Attachment I**) noted that for the high-pressure gas pipelines that traverse the site (Figure 21 overleaf), the requirements of the operator would need to be complied with at development application stage including no construction of buildings or structures or planting of vegetation within the easement. At this time a Safety Management Study will be undertaken for specific restrictions regarding developing near the easement.

For maintenance to occur, a clear line of site must be along the easement, and no construction of physical barriers along the easement should occur. It is considered that these matters can be satisfactorily addressed at the development application stage and do not compromise the advancement of the Planning Proposal.

It is noted the Transport and Infrastructure SEPP, Clause 2.77 mentions a 20m trigger distance to these pipelines for assessment and notification of the proposal. This 20m distance is generally consistent to accommodate an easement allowing for mechanical work be performed on the pipeline when required. However, this 20m distance is not linked to risk exposure from the pipeline to neighbouring land uses at that 20m distance.

There are no guidelines which stipulate buffer widths for pipelines given that the required width is dependent on the specific context, being the specific arrangement of pipelines at that specific location. Given these factors, it is recommended that consultation with the relevant infrastructure operators is recommended during the exhibition period to determine what the width of a development free buffer shall be.



Figure 21 – Structure Plan (northern half of site) Source: Urban Design Report

5 Consultation

5.1 Community

Council has not suggested what should be the length of the public exhibition period will be. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW
- Environment and Heritage Group
- NSW Rural Fire Service
- DPE - Water
- Sydney Water
- Endeavour Energy
- Telstra
- Gas pipeline operators – Jemena and Gorodok Pty Ltd
- Camden Council

6 Timeframe

Council proposes a 15 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard.

The Department recommends an LEP completion date of 12 months in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has not advised that it would like to exercise its functions as a Local Plan-Making authority.

The Department recommends that Council be authorised to be the local plan-making authority for this proposal due to the local nature of this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- Most actions requested (except consultation with Sydney Water) following the gateway letter relating to the previous proposal on the site, PP-2022-2889 that the proposal be resubmitted which was issued on 24 November 2022 has been satisfactorily completed.
- The Planning Proposal is consistent with the relevant Objectives and Strategies for the Metropolitan Rural Area in the Greater Sydney Region Plan and associated Planning Priorities and Actions in the Western Parkland District Plan as confirmed in writing from the Greater Cities Commission.
- The site can be serviced as stated in the Addendum to Servicing and Infrastructure report.
- The views of the Scenic Hills are not significantly impacted as illustrated in the Visual Impact Analysis
- Increases housing choice and provides for potential executive housing.
- Provides new public access to significant hilltop locations through a north south green corridor that has longer term potential to be part of a link between important regional open space locations of the Australian Botanic Gardens, Mount Annan and the Western Sydney Parklands.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 1.4 Site Specific Provisions, 3.1 Conservation Zones, 5.1 Integrating Land Use and Transport and 6.1 Residential Zones are minor or justified and
- Note that the consistency with section 9.1 Direction 4.3 Planning for Bushfire Protection is unresolved and may require justification following consultation with RFS.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated:
 - to provide the current and proposed maps associated with the Land Reservation Map and Clause Application Map.
 - to include additional information to clarify the intended management of the biodiversity on the site, particularly in relation to the potential public access and walking trails through conservation areas.
 - to confirm if a secondary access to Macarthur Grange is proposed in the southern half of the site and the proposed location of this.
 - as necessary following consultation with NSW Rural Fire Service required under Ministerial Direction 4.3 Planning for Bushfire Protection
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made

publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).

Exhibition must commence before the end of August 2024.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- Transport for NSW
- Environment and Heritage Group
- NSW Rural Fire Service
- DPE - Water
- Sydney Water
- Endeavour Energy
- Telstra
- Gas pipeline operators – Jemena and Gorodok Pty Ltd
- Camden Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed on or before 6 December 2024.



5/12/2023

Chantelle Chow

Manager, Western, Metro West



6/12/2023

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Director, Western, Metro West

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