



Planning Proposal

Macarthur Grange Golf Course
(Raby Road, Varroville/ Kearns)

Proposed amendment of Campbelltown Local Environmental Plan 2015

Public Exhibition / Consultation Phase
October 2024

(This Planning proposal shall be read in conjunction with the draft DCP and the draft VPA)

Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

CLHS means Campbelltown Local Housing Strategy

CLSPS means Campbelltown Local Strategic Planning Statement

CSP means Campbelltown Community Strategic Plan

DCP means Development Control Plan

DPHI means Department of Planning Housing and Infrastructure

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

GSRP means Greater Sydney

LGA means local government area

M means metres

PP means Planning Proposal

PPR means Planning Proposal Request

CSCDCP The Campbelltown (Sustainable City) Development Control Plan 2015

SEPP means State Environmental Planning Policy

SHPA means Scenic Hills Protection Area

SQM means square metres

WDP means Western District Plan

Overview

This Planning Proposal seeks to facilitate a long-term sustainable land use strategy for an important component of Campbelltown local government area's long established and highly valued Scenic Hills landscape unit. The Planning Proposal has been designed to preserve and rehabilitate the biodiversity, landscape values and local character of the area in perpetuity. The Proposal will also provide the template for new public access to significant hilltop locations through a north south green corridor that has longer term potential to link the important regional open space locations of the Australian Botanic Gardens, Mount Annan and the Western Sydney Parklands. Finally, it will provide for limited rural residential housing sensitively placed in the landscape.

The Greater Sydney Region Plan (GSRP) includes an objective to protect scenic and cultural landscapes. The Western District Plan (WDP) expands on this to include actions to *Protect and enhance scenic and cultural landscapes* and to *identify and protect ridgelines, scenic and cultural landscapes specifically the Scenic Hills*. The District Plan also recognises the potential for limited growth of rural residential development including to support protection of scenic landscapes.

The Campbelltown Local Strategic Planning Statement (CLSPS) also seeks to protect the Scenic Hills and includes actions around protecting the environmental, heritage and agricultural values of the Scenic Hills and to connect the Scenic Hills to the wider open space network. The protection of the Scenic Hills has been a long-held priority of Council dating back to the 1973 Three Cities Structure Plan. It is noted that the Campbelltown Local Planning Strategy from 2014 dealt extensively with the role and protection of the Scenic Hills area and included an action to 'propose and implement a development model for the Scenic Hills'.

Whilst the 2014 Local Planning Strategy has been superseded by the CLSPS, Council continues to support a sensitive development model for the Scenic Hills, provided this can maintain the unique values of this landscape unit.

The potential for limited development within the Scenic Hills is also contemplated in Council's Local Housing Strategy endorsed in April 2023. The Local Housing Strategy notes that:

Establishing locations for large lot housing that do not detract from vistas to the Scenic Hills would assist the LGA to attract professionals in higher income brackets to the LGA. In this regard it includes an action for Council: to identify suitable locations for executive housing and large lot environmental living. The Planning Proposal is consistent with this action of the Local Housing Strategy.

The Proposal's key principles of preserving ridgetops, providing new public access, maintaining and improving existing vegetation and accommodating rural residential development that is in harmony with the natural environment and provides a sustainable development model that could serve as a positive precedent for the preservation of the landscape values of the wider Scenic Hills landscape unit, while at the same time facilitating and enhancing the connectivity of Sydney's Green Grid and providing new places for the public to enjoy, are considered worthy of support.

Approximately 50 per cent of the site is proposed to be zoned for public recreation or environmental conservation purposes with the remainder zoned environmental living, a zone with direct objectives of preserving the Scenic Hills.

Visual Impact Assessments have been prepared to support the Planning Proposal which demonstrates that the future built form will be generally hidden from view from most viewpoints, with impacts on views from Raby Road and Gregory Hills Drive considered to be particularly limited, acceptable and able to be further mitigated through landscape planting.

The Planning Proposal seeks to implement a long-term sustainable strategy to preserve the character of the area with statutory protection for ridgelines, existing significant vegetation and facilitate a north south green corridor to be dedicated to Council.

The Planning Proposal represents a unique once in a generation opportunity to provide a long-term sustainable use for the area, that creates significant public benefits rehabilitates and preserves the natural environment and sensitively addresses a "housing void".

Council considers that the Planning Proposal is consistent with the relevant State Regional, District, and local strategic planning context and has strategic merit. Council is also of the view that site specific issues have been satisfactorily addressed for the Proposal to proceed to public exhibition/ engagement, in accordance with the Gateway Determination issued by the former Department of Planning and Environment and subsequently amended (Refer to Attachment '1').

Background

For a period of over a decade several rezoning concepts were submitted for Council's consideration. These proposals were not progressed due to an incompatibility with Council's vision and 'policy position' in respect of conservation of the Scenic Hills.

On 24 June 2020, a Planning Proposal Request (PPR) for the subject was lodged by File Planning Pty Ltd on behalf of the landowner. This PPR has been the catalyst for this Planning Proposal.

The PPR sought to amend the Campbelltown Local Environmental Plan 2015 by:

- a) rezoning the site from C3 Environmental Management to a range of zones including C2 Environmental Conservation, C4 Environmental Living and RE1 Public Recreation
- b) amend the Minimum Lot Size from 100 ha to part 5,000 m², 8 ha, 10 ha and 40 ha; and
- c) amend Schedule 1, Additional Permitted Uses for the land fronting Raby Road (existing clubhouse precinct) to support a future function centre, restaurant and café.

The supporting Concept Masterplan proposes approximately 52 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 and a large hilltop conservation reserve.

The resultant Planning Proposal, summarised at Parts 1 and 2, is considered to provide public benefits, including:

- a) preservation of the Scenic Hills via protection of ridges, important views and native vegetation (including a hilltop conservation reserve);
- b) provision of public access and the first stage of a walking trail that would connect the Western City Parklands to the Australian Botanic Gardens-Mount Annan; and
- c) provision of large lot, lifestyle homes that are currently under-represented in the LGA's planning.

The proposal is supported by the following technical studies:

- Urban Design Study
- Draft Site-Specific Development Control-Plan
- Ecological Assessment
- Riparian Assessment
- Bushfire Assessment
- Traffic and Transport Assessment
- Aboriginal Heritage Assessment
- Contamination Assessment
- Servicing and Infrastructure Report and addendum report
- Visual Impact Assessment (as amended).

After significant review of the PPR, Campbelltown City Council in July 2022 supported the Planning Proposal compiled from the PPR and a recommendation that it be forwarded to the Department of Planning and Environment (DPE) with a request for a Gateway Determination. The Planning Proposal was submitted to DPE for Gateway assessment in August 2022, in accordance with such recommendation.

In November 2022, DPE wrote to Council, as a delegate of the Minister for Planning, requesting that Council resubmit the Planning Proposal-accompanied by additional information in respect of the following:

- enhanced visual analysis, focussing on more distant views to the south precinct
- consultation with the Greater Cities Commission in respect of the future of the strategic directions of the Scenic Hills and Metropolitan Rural Area
- justification of alignment with the CLSPS, CLHS and relevant Ministerial Directions
- confirmation of the ability of relevant service providers to service the proposed development outcome

The Planning Proposal updated, and a conditional Gateway Determination issued on 6 December 2023. (Refer to attachment "1")

The Site

The land which is the subject of the Planning Proposal is identified as Macarthur Grange Golf Course, Varroville (with part of the site extending to Kearns) and is known as Lot 3900, DP 1170905 Raby Road and has an area of 129.5 ha. The land is located approximately eight kilometres west of the Campbelltown CBD and is bounded by Raby Road to the north and Gregory Hills Drive to the South. The land borders the Camden-Campbelltown Local Government Area boundary to the west and is situated within the Scenic Hills Protection Area.

The site is occupied by an operational golf course known as Macarthur Grange Golf Club which utilises approximately 71.9 ha of the 129.5 ha of the northern most land. The balance of the land comprises largely degraded Cumberland Plain vegetation and low intensity grazing patches.

The immediate Raby Road frontage, extending to a depth of approximately 300 m is visible to varying degrees. Beyond this, the valley is less prominent and is generally screened by vegetation and hidden by the variable topography.

The topography of land to the immediate west of the site forms a broad plateau which is located within the Camden Local Government Area and comprises part of the South-West Growth Centre. Land within the Growth Centre has been developed for urban purposes with allotments ranging from 375 m² to 2 ha, with little mature vegetation evidenced. The land immediately adjacent to the western boundary is proposed for 800 m² subdivision and is zoned C4 Environmental Living.

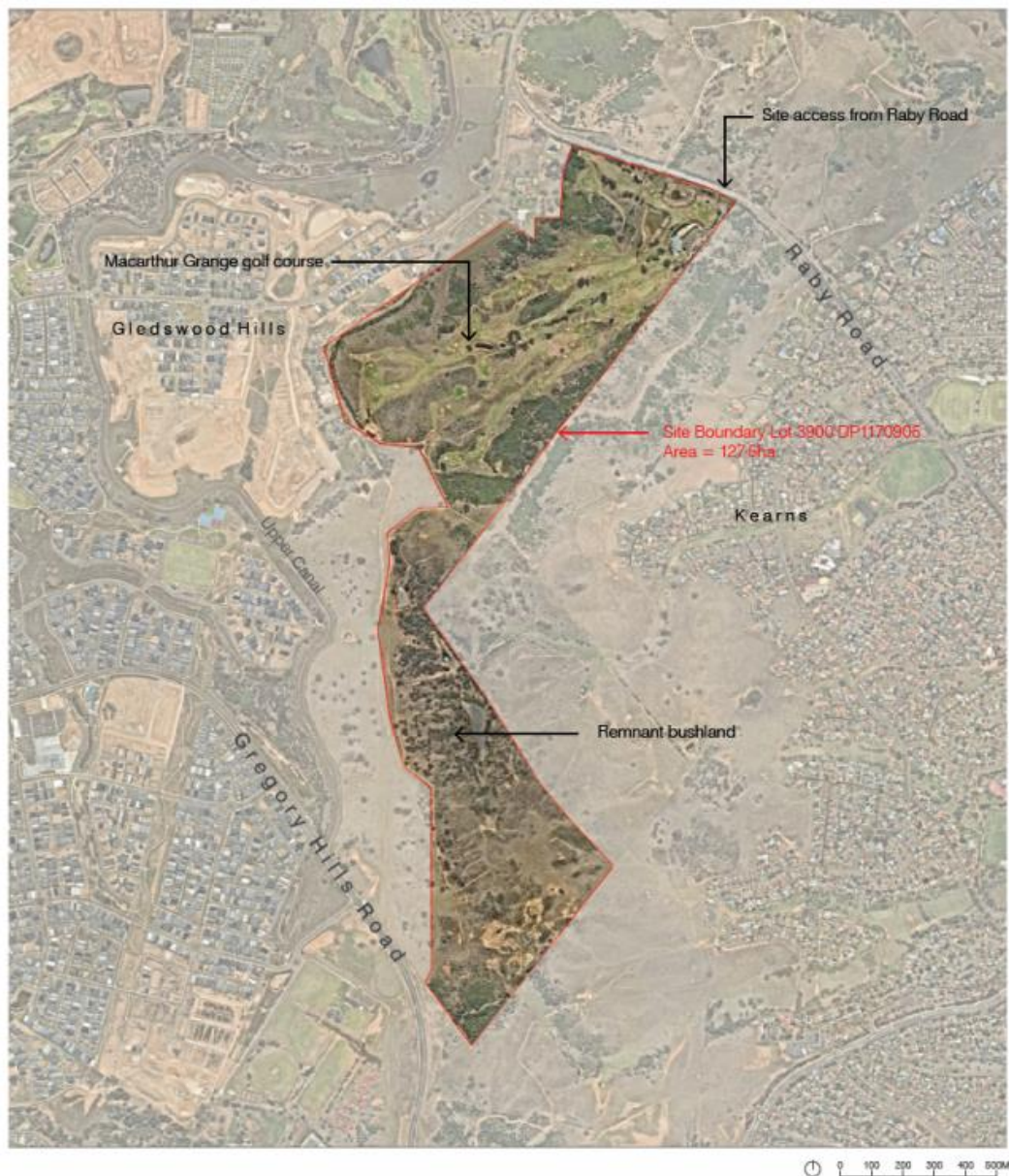


Figure 1 Subject Site/Location Map

Statutory Planning Context

Campbelltown Local Environmental Plan 2015 (CLEP 2015)

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are discussed below:

Table 3: Campbelltown Local Environmental Plan 2015 Proposed Amendments

CLEP 2015 Current	Proposed Amendment
Mapping	
Zoning The subject site is zoned E3 Environmental Management	The Planning Proposal seeks to largely rezone the site from C3 Environmental Management to a range of zones including C2 Environmental Conservation, C4 Environmental Living and RE1 Public Recreation as shown in Attachment 2 . A limited part of the site is to remain zoned C3.
Minimum Lot Size The current minimum lot size is 100ha. Given the subject site is 129.5 hectares and is currently one lot no further subdivision potential exists.	The Planning Proposal seeks to implement the environmental living lots subdivision as a Neighbourhood Scheme pursuant to the Community Land Development Act 2021. Therefore, an amendment of the Lot Size Map to support minimum 5,000m ² lots will not be required. For further information, refer to proposed amendment to Clause 4.1AA
Building Height The current Height of Building Map is 9m.	The height of buildings limit of 9 m remains consistent with the existing residential development of Kearns, Eschol Park, Eagle Vale and Varroville.
Land Reservation The land reservation map identified land required for a public purpose such as open space roads and utilities.	The Planning Proposal seeks to update the Land Reservation Acquisition Map based on the updated Land Zoning Map, where land is reserved exclusively for a public purpose, being public open space.

CLEP 2015 Current	Proposed Amendment
Clauses	
Clause 4, Principal Development Standards	To ensure that only a Community Title Subdivision would be permissible for the environmental living lots, an amendment of Clause 4.1AA is proposed as follows:
Clause 4.1AA Minimum subdivision lot size for community title scheme applies in the case of land developed under the Community Land Development Act.	Insert after 4:
Clause 4.1AA (3) requires the size of any lot resulting from subdivision (other than association property) not be less than the minimum on the Lot Size Map.	(5) This clause applies to development on Lot 3900, DP 1170905, Varroville.
To ensure that only a Neighbourhood Scheme is developed on the land, it is proposed to amend the clause to insert a new part	(a) Despite subclause 3, the consent authority may grant development consent for the subdivision of land to which this clause applies, only if the land is subdivided in accordance with the <i>Community Land Development Act, 2021</i> for a neighbourhood scheme, and each lot, other than a lot comprising neighbourhood property, to be created by the subdivision will have an area not less than 5,000 sqm and not exceed density of 2.5 dwellings per hectare.
Schedule 1 Additional Permitted Uses	Note 1: This Proposed clause seeks to limit future subdivision for rural residential purposes to approximately 52 environmental living lots.
	Inclusion of the following uses in Schedule 1 as permissible with consent over the 6ha "club house" lot:
	<ul style="list-style-type: none"> • Function centre • Restaurant or cafe

Campbelltown (Sustainable City) Development Control Plan, 2015

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site-specific controls to support the delivery of CLEP 2015.

The Planning Proposal is supported by a draft site-specific Macarthur Grange amendment to Volume 2 of the Campbelltown (Sustainable) City Development Control Plan 2015. The draft DCP comprise a series of aims, objectives and controls compiled, in concert with the proposed LEP amendment, to deliver the Macarthur Grange Vision.

Draft Voluntary Planning Agreement (VPA)

The Planning Proposal is also accompanied by a draft Voluntary Planning Agreement (VPA) which proposes significant land dedications and works. The intended dedication and

rehabilitation and embellishment actions are considered to produce significant local and district level community and environmental outcomes.

Part 1 – Objectives or Intended Outcomes

- (a) To establish a long-term management arrangement for the site to provide certainty for the community regarding the future use of the land and the ongoing protection of this part of the Scenic Hills.
- (b) To ensure that future development within the site maintains the landscape character and scenic qualities of the Scenic Hills Landscape Unit
- (c) To ensure that future development within the site responds to the topography and the location of significant vegetation
- (d) To provide a mix of lot sizes, ranging from 0.5ha to in excess of 3ha, accommodating a diverse environmental / rural residential community within a neighbourhood scheme.
- (e) To provide potential for a range of uses on the land surrounding the golf club building including function centre, restaurant and café.
- (f) To provide for a north-south walking and cycle link along the perimeter of the Site connecting to existing cycle paths, potential future trails through the Scenic Hills and wider planned Sydney Green Grid projects
- (g) To provide a series of 'lookout parks' at key high points in the landscape connected by the walking and cycle path
- (h) To establish a Hilltop Conservation Area to protect and restore major areas of contiguous significant vegetation and facilitate limited constrained public access, educational opportunities and structured emergency access.
- (i) To enhance the integration with the Gregory Hills and Gledswood Hills communities

Part 2 – Explanation of provisions

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) to:

- (a) rezone the site from C3 Environmental Management to a range of zones including C2 Environmental Conservation, C4 Environmental Living and RE1 Public Recreation and retrain a residue part of the site with a C3 zoning.
- (b) Introduce a subdivision clause in Part 4 applying to Lot 3900 DP 1170905 to support subdivision in accordance with the *Community Land Development Act 2021* for a neighbourhood scheme, and each lot, other than a lot comprising neighbourhood property, to be created by the subdivision will have an area not less than 5,000 square metres and not exceed density of 2.5 dwellings per hectare.

Note: Note: This proposal seeks to limit future subdivision for rural residential purposes to approximately 52 environmental living lots.

- (c) 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.

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

No, the Proposal is the product of an owner-initiated Planning Proposal Request.

The protection of the Scenic Hills, and in particular its role as a scenic buffer between Camden and Campbelltown LGAs, has been a long-held objective of Council and is formalised in various State and local government strategies including the Greater Sydney Region Plan, Western City District Plan, Campbelltown LSPS and Campbelltown Local Housing Strategy.

Table 1: Background Studies and Reports

Specialist Technical Studies / report	Author	Date
Planning Proposal Report	FPD Planning	9 June 2020
Urban Design Report	Architectus Australia	24 May 2024
Draft Site Specific Development Controls	FPD Pty Ltd	28 May 2020
Flora and Fauna Assessment	EcoLogical Australia	7 June 2024
Riparian Constraints Assessment	EcoLogical Australia	7 June 2024
Preliminary Bushfire Assessment Report	EcoLogical Australia	30 August 2024
Traffic Impact Assessment	The Transport Planning Partnership	19 June 2024
Aboriginal Heritage Due Diligence Assessment	EcoLogical Australia	3 June 2024
Contamination Assessment	Senversa	21 May 2020
Servicing and Infrastructure Report	Craig and Rhodes	25 May 2020
Updated Master Plan and covering letter	Architectus and FPD Planning	10 September 2020
Addendum Servicing and Infrastructure report	Craig and Rhodes	6 February 2023
Visual Impact Assessment (as amended)	Architectus	9 February 2023

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

Yes. A Planning Proposal to amend Campbelltown Local Environmental Plan 2015 is the only relevant means of achieving the intended outcomes.

Section B – Relation to Strategic Planning Framework

3. Will the Planning Proposal give effect to the objective and actions of the applicable regional or district plan or strategy (including and exhibited draft plans or strategies)

Greater Sydney Region Plan

The Greater Sydney Region Plan has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 817,000 new jobs and 725,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the Planning Proposal against the relevant Directions and Objectives of the GSRP is provided in table 2. The Planning Proposal is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

Western City District Plan – Connecting Communities

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The Plan reinforces the Greater Sydney Region Plan actions of maintaining and enhancing the Metropolitan Rural Area and limiting urban development to the Urban Area.

The key actions relating to the site are set out within Planning Priority 16 Protecting and enhancing scenic and cultural landscapes and Planning Priority 17: Better managing rural areas. The Plan highlights that scenic landscapes within the Western District, including the Scenic Hills between Campbelltown and Camden, create a distinct setting for neighbouring urban communities.

The Plan also sets out the following in relation to rural residential development under Planning Priority 17: Better managing rural areas:

Rural-residential development is not an economic value of the District's rural areas and further rural-residential development is generally not supported. 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.

The proposal is directly in alignment with this aspect of the District Plan. The site is not currently used for productive agricultural uses and such uses are unlikely to be suitable given the proximity to existing and planned low density residential communities. Further, agricultural use of the land would be likely to further degrade the biodiversity values of the site. The proposal would provide for limited growth of rural-residential development which

would not impact on the amenity of the local area. This has been demonstrated through the preparation of a visual impact assessment and through preparation of a traffic study.

The proposal for the site would facilitate the long-term protection of a component of the Scenic Hills, as well as providing rehabilitation and protection in perpetuity of degraded Cumberland Plain Woodland and riparian areas. This is in directly alignment with the District Plan.

The following table provides an assessment of the Planning Proposal against the relevant aspects of the Greater Sydney Region Plan and their realisation at the level of the Western City District Plan.

Table 2: Greater Sydney Region Plan / Western City District Plan Objectives and Planning Priorities

A City Supported by Infrastructure		
Greater Sydney Region Plan	Justification	Consistency
Objective 1 – Infrastructure supports the three cities	<p>The site abuts the expansive urban release areas in the Camden Local Government Area, with existing and proposed perimeter development serviced and/or capable of being serviced with requisite infrastructure.</p> <p>The Proposal is supported by a Servicing and Infrastructure Report prepared by Craig and Rhodes in May 2020 (as amended by way of an Addendum Report compiled in January 2023).</p> <p>The addendum Servicing and Infrastructure Report has confirmed the site can be adequately serviced by water and sewer once planned bulk upgrades are delivered by Sydney Water.</p> <p>Advice has also been received from Endeavour Energy that there is currently capacity available to service the site.</p> <p>A Traffic and Transport Assessment has also been carried out which notes that overall, there would be no adverse traffic implications resulting from the proposed development, subject to upgrade of the intersection from the site to Raby Road, including a potentially upgraded Raby Road.</p>	Yes
Objective 2 – Infrastructure aligns with forecast growth	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	Yes

	<p>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 Southwest Growth Area (SWGA), and the Servicing and Infrastructure Report and Addendum 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.</p> <p>The site's electricity demands can also be serviced by Endeavour Energy's South Leppington 11kV feeder SL1432.</p>	
Objective 3 – Infrastructure adapts to meet future needs	<p>The baseline trunk infrastructure is in place and/or planned for the Camden LGA interface infill development can <u>adapt for new infill opportunities</u>.</p> <p>It is eminently appropriate for infrastructure provision to <u>adapt</u> and to leverage off the same.</p> <p>The reality of the MRA adapting with a rural focus is most remote as is discussed later.</p>	Yes
Objective 4 – Infrastructure use is optimised	<p>The previously referenced service infrastructure attached to the development of the Camden LGA urban perimeter should be leveraged off by the Proposal.</p>	Yes
Western City District Plan	Justification	Consistency
Planning Priority W1 – Planning for a City Supported by Infrastructure	Refer to commentary in respect of Objectives 1-4 (inclusive) GSRP.	Yes
A Collaborative City		
Greater Sydney Region Plan	Justification	Consistency
Objective 5 – Benefits of growth realised by	<p>The realisation of the vision underpinning the Planning Proposal will require collaboration with various</p>	Yes

collaboration of governments, community and business	government agencies, Council, the development sector and existing and envisaged community. As part of the Gateway Determination, Council will undertake public consultation to seek the views of relevant agencies and interested persons as discussed.	
Western City District Plan	Justification	Consistency
Planning Priority W2 – Working Through Collaboration	Refer to Commentary in respect of Objective 5 GSRP	Yes
A City for People		
Greater Sydney Region Plan	Justification	Consistency
Objective 6 – Services and infrastructure meet communities changing needs	The Proposal in implementation as a Community Title Scheme will ensure base level social infrastructure outcomes, supported by relevant social infrastructure contributions. The proposed community will additionally have access to diverse open space and recreation opportunities and the transport network can support the proposed growth without the need for major upgrades, but for enhanced access.	Yes
Objective 7 – Communities are healthy resilient and socially connected	Community access to the social infrastructure cited at Objective 6 will mean that future residents would be capable of living a healthy, resilient and socially connected lifestyle.	Yes
Western City District Plan	Justification	Consistency
Planning Priority W3 – Providing services and social infrastructure to meet peoples changing needs	Refer to commentary in respect of Objective 6, of GSRP	Yes
Planning Priority W4 – Fostering healthy, creative, culturally rich and connected communities	Refer to commentary in respect of Objective 7 of GSRP	Yes

Housing the City		
Greater Sydney Region Plan	Justification	Consistency
Objective 10 – Greater Housing Supply	The Proposal although not in the urban renewal corridor or designated urban release area would contribute in a modest way to housing supply in Campbelltown LGA and Western City District.	Yes
Objective 11 – Housing is more diverse and affordable	The Proposal, in providing a small pipeline of larger environmental living lots in a high amenity non-urban context, would importantly contribute to a form of housing underrepresented in Council's Local Housing Strategy. It would, however, unlikely address affordability, given its nature.	Yes
Western City District Plan	Justification	Consistency
Planning Priority W5 – Providing housing supply, choice and affordability with access to jobs, services and public transport	<p>Refer to commentary in respect of Objectives 10 and 11 of GSRP.</p> <p>Additionally, it will likely leverage off skilled jobs and utilise specialist services at the Western Sydney Airport and Aerotropolis and Campbelltown Regional City Specialist employment opportunities.</p> <p>Access will also be available to higher order bus services in Raby Road.</p>	Yes
A City of Great Places		
Greater Sydney Region Plan	Justification	Consistency
Objective 13 – Environmental heritage identified, conserved and enhanced	<p>The Proposal is cognisant of the prevailing environmental heritage qualities of the scenic hills landscape unit and seeks to be particularly sensitive to the nature, form, amount and placement of the proposed housing.</p> <p>Additionally, the Proposal seeks to rehabilitate the environmentally sensitive woodland and riparian areas.</p> <p>Furthermore, it seeks to importantly balance the sensitive integration of embellished publicly accessible, strategic ridgetop lands, subject to management of lands of Aboriginal sensitivity.</p> <p>Many of these unique conservation and accessibility outcomes are represented in the draft DCP and VPA.</p>	Yes
Western City District Plan	Justification	Consistency
Planning Priority W6 – Creating and renewing great	The District's Heritage at the subject local scale is respected as detailed in Objective 13 of the GSRP.	Yes

places and local centres and local centres and respecting the District's heritage		
A Well Connected City		
Greater Sydney Region Plan	Justification	Consistency
Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30 minute cities	<p>The Proposal seeks to leverage off its relatively accessible setting having regard to the higher order Raby Road and its relative proximity to the Campbelltown Regional City Centre and emergent Western Sydney Aerotropolis.</p> <p>The Proposal will have limited access to a potentially upgraded Raby Road and be limited to "left in left out" movements, with east bond movement from the northern precinct facilitated at traffic management facilities. All movements are deemed to be safe and justified in the accompanying traffic impact assessment, with acceptable impacts on the local traffic network.</p> <p>Regional connectivity will also be enhanced by the proposed ridgetop open space network as a stage in a regional recreation trail connecting the Australian Botanic Garden Mount Annan and Western Sydney Parklands.</p>	Yes
Western City District Plan	Justification	Consistency
Planning Priority W7 – Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	Refer to commentary in respect of Objective 14 of the GSRP.	Yes
Jobs and Skills for the City		
Greater Sydney Region Plan	Justification	Consistency
Objective 20 – Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for	<p>The Airport and Aerotropolis will be attracting in part a highly skilled workforce some of whom may be seeking alternate environmental living opportunities.</p> <p>Significant local construction and maintenance employment opportunities will attach to the Proposal.</p>	Not Inconsistent

Western Parkland City		
Western City District Plan	Justification	Consistency
Planning Priority W8 – Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis	Refer to commentary in respect of Objective 20 of GSRP.	Not Inconsistent
A City in its Landscape		
Greater Sydney Region Plan	Justification	Consistency
Objective 25 – The coast and waterways are protected and healthier	Central to the Proposal is the rehabilitation and conservation of on-site waterways identified in a Riparian Constraints Assessment. The subject Assessment has importantly informed the Site Master Plan which highlights the establishment and management principles for the significant waterways. The principal rehabilitated riparian corridor will be maintained as a sustainable natural system (association lot) in the Neighbourhood Scheme.	Yes
Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced	<p>The Proposal seeks to dedicate significant vegetation including a 33.7 ha hilltop conservation reserve within the area of highest biodiversity value for future conservation initiatives including potentially biodiversity stewardship agreements.</p> <p>The Proposal will provide a framework for rehabilitation and protection in perpetuity of currently degraded Cumberland Plain Woodland.</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> <p>Future development would be supported by vegetation management plans which would identify opportunities to manage and enhance existing vegetation.</p>	Yes
Objective 28 – Scenic and cultural landscapes are protected	<p>The proposal will support the protection of the Scenic Hills by applying a development model which is compatible with the character of the Scenic Hills and will ensure its long-term protection.</p> <p>The proposal will protect views of the Scenic Hills from the public realm through limiting development to large lots supporting modest dwellings nestled into the</p>	Yes

	<p>landscape allowing the grassy paddocks and native vegetation to dominate views of the site.</p> <p>The Visual Impact Assessment 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>This objective is acknowledged to deliver targeted outcomes for the MRA.</p> <p>The centrality of agricultural production and agribusiness activities is not a quality that has universal application to all lands in the MRA.</p> <p>In areas with particularly marginal soils, unreliable rainfall and modest to steep slopes agricultural related activities will invariably not succeed, particularly in an environment of “inflated” property values.</p> <p>Attempts to increase agricultural productivity through the application of capital typically entails controlled climate structures and or “shedded” environments which are incompatible to large extent with the prevailing scenic qualities and invariably associated with neighbour conflicts surrounding odour, noise and vehicle movements.</p> <p>The positive natural environment conservation outcomes (woodland and riparian rehabilitation) and social and economic outcomes (green grid public recreation and large lot housing and hospitality focussed precinct) associated with the Proposal are identified to be key functions of the MRA; whilst limited place based rural residential development (C4 Environmental Living Lots) in this case is accepted as an appropriate land use in unique circumstances as evidenced in the subject case.</p>	Yes
<p>Objective 30 – Urban Tree Canopy is increased</p>	<p>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.</p> <p>Furthermore, significant street tree planting is envisaged together with extensive amenity planting</p>	Yes

	<p>associated with the proposed dwellings/ residential use.</p> <p>Finally, the linear park and proposed lookouts will be the subject of significant strategic landscape planting. Thematic plantings are also proposed to embellish the existing club house precinct</p>	
<p>Objective 31 – Public open space is accessible, protected and enhanced</p>	<p>The Proposal seeks to leverage of its unique setting in providing a foundation link in a future green grid corridor link between the Western Sydney Parklands and Australian Botanic Garden Mount Annan.</p> <p>Public access will be available to celebrate a currently non-accessible strategic ridge equating generally to the primary horizon line.</p> <p>The ridge is largely denuded of significant trees but provides opportunities for development of an accessible landscape spine.</p> <p>The commitment to foundation level embellishment is highlighted in the accompanying draft VPA</p>	Yes
<p>Objective 32 – The Green Grid links parks, open spaces, bushland and walking and cycling paths</p>	<p>A key underpinning feature of the Proposal is the ridge aligned linear park that proposes to facilitate walking and cycling through a designated corridor in the Scenic Hills, with strategic parks a feature.</p> <p>The proposed corridor will importantly establish a foundation for an ultimate corridor linking the Australian Botanic Gardens, Mount Annan and the Western Sydney Parklands on an alignment mirroring that depicted in the GSRP.</p> <p>(Refer again to the draft VPA)</p>	Yes
Western City District Plan	Justification	Consistency
<p>Planning Priority W12 – Protecting and improving the health and enjoyment of the District's waterways</p>	Refer to commentary in respect of Objective 25 of GSRP.	Yes
<p>Planning priority W14 – Protecting and enhancing bushland and biodiversity</p>	Refer to commentary in respect of Objective 27 of GSRP.	Yes

Planning Priority W16 – Protecting and enhancing scenic and cultural landscapes	Refer to commentary in respect of Objective 28 of GSRP.	Yes
Planning Priority W17 – Better managing rural areas	Refer to commentary in respect of Objective 29 of GSRP. <i>Planning Priority 17 also acknowledges the potential for limited rural-residential development 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.</i> The proposal is directly in alignment with this aspect of the District Plan.	Yes
Planning Priority W18 – Delivering high quality open space	Refer to commentary in respect of Objective 31 of GSRP.	Yes
An Efficient City		
Greater Sydney Region Plan	Justification	Consistency
Objective 33 – A low carbon city contributes to net zero emissions by 2050 and mitigates climate change	The Proposal would provide a permeable and accessible movement network. The new BASIX provisions will also apply to future development on the site, supporting net zero emissions.	Yes
Objective 34 – Energy and water flows are captured used and reused	Water management would be addressed by private stormwater management and implementation of BASIX requirements at the dwelling construction stage. Additionally, solar energy capture is likely at the residential and mixed use scales.	Yes
Objective 35 – More waste is used and recycled to support the development of a circular economy	The prospects of recycling are enhanced at the neighbourhood scale in the proposed community title styled residential development and mixed use precinct.	Yes
Western City District Plan	Justification	Consistency
Planning Priority W19 – Reducing carbon emissions and managing	Refer to commentary in respect of Objectives 33 – 35 inclusive in GSRP.	Yes

energy, water and waste efficiency		
A Resilient City		
Greater Sydney Region Plan	Justification	Consistency
Objective 37 – Exposure to natural and urban hazards is reduced	Appropriate flood and bushfire hazard management strategies underpin the Proposal. Preliminary engagement with the RFS in accordance with the Gateway Determination raised no objection to the Proposal, but referenced the future DA consideration of secondary emergency access, such assess is denoted notionally on the draft DCP for both the northern and southern precincts.	Yes
Objective 38 – Heat waves and extreme heat are managed	Opportunities to proactively address potential urban heat island at the scale of the Proposal exist; being reflected in: <ul style="list-style-type: none"> • Appropriate building materials • Passive solar design principles adopted in dwellings • Rehabilitation and revegetation of the woodland additional green corridor plantings and opportunities for significant domestic plantings. 	Yes
Western City District Plan	Justification	Consistency
Planning Priority W20 – Adapting to the impacts of urban and natural hazards and climate change	Refer to commentary in respect of Objectives 37 and 38 of GSRP.	Yes

4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Campbelltown Local Strategic Planning Statement (CLSPS)

The Local Strategic Planning Statement (LSPS) details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context.

A statement of consistency with the LSPS is summarised below:

CLSPS Action	Comment
2.5: Contain urban development to existing urban areas and within identified growth and investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area (MRA).	<p>The protection of the Scenic Hills, and in particular its role as a scenic buffer between Liverpool and Campbelltown LGAs, has been a long-held objective of Council</p> <p>The Scenic Hills Protection area (SHPA) was recognised by the 1973 Three City Structure Plan and provides limited access to the public due to its being held largely in fragmented private ownership. The role of the SHPA is to provide a buffer to urban development areas of Campbelltown, Camden and Liverpool.</p> <p>The Campbelltown Local Planning Strategy from 2014 dealt extensively with the role and protection of the Scenic Hills area and included an action to 'propose and implement a development model for the Scenic Hills'. In 2007, the NSW Government gazetted the Southwest Growth Centre which includes the now developed estates of Gregory Hills, Gledswood Hills within the Camden LGA, and Willowdale with the Campbelltown LGA. These estates have been constructed on the western plateau lands of the Scenic Hills landscape which is considered to have eroded the concept in that area.</p> <p>Notwithstanding, the Scenic Hills still perform an important landscape function and structural element in the relationship with and providing a distinct difference between Camden and Campbelltown LGAs. The Scenic Hills in the Campbelltown LGA are highly undulated and form a significant buffer between the 2 areas (Kearns and Gregory Hills).</p> <p>The PPR argues that this function could still be preserved if sensitively managed to ensure that development is limited to specific pockets of land that:</p> <ul style="list-style-type: none"> • are not visible along key view lines • preserve ridge lines • support public access and connectivity to regional attractions; and • manage environmental attributes with no cost to Council <p>Planning Priority 17 and Objective 29 of the WCDP provides for the limited consideration of rural residential development 'where there are no adverse impacts on the amenity of the local area and development provides incentives to maintain and enhance the environmental, social and economic values of the MRA'.</p>

	<p>The proposed development of large lot housing on land zoned C4 Environmental Living could be considered a form of rural-residential development as envisaged by the WCDP. Similar forms of community title subdivision exist in other MRA lands within the Sydney Metropolitan Area, delivering boarder social and ecological outcomes generally.</p> <p>The Visual Impact Assessment of important views from Council's Scenic Hills Visual Study identified locations, suggests that future dwellings would not be visible from important view corridors.</p> <p>The Proposal is importantly consistent with not only the scenic qualities and MRA objectives, but it is also consistent with the CLSPS, and CLHS, which have evolved to nominate limited sensitive large lot environmental housing opportunities, as promoted in the Proposal.</p>
3.6: Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn.	<p>Areas of environmental significance are proposed to:</p> <ul style="list-style-type: none"> • be dedicated to Council for conservation initiatives as the hilltop conservation reserve • rehabilitated in the context of the central riparian zone. • preserved on individual allotments and subject to an overarching Vegetation Management Plan • subject to additional Aboriginal sensitivity investigations
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	<p>The WCDP proposes a blue-green grid from the Western Sydney Parklands to the Mount Annan Botanic Gardens along the State heritage listed, Sydney Upper Water Canal. The prospects of achieving a corridor with public access on the subject alignment have met with opposition from Water NSW as custodians of this critical piece of Greater Sydney water infrastructure.</p> <p>Public access to the Scenic Hills is currently very limited, with potential public recreation opportunities limited to Council's Varroville Reserve, or by the authority of existing land owners like those that own the Macarthur Grange.</p> <p>The applicant proposes to address this action by including a walking trail with two lookout parks that would provide the first part of a potential linkage from the Western City Parklands to the Australian Botanic Gardens- Mount Annan.</p> <p>The subject concept would not be inconsistent with the draft Scenic Hills Strategic Framework investigations that focusses upon the corridor linkages in the Scenic Hills landscape unit and mechanisms to achieve enhanced strategic access.</p>

	This outcome is central to the draft VPA.
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	<p>The Draft Visual and Landscape Analysis of the Scenic Hills and the East Edge Scenic Protection Lands was considered by Council at its meeting on 18 October 2011, where the Study was adopted as an important contributory element to the preparation of Draft CLEP 2014 (then known as Draft CLEP 2013) and ultimately adopted as CLEP 2015.</p> <p>The study was entitled "Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands" prepared in 2011 for Council by Paul Davies Pty Ltd in association with Geoffrey Britton (the Visual Study) and included the subject site.</p> <p>This site is part of Unit 2 (E-LU2) in such Study, which is described as playing 'a critical role in defining many of the Campbelltown LGA's most significant historic and contemporary views.' The golf course part of the subject site is described as a 'valley with high scenic quality' while the remainder of the site is described as containing 'high quality hidden valleys'.</p> <p>The applicant's revised Visual Impact Assessment of important views identified in the Study, suggests that future dwellings would not be visible from important view corridors, both local and more distant.</p>
5.11 Promote community management of scenic and cultural landscapes in the LGA	The Proposal would proactively provide for both private and public management of the important scenic and cultural landscape.
5.22 Investigate the active transport and recreational potential of the Prospect Canal as a major regional connection from Prospect Reservoir to the coast, in consultation with WaterNSW, other relevant Government departments and agencies, and adjoining councils	<p>Advice to date from WaterNSW indicates that community access to the Canal for recreation uses is unlikely given the risk associated with the protection of the water supply and user safety. Exclusion fencing of the Canal currently exists in housing estates in Gregory Hills and Gledswood hills, where access is not permitted. Accordingly, public access along this alignment is unlikely to be able to be achieved.</p> <p>The current Proposal importantly provides an opportunity to achieve a similar outcome on land that would, after dedication in accordance with the proposed VPA, be under the care and control of Council.</p> <p>Community access would provide significant public benefit via the provision of a recreation activity not currently available. Access to ridges and scenic locations is not currently available and would</p>

	provide an important first step in implementing a green grid connection from the Australian Botanic Gardens – Mount Annan to the Western Sydney Parklands.
6.20: Retain agricultural opportunities in the Scenic Hills, Kentlyn and Wedderburn, and support opportunities to enhance and grow these opportunities	<p>Generally the land within the Scenic Hills tends to have low agricultural potential due to its relative steepness and associated shallow and highly erodible soils. The more productive 'valley floor' of the site is particularly limited in scale and would not support an economic agricultural use.</p> <p>Enhanced agricultural productivity would typically result in the introduction of highly obtrusive climate controlled farming and / or intensive animal husbandry both requiring construction of large sheds. Furthermore, there would be associated odour management and noise emission issues. These types of uses would not be compatible with the values of the Scenic Hills or the adjacent low density residential areas.</p>
6.23: Investigate opportunities for agri-tourism and related pursuits in the Scenic Hills	Agri-tourism is unlikely to be viable on the subject holding given the likely inability to establish a sustainable agricultural activity to leverage off, for the reasons cited previously.

Campbelltown Local Housing Strategy (CLHS)

The Campbelltown Local Housing Strategy (CLHS) was adopted by Council on 29 September 2020 and conditionally approved by the Department on 8 July 2021. It was updated and adopted by Council on 11 April 2023 to address the DPE's conditional approval.

The CLHS 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 Local Housing Strategy outlines the following action of relevance to this Planning Proposal which seeks to increase housing diversity in accordance with the following:

Council will identify suitable locations for executive housing and large lot environmental living

In this regard it states that:

There is a need to attract talent to Campbelltown to support the implementation of the Reimagining Campbelltown City Centre Masterplan. Growth in the health,

education and justice sectors will attract professionals and executives to the Campbelltown LGA. Providing housing stock that is attractive to the needs of professionals and their families will enable the LGA to capture the demand from this group.

The LGA is fortunate to offer pleasant semi-rural lifestyle opportunities which, when combined with high quality housing, provides an ideal opportunity to attract professionals and executives with families. Establishing locations for large lot housing that do not detract from vistas to the scenic hills would assist the LGA to attract professionals in higher incomes to the LGA. Stakeholders have identified the scenic hills as being important to the semi-rural character and identity of Campbelltown. DPE has indicated that Council must protect the Metropolitan Rural Area from encroachment of urban development.

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.

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.

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

Campbelltown Community Strategic Plan – Campbelltown 2027

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

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

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

Table 4: Consistency with Campbelltown Community Strategic Plan – Campbelltown 2032 (A City of opportunity for All)

CSP Outcome	Relevant Strategy
Outcome 1	
Community and Belonging	1.3.1 Acknowledge and protect our local cultural heritage 1.3.2 Respect and support our local Aboriginal history, wisdom and peoples
Outcome 2	
Community and Belonging	2.1.1 Provide public places and facilities that are accessible, safe, shaded and attractive. 2.1.2 Provide public places and facilities that encourage leisure, recreation and physical activity. 2.3.1 Ensure all in Campbelltown have access to safe, secure and affordable housing.
Outcome 3	
Enriched Natural Environment	3.1.1 Protect, rehabilitate and promote our natural areas, water ways and biodiversity. 3.1.2 Ensure urban development is considerate of the natural/environment.
Outcome 4	
Economic Prosperity	Although no express strategy of relevance, it is a central tenet of the subject Planning Proposal and Campbelltown Local Housing Strategy that large lot executive housing is important in supporting economic prosperity.
Outcome 5	
Strong Leadership	Although no express strategy, it is expected that leaders will potentially emerge from the future resident population, particularly in terms of advocacy for rehabilitation of the natural systems and promotion of the broader green corridor linkages to both the north and south.

6. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies

NA

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

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

Table 5: Consistency with State Environmental Planning Policy

Table 7		
Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Biodiversity and Conservation) 2021		
Vegetation in Non Rural Areas	N/A	<p>Not applicable.</p> <p>The proposal applies to land which is largely of rural character. Notwithstanding, the Planning Proposal does not seek approval for the removal of any trees.</p> <p>The proposal has been developed with a view to retaining native vegetation where possible. Relevant provisions of the SEPP will need to be addressed at DA stage.</p>
Koala Habitat Protection	Yes,	<p>The aim of Chapter 4 Koala habitat protection 2021 is to encourage the conservation and management of areas of natural vegetation that provide habitat for Koalas.</p> <p>Koalas have not previously been identified on the site; however the site includes vegetation identified by the SEPP as being potential Koala habitat.</p> <p>Council has in place a Comprehensive Koala Plan of Management (CKPoM) under Clause 17 of the Koala SEPP.</p> <p>Consistent with the requirements of this Plan, a Vegetation Assessment Report is required to assess whether future development envisaged under the Planning Proposal would adversely impact on core or potential koala habitat.</p> <p>It is noted, however, that the high level of vegetation retention associated with the proposal is expected to minimise any</p>

		<p>impacts on Koala habitat, however this would be further explored through appropriate assessment in at the DA stage.</p> <p>Additionally, the former Department of Planning and Environment in its Gateway deliberations was of the view that the former OEH now the NSW Department of Climate Change, Energy, the Environment and Water should be consulted during the public exhibition process.</p> <p>This Planning Proposal at Part 5 notes the intention do undertake such consultation.</p>
Georges River Catchment	Yes	<p>Chapter 11 Georges River Catchment seeks to manage development within Georges River Catchment to ensure its environmental qualities are maintained. It sets out aims, objectives and planning principles which relate to the management of the Georges River Catchment.</p> <p>Waterways on site are upper tributaries in the Georges River catchment. A Riparian Assessment has been prepared by Ecological Australia to ground truth riparian corridors within the site and identify riparian corridors that require retention, rehabilitation and protection through the establishment of riparian buffers. The recommendations of the assessment have been incorporated in the Indicative Master Plan and relevant objectives and controls in the draft DCP, ensuring that the aims, objective and planning principles of Chapter 11 of the SEPP can be met.</p> <p>Further detail on the management of stormwater including adoption of water sensitive urban design principles would be provided at development application stage.</p>
SEPP (Resilience and Hazard) 2021		
Remediation of Land	Yes	<p>Chapter 4 Remediation of Land introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the</p>

		<p>permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose. A Preliminary Site Investigation was undertaken by Senversa to assess the likelihood of contamination and consider whether additional assessment or remediation would be required.</p> <p>Senversa concluded that the site is likely to be suitable for the proposed use and that should any contamination be identified at the DA stage, including the presence of asbestos in buried services, then it should be assessed in-line with relevant guidelines at that time.</p>
SEPP (Transport and Infrastructure) 2021	N/A	Not applicable
SEPP (Sustainable Buildings) 2022	Yes	State Environmental Planning Policy (Sustainable Buildings) 2022 requires all future residential developments to achieve mandated levels of energy and water efficiency, as well as thermal comfort. BASIX Certificates will be included as part of future DAs to demonstrate compliance with SEPP BASIX requirements.

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

The Planning Proposal is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 6 for an assessment of the proposal against the S9.1 Ministerial Directions.

Table 6: Consistency with Ministerial Directions

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
Focus Area 1 – Planning Systems		
1.3 Approval and Referral Requirements		
The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The Planning Proposal does not contain provisions requiring concurrence or referral for future development applications.
1.4 Site Specific Provisions		
The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls	No But inconsistency justified	The Planning Proposal includes site specific subdivision controls to ensure the land is only capable of subdivision in accordance with the <i>Community Land Development Act 2021</i> for a Neighbourhood Scheme.

		Additionally, it includes a new additional permitted use clause for a hospitality related use. The subject inconsistency is considered to be of minor significance as it will facilitate limited, quality, sustainable development of a unique site.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor		
The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	N/A	The Proposal is not included in the Greater Macarthur Urban Renewal Corridor
1.14 Implementation of Greater Macarthur 2040		
The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with <i>Greater Macarthur 2040</i> dated November 2018.	N/A	The Proposal is not identified in the urban renewal corridor (as stated above) or land release area.
Focus Area 3 – Biodiversity & Conservation		
The Principles for Natural Environment & Heritage recognise the fundamental importance of protecting, conserving and managing NSW's natural environment and heritage. They help balance the needs of built and natural environments, respecting both the innate and economic value of the state's biodiversity and natural assets.		
3.1 Conservation Zones		
The objective of this direction is to protect and conserve environmentally sensitive areas.	No, but inconsistency justified	<p>The direction requires that a Planning Proposal must:</p> <ul style="list-style-type: none"> include provisions that facilitate the protection of environmentally sensitive areas not reduce the environmental protection standards for land within an environment protection zone (including by modifying the standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.2 Rural Lands. <p>A proposal may be inconsistent with this direction if the Secretary of DPE (or delegate) is satisfied that it is justified by a study prepared in support of the Planning Proposal that gives consideration to the objectives of the direction, being to protect and conserve environmentally sensitive areas.</p> <p>The Proposal is inconsistent with this direction as it seeks to reduce the</p>

		<p>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 affords a higher level of protection than the existing C3 zone. Also, the Proposal is primarily for large lot rural residential living, with proposed lots large enough 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>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.</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 in respect of the Hilltop Conservation Area.</p>
3.2 Heritage Conservation		
The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	<p>This direction sets out that a Planning Proposal must contain provisions that facilitate the conservation of Aboriginal objects or places that are protected under the <i>National Parks and Wildlife Act 1974</i>.</p> <p>The site does not include any recorded Aboriginal heritage items. An Aboriginal Heritage Due Diligence Assessment has been prepared which identified areas of</p>

		<p>high and moderate archaeological potential.</p> <p>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>The site is not listed as an item of environmental heritage having regard to its past European settlement, nor having cultural significance based on its landscape setting. Notwithstanding, the landscape context is to be sensitively managed.</p>
Focus Area 4 – Resilience & Hazards		
The Principles for resilience and Hazards aim to improve responses to natural and development-related hazards, and climate change. They support methods to consider and reduce risk. The principles promote healthy, resilient and adaptive communities, urban areas and natural environments.		
4.1 Flooding		
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. 	N/A	<p>The site is not identified in the Campbelltown LEP or Council records generally as being flood prone, given the limited nature of Council records outside major urbanised catchments.</p> <p>Flood modelling will need to accompany future development applications and relevant riparian sensitive management introduced, if required.</p>
4.3 Planning for Bushfire Protection		
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> 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. 	Yes	<p>This direction applies to a Planning Proposal in proximity to bushfire prone land. It requires consultation with the NSW Rural Fire Service (RFS) following a Gateway decision and prior to public exhibition.</p> <p>The direction sets out requirements to ensure that a bushfire hazard of present is appropriately managed.</p> <p>A Bushfire Assessment has been prepared to support the Planning Proposal. The report identifies limited</p>

		<p>hazards and suggests relevant management practices which can be readily implemented including APZs which are accommodated in the master plan.</p> <p>Preliminary consultation has taken place with the RFS in response to the direction, as reinforced in the Gateway Determination. No objections were raised to the Proposal, subject to future emergency access formalisation at the DA stage. Notwithstanding, notional emergency access provision has been identified and referenced in the draft DCP for both the northern and southern development precincts.</p>
4.4 Remediation of Contaminated Land		
<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. (NB: <i>In order to meet the requirements of this Direction every site-specific Planning Proposal must include a Preliminary Site Inspection report.</i>)</p>	Yes	<p>The Planning Proposal is supported by a Preliminary Site Investigation undertaken by Senversa which assessed the likelihood of contamination and consider whether additional assessment or remediation would be required.</p> <p>The assessment concluded 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 and would be capable of remediation.</p>
4.5 Acid Sulphate Soils (previously 4.1)		
<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</p>	N/A	<p>The site is not identified in the Campbelltown LEP as being subject of acid sulphate soils.</p> <p>Future DAs may adopt building in saline environments precautionary principles.</p>
4.6 Mine Subsidence & Unstable Land		
<p>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	N/A	<p>The site is not within a Mine Subsidence District.</p>
Focus Area 5 – Transport & Infrastructure		
<p>The Principles for Transport & Infrastructure support innovative, integrated and coordinated transport and infrastructure, that is well-designed, accessible and enduring. They seek to optimise public benefit and value by planning for modern transport and infrastructure in the right location and at the right time.</p>		

5.1 Integrating Land Use and Transport		
<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> • improving access to housing, jobs and services by walking, cycling and public transport, and • increasing the choice of available transport and reducing dependence on cars, and • reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and • supporting the efficient and viable operation of public transport services and providing for the efficient movement of freight. 	No, But justified	<p>The direction requires the consideration of the principles of Integrating Land Use and Transport as outlined in key polices and guidelines.</p> <p>The direction allows for inconsistency with the Direction, where the Planning Proposal is in accordance with the relevant District Plan or is of minor significance.</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 proposes an internal road network to link the individual sites with access to Raby Road where a local bus service available, with the prospects of a Raby Road stop possible.</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 minor as demonstrated by the traffic study.</p> <p>Further the Proposal will enhance opportunities for walking and cycling through provision of the north-south open space linkage and will have limited access to bus services.</p>
5.2 Reserving Land for Public Purposes		
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> • facilitate the provision of public services and facilities by reserving land for public purposes, and • facilitate the removal of reservation 	Yes	<p>A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Secretary of DPIE (or delegate).</p> <p>The proposal includes land proposed to be zoned RE1 Public Recreation to be dedicated to Council in accordance with relevant provisions of its public infrastructure policy. The draft VPA addresses the proposed open space dedication.</p>

Focus Area 6 – Housing		
6.1 Residential zones		
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> • encourage a variety and choice of housing types to provide for existing and future housing needs, • make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and • minimise the impact of residential development on the environment and resource lands. 	<p>No, but justified.</p>	<p>This direction applies to Planning Proposals which affect land within an existing or proposed residential zone, or where significant residential development is proposed to be permitted.</p> <p>Under the direction a Planning Proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> • broaden the choice of building types and locations available in the housing market, and • make more efficient use of existing infrastructure and services, and • reduce the consumption of land for housing and associated urban development on the urban fringe, and • be of good design. <p>The direction allows for inconsistency with the Direction, where the Planning Proposal is in accordance with the relevant District Plan.</p> <p>Whilst the site is located on the urban fringe, it is noted that the Proposal is consistent with the District Plan and Campbelltown Local Housing Strategy which identify the potential for rural residential / large lot housing where it does not detract from scenic landscapes and protects biodiversity corridors.</p>
Focus Area 9 – Primary Production		
<p>The Principles for Primary Production support and protect the productivity of important agricultural lands. They enhance rural and regional economies through a sustainable, diverse and dynamic primary production sector that can meet the changing needs of a growing NSW.</p>		
9.1 Rural zones		
<p>The objective of this direction is to protect the agricultural production value of rural land.</p>	<p>Not applicable</p>	<p>This direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>The Direction is not relevant to the Planning Proposal as it does not affect rural zones, notwithstanding its general rural character.</p>

		Notwithstanding, it is noted that the site does not have any significance in terms of agricultural and primary production, given the low inherent agricultural values of the land and the current use as a golf course and vacant land subject of minor and intermittent grazing.
9.2 Rural Lands		
<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> • protect the agricultural production value of rural land, • facilitate the orderly and economic use and development of rural lands for rural and related purposes, • assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State, • minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses, • encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land, • support the delivery of the actions outlined in the NSW Right to Farm Policy. 	Not applicable	<p>This Direction applies when a relevant planning authority prepares a Planning Proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <p>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</p> <p>(b) changes the existing minimum lot size on land within a rural or conservation zone.</p> <p>The Direction does not apply to Campbelltown LGA and accordingly is not relevant to the Proposal.</p>

Section C – Environmental Social or Economic impact

9. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A Flora and Fauna Assessment has been prepared by Ecological Australia to support the Planning Proposal.

The Assessment included targeted surveys across the site which identified a range of ecological values, including:

- Cumberland Plain Shale Woodlands and Shale Gravel Transition Forest which is critically endangered under the Biodiversity Conservation Act 2016 (BC Act) and Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) which was identified as corresponding to Plant Community Type 850 (PCT 850) being Cumberland Plain Woodland.
- River-flat Eucalypt Forest which is endangered under the BC Act and nominated for listing under the EPBC Act, which was identified as corresponding to Plant Community Type 835 (PCT 835).

Large areas of the site were identified as cleared or exotic vegetation, along with a small area of *Phragmites australis* and *Typha* Orientals coastal freshwater wetlands of the Sydney Basin Bioregion - Artificial wetland which is not listed under the BC Act or EPBC Act.

In respect of the Cumberland Plain Woodland, vegetation of good, moderate and poor condition was identified as well as areas of derived native shrublands and derived native grasslands. Whilst the shrublands and grasslands lack canopy trees, and in the case of grasslands lack mid storey vegetation, they are classified as Cumberland Plain Woodland and protected under the BC Act. The Cumberland Plain Woodland is largely located in the southern section of the site and along the ridgelines to the north.

River-flat Eucalypt Forest was identified as being poor quality and is predominantly located along the riparian areas through the centre of the northern section of the site.

The Indicative Master Plan has been developed with a view to retaining native vegetation where possible. The most significant areas of high-quality Cumberland Plain Woodland have been predominantly located within the proposed Hilltop Conservation Area to be zoned C2 which would ensure their protection in perpetuity, after proposed rehabilitation.

Such land is to be dedicated to Council pursuant to the draft VPA. Upon receipt, Council will be responsible for compiling a Plan of Management to address the desired ecological outcomes, including potential biodiversity stewardship agreements and limited public and emergency access.

The subdivision layout provides for the location of dwellings to avoid areas of native vegetation, with the exception of some areas of Cumberland Plain Woodland derived native grassland at the south of the site. The road layout and open space has also sought

to avoid areas of significant vegetation however some clearing would be required. The Flora and Fauna report identifies that a total 6.8ha of native vegetation would be cleared (22% of the total native vegetation), with the majority of this (6.1ha) being Cumberland Plain Woodland derived native grasslands or derived native shrublands.

The Flora and Fauna Assessment noted that the proposed rezoning and Indicative Master Plan layout has undergone several design iterations which considered the ecological values present in the study area and the potential approvals pathways for each iteration. It concluded that the development footprint presented in the proposal has used the avoid, minimise and mitigate principles to retain areas of higher ecological constraint and value and concentrated development in generally cleared areas.

Since lodgement of the PPR, Council's Comprehensive Koala Plan of Management was endorsed by the Department of Planning and Environment on 30 July 2020. Therefore, this requires a future applicant to undertake a Vegetation Assessment Report at DA stage to identify the location and diameter at breast height (dbh) of koala feed trees greater than 200mm and to maximize their retention. It is noted that the high level of vegetation retention associated with the proposal is expected to minimise any impacts on Koala habitat, however this would be further explored through the Vegetation Assessment Report at the DA stage.

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

Visual Impact

The proposal seeks to retain the rural and landscape character of the Scenic Hills by restricting development to large environmental / rural residential lots with modest dwellings nestled into the landscape allowing the grassy paddocks and native vegetation to dominate views of the site. This will significantly minimise visual impacts from the surrounding area as well as from proposed public domain areas within the site.

A Visual Impact Assessment has been prepared (Architectus November 2023) which considered the visual impact of the proposal from five viewpoints surrounding the site which were selected based on the views identified in the 'Visual Analysis of Campbelltown's Scenic Hills and East Edge Scenic Protection Lands' report (October 2011), as well as their relative importance and likelihood to be of value to the wider landscape. The visual impact from two more distant viewpoints from the Campbelltown City Centre were also considered at the request of Council.

The views of the site from Sommes Place and Canadian Place within residential areas to the east, and Raby Road looking along the eastern site boundary were identified as having negligible impacts due to the site topography and existing vegetation. From these viewpoints the development would sit below the ridgeline and would be screened by existing vegetation. The view from Raby Road fronting the north of the site was identified as having a moderate impact noting that while the proposal does obstruct some elements of the existing view along the valley, the proposal is predominately screened by vegetation and with the low building height and wide building separation the visual impact is reduced. 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.

The Proposal is clearly seeking to avoid the demonstrably urban outcome that has come to characterise the areas to the west of Gregory Hills Drive that previously formed part of the Scenic Hills landscape unit within the Camden LGA.

The view from Gregory Hills Drive to the south of the site was identified as having low to moderate impact, noting that the proximity of the view to the proposal means it is apparent, however due to the existing vegetation, the topography sloping down to the southern corner, and the proposed built form keep away from the ridgeline, the distance views looking north over the Scenic Hills will not be obstructed. It was considered that these impacts could be mitigated through future landscape planting along the boundary edge that interfaces with Gregory Hills Drive to provide an additional level of screening to the built form and retain the landscape character.

The visual impact from the two viewpoints within Campbelltown Centre towards the Scenic Hills demonstrated that the proposal would not be visible from these vantage points as proposed built form would sit below the ridgeline.

It is considered that the visual impacts of the proposal for the views investigated are generally acceptable and could be further mitigated through landscape planting.

Scenic Hills

Council's long term strategic direction is for the ongoing protection of the Scenic Hills. This is reflected in the which seeks to protect the Scenic Hills and includes actions around protecting the environmental, heritage and agricultural values of the Scenic Hills and to connect the Scenic Hills to the wider open space network.

It is noted that the Campbelltown Local Planning Strategy from 2014 dealt extensively with the role and protection of the Scenic Hills area and included an action to 'propose and implement a development model for the Scenic Hills'.

Whilst the 2014 strategy has been superseded by the LSPS, Council continues to support a sensitive development model for the Scenic Hills, provided this can maintain the values of this landscape unit and deliver significant public benefit.

The potential for limited development within the Scenic Hills is also contemplated in the CLHS which was endorsed in April 2023. The CLHS notes that: *Establishing locations for large lot housing that do not detract from vistas to the scenic hills would assist the LGA to attract professionals in higher incomes to the LGA.* In this regard it includes an action for Council: *to identify suitable locations for executive housing and large lot environmental living.*

The Planning Proposal is directly consistent with this action.

The Western District Plan also highlights that 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, including the protection of scenic landscapes.

The subject Proposal should not be considered to represent a precedent, given the unique attributes of the site.

Riparian

The Proposal is accompanied by a Riparian Constraints Assessment, prepared by Ecological Australia, to confirm the current condition of waterways within the site and requirements for riparian corridors. The assessment considered the regulatory framework of the Water Management Act 2000 and the prevailing Guidelines for Controlled Activities on waterfront land—Riparian corridors (2018) published by the Natural Resources Access Regulator (NRAR).

The assessment identified 21 first order and three second-order creeks within the site, along with a number of man-made dams. The riparian vegetation was identified as highly modified within the golf course precinct, comprising predominantly native species with exotic species scattered throughout for the southern extent of the site.

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 NRAR 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. The VRZ required to be established is as follows:

- 10m on each side the creek for first-order waterways
- 20m on each side the creek for second-order waterways

The NRAR Guidelines allow for non-riparian uses within the outer 50% of the VRZ as long as compensation (1:1 offset ratio) is achieved within the site. The inner 50% of the VRZ must be fully maintained and vegetated with native riparian species.

The Assessment concluded that the Proposal appropriately addresses the protection of riparian corridors and the establishment of appropriate Vegetated Riparian Zones, including through the application of the offsetting approach.

Further consultation with the Department of Climate Change, Energy, Environment and Water (DCCEE) in respect of management of the riparian corridors is initially proposed at the public exhibition/engagement phase.

Bushfire

The site contains bushfire prone land (Vegetation Category 1,2 and 3 and Vegetation Buffer).

A Bushfire Assessment was undertaken by Ecological Australia in the context of Planning for Bushfire Protection 2019. 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.

Notional emergency access points to Badgally Road/Gregory Hills Drive via proposed residential access roads in adjoining development in the Camden LGA (southern precinct) and Raby Road (northern precinct) are depicted in the draft DCP and would be further evaluated at the DA stage. It is noted that the RFS in preliminary engagement identified the need to provide emergency alternative access, with such to be evaluated at the DA stage. Reinforcing/supplementary advice is expected from the RFS during the proposed public exhibition/authority engagement phase.

The proposed placement of dwellings downslope from remnant vegetation has resulted in easier management conditions than would have otherwise been the case. The site has also very low population density comparable to the surrounding area.

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 recommended APZs vary from 12m to 25m for residential uses and from 50m adjacent to the hotel / function centre which is identified as a Special Fire Protection Purposes. The recommended APZs based on the Indicative Master Plan are shown at Figure 24 and Figure 25 of the PPR.

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. In particular, it noted that a secondary access / egress would be necessary. There are a number of opportunities, requiring further evaluation, to provide secondary access / egress to and from the site either as permanent or emergency arrangement via Badgally Road/Gregory Hills Drive and to Raby Road as cited above and depicted in the draft Development Control Plan.

The assessment also highlighted potential non compliances with Planning for Bushfire Protection 2019 including the absence of a perimeter road and a number of dead end roads which exceed 200m in length. The assessment notes that performance solutions may exist and would need to be negotiated with the NSW Rural Fire Service (RFS) through a

Bush Fire Design Brief. The road layout is indicative only and room for variation exists at a more detailed planning stage.

Further consultation, beyond the preliminary pre exhibition requirement undertaken, is proposed to be carried out with the RFS as a condition of Gateway Determination with an objective of identifying an appropriate bushfire access solution which provides safe access to the site without the need to provide an excessive road network requiring extensive earthworks and being potentially incompatible with the rural and landscape character of the Scenic Hills.

Traffic

The Proposal is accompanied by a Traffic Impact Assessment which addresses future traffic and parking implications of the PPR.

The salient findings of this assessment are presented below.

- The existing site access on Raby Road via the Macarthur Grange Country Club access road is proposed to be maintained to provide access to the northern portion of the site.
- The service road, which extends off Gledswood Hill Drive, would potentially provide an alternative access for emergency vehicles.
- Access to the southern precinct of the site is proposed via the proposed adjacent stie access roads to Gregory Hills Drive-Badgally Road. This is subject to approval from the adjacent landowner/s.
- It is proposed to comply with car parking requirements specified in the Council's DCP.
- The proposed development could be expected to generate additional 37 trips and 41 trips in the AM and PM peak hour, respectively.
- Raby Road/Macarthur Grange site access intersection is currently performing at capacity with level of service "F" during the morning and afternoon peak periods. This is mainly due to the difficulty experienced by the right turning movement from the site access.
- It is recommended to upgrade this intersection to provide a two-stage right turn treatment. It is expected that the proposed treatment option would improve the intersection performance from level of serviced "F" to "C" or better, which is considered satisfactory.
- Notwithstanding this, it is noted that the nature of the Raby Road traffic environment is "declining" and a plan to upgrade the Raby Road traffic

environment has been compiled. If the proposed Raby Road Upgrade is approved and constructed, the above recommended right treatment would not be required/available and proposed development would adopt the no right-turn restriction from the site into Raby Road as per Council's requirement. It is anticipated that the site access intersection would perform at level of service "B" or better under the proposed amended site access arrangements, which is considered satisfactory. Vehicles wishing to travel east/south would use the future signalised intersection of Raby Road / Gledswood Hill Drive and the roundabout on Gledswood Hill Drive to turn around. Although less than optimum, such a traffic manoeuvre is considered acceptable.

Accordingly, the integration of this precinct with proposed development in the Camden LGA is critical to its realisation, both in terms of primary and emergency access. Accessibility requirements in this regard are highlighted in the draft DCP.

Formal consultation with Camden Council during the public exhibition period is critical to further refining southern precinct accessibility scenarios.

Overall, there were considered to-be no adverse traffic implications resulting from the proposed development, provided that either Raby Road Upgrade takes place, or the proposed two-stage right turn treatment is provided at the Raby Road/Macarthur Grange site access intersection.

The cost of any intersection improvements would be responsibility of the developer.

Aboriginal heritage

An Aboriginal Heritage Due Diligence Assessment has been prepared by Ecological Australia. The assessment included a search of the Aboriginal Heritage Information Management System which highlighted that no Aboriginal sites have previously been recorded in the study area. Based on a site inspection, desktop research and mapping of the site, the assessment identified several areas of high and moderate archaeological potential, predominantly located in the southern half of the site as illustrated in Figure 26 of the PPR.

The assessment concluded that where areas of moderate and high archaeological potential would be impacted by future development, further assessment would be required at the Development Application stage in the form of an Aboriginal Cultural Heritage Assessment (ACHA), which would include Aboriginal community consultation. The ACHA would be used to support a future Aboriginal Heritage Impact Permit application if Aboriginal sites cannot be avoided.

The assessment also recommended that areas possessing archaeological potential should be considered for conservation where possible, and that an Aboriginal heritage management plan should be developed for the long-term management for the conservation areas.

The two areas of high archaeological potential are located within the proposed Hilltop Conservation Area and therefore would be unlikely to be impacted. Where areas of moderate archaeological potential are impacted an ACHA should be prepared at development application stage.

Contamination

A Preliminary Site Investigation was undertaken by Senversa to assess the likelihood of contamination and consider whether additional assessment or remediation would be required. The assessment concluded the following based on the review of the available information and the site inspection:

- The site appears to have been vacant prior to its current use as a golf course from the mid to late 1990s. The remainder of the site has remained vacant with the exception of occasional cattle grazing.
- Minor quantities of chemicals and fuels were observed in isolated locations at the site, including the club house and maintenance shed, however the potential risk of serious contamination is considered to be low and acceptable.
- It is possible that groundwater under the site has some level of nutrient impact from irrigation and the application fertiliser.
- It is also possible that areas of land may have been historically filled and may contain contamination such as asbestos.

Senversa considers that the site is likely to be suitable for the proposed use. However, considering the size of the site and the difficulty in inspecting certain areas and beneath existing buildings, there remains the potential that isolated and minor contamination may be present. Should 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.

Easements

The Servicing and Infrastructure Report prepared by Craig and Rhodes (September 2020) highlighted significant utilities that traverse the site including:

- Three high pressure gas pipelines that transect the western portion of the Site
- 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
- Telstra network cables to the north of the Site.

The Report also noted that for the high-pressure gas pipelines that traverse the site, the requirements of the operator would need to be complied with at DA stage including no construction of buildings or structures or planting of vegetation within the easement, maintenance of a clear line of sight must be along the easement, and no construction of physical barriers along the easement. It is considered that these

matters can be satisfactorily addressed at DA stage and do not compromise the advancement of the Planning Proposal.

11. Has the planning proposal adequately addressed any social and economic effects?

Economic impact

Although the Proposal is not expected to generate any significant economic impacts, the CLHS identifies that demand for large lot semi-rural housing is likely to increase as knowledge based jobs increase such as the recent expansion of the Campbelltown Hospital and similar; larger lots would also potentially attract business owners and accordingly thus attracting further jobs to the City.

There would also be economic benefits associated with construction work within the short term and with a small number of jobs associated with limited commercial use of the redeveloped golf club site. Establishment of home businesses with resulting positive economic impacts is also a real prospect.

Social Impact / social infrastructure

The proposal is not expected to generate any significant social impacts. The site is well located in close proximity of local services and facilities including local primary schools in nearby Kearns (2km) and Gledswood Hills (3km), a local centre at Kearns and a town centre at Gregory Hills (5km).

A local centre is also planned at Gledswood Hills adjacent to the school. District and regional facilities are accessible in Campbelltown centre (8km), which along with Leumeah Station (7km) provides access to the rail network via the T8 Airport and South line.

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

Community Infrastructure:

The Proposal includes the proposed dedication of land for public open space and conservation purposes and associated embellishment expectations as detailed in the accompanying draft Voluntary Planning Agreement.

Engineering Infrastructure / Utility servicing:

A Servicing and Infrastructure Report has been prepared by Craig and Rhodes (September 2020) to consider the capacity of surrounding infrastructure to service the site. An addendum report was also prepared by Craig and Rhodes (6 February 2023) which included the outcomes of additional consultation with utility providers as requested by DPE.

The addendum report found that the subject site can be serviced by water and sewer 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 and understood to be in place.

The addendum report also noted that Endeavour Energy confirmed that at that point in time, there is capacity on South Leppington 11 kV Feeder SL1432 to supply proposed development, and that further network capacity investigations will need to be conducted when the formal connection of load application is submitted in the future.

Accordingly, based on this advice, the site is considered to be able to be adequately serviced, subject to future investigations at DA stage.

Section D – State and Commonwealth interests

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

The requirement to consult with public authorities has been confirmed by the former Department of Planning and Environment as a condition of Gateway Determination.

The Planning Proposal is at the public exhibition/engagement phase. As such, apart from preliminary consultation with agencies/authorities by the Proponent detailed in the Planning Proposal Request Council has engaged with:

- The former Greater Cities Commission. (leading the former Department of Planning and Environment to issue a Gateway Determination)
- The NSW Rural Fire Service as an initial pre-exhibition Gateway requirement. (leading to no opposition to the Proposal subject to future consideration of secondary emergency access).

The proposed public exhibition/engagement phase involves formal consultation with the authorities/agencies, entities and people detailed at Part 5 of this Proposal.

Part 4: Mapping

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

Table 7: Mapping

Item	Mapping	Location
Changes to Zoning Map	1500_COM_LZN_001_020_20150428 1500_COM_LZN_007_020_20210420	Attachment 2
Changes to Land Reservation Map	New Map LRA 001 1500_COM_LRA_007_020_20171212	Attachment 3
Change to Clause Application Map	New Map CAP 001 1500_COM_CAP_007_020_20201021	Attachment 4
Additional Permitted Uses Map	1500_COM_APU_007_020_20171212	Attachment 5

Part 5 – Community Consultation

Public consultation will take place in accordance with the Gateway Determination and Councils Community Participation Plan. All relevant agencies and immediate local community interests will be consulted during the assigned minimum public exhibition period.

In this respect, it is proposed to consult;

- 1) -Agencies/Authorities including
 - Transport for NSW
 - Department of Climate Change, Energy, the Environment and Water (DCCEEW)
 - NSW Rural Fire Service
 - Endeavour Energy
 - Telstra
 - Gas Pipeline Operators – Jemena and Gorodok Pty Ltd
 - Camden Council
- 2) Nearby property owners in the Campbelltown LGA
- 3) Nearby property owners in the Camden LGA
- 4) The Scenic Hills Association
- 5) Local Aboriginal representatives

The Proposal is categorised as “standard” under the LEP Making Guidelines. As such, the exhibition period is proposed to extend for a minimum of 20 days (as reinforced in the Gateway Determination) from 10 October 2024 to 1 November 2024.

Part 6 Project Timeline

Table 8: Project Timeline

Milestone	Timeline	Completed
Referral to Local Planning Panel	February 2021	✓
Council Endorsement of Planning Proposal	July 2022	✓
Referral for Gateway Determination 1	August 2022	✓
Gateway Determination 1	December 2022	✓
Referral for Gateway Determination 2	September 2023	✓
Gateway Determination 2	November 2023	✓
Post Gateway	December 2023	✓
Public Exhibition	October/November 2024	
Finalisation of LEP amendment	March 2025	
Plan amendment made	April 2025	

Attachment 1: Gateway Determination



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2023-2012) allow for limited rural residential development and new conservation areas at the site known as Macarthur Grange.

I, the Director, Western at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Campbelltown Local Environmental Plan 2015 to allow for limited rural residential development and new conservation areas at the site known as Macarthur Grange in Kearns should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be amended:
 - (a) to provide the current and proposed maps associated with the Land Reservation Map and Clause Application Map.
 - (b) 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.
 - (c) to confirm if a secondary access to Macarthur Grange is proposed in the southern half of the site and the proposed location of this.
 - (d) 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

PP-2023-2012 (IRF23/2505)

- 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.

Dated 6 December 2023



Adrian Hohenzollern
Director, Western, Metro West
Planning, Land Use Strategy &
Housing
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces

PP-2023-2012 (IRF23/2505)



Department of Planning, Housing and Infrastructure

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2023-2012)

I, Acting Director, Southern Western and Macarthur at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 6 December 2023 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Amend condition 2:

From 'Exhibition must commence before the end of August 2024.'

To 'Exhibition must commence before the end of December 2024.'

2. Amend condition 6:

From 'The LEP should be completed on or before 6 December 2024.'

To 'The LEP must be completed by 6 April 2025.'

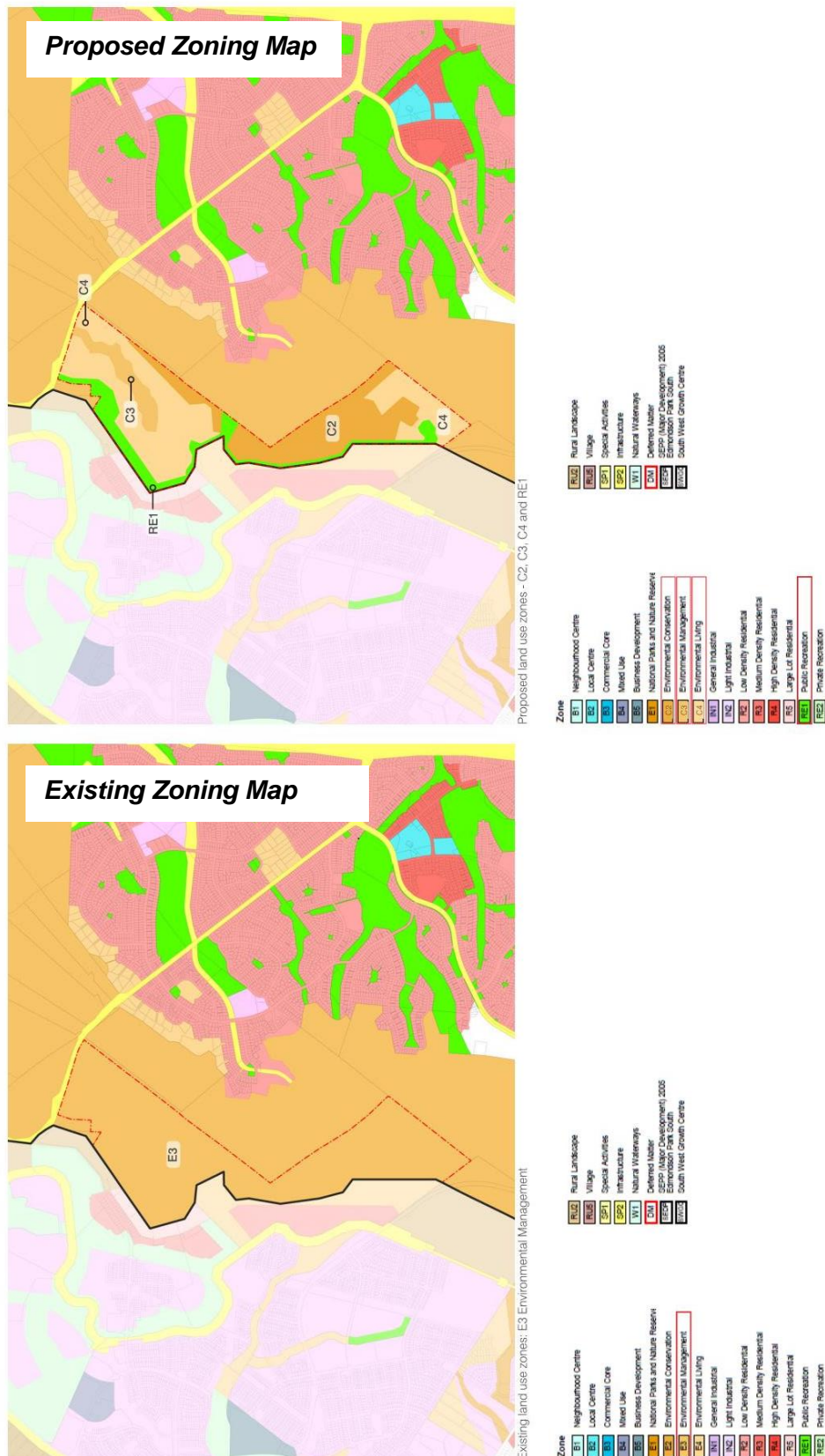
Dated 28 June 2024.

A handwritten signature in blue ink, appearing to read 'Chantelle'.

Chantelle Chow
Acting Director, Southern Western and
Macarthur
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

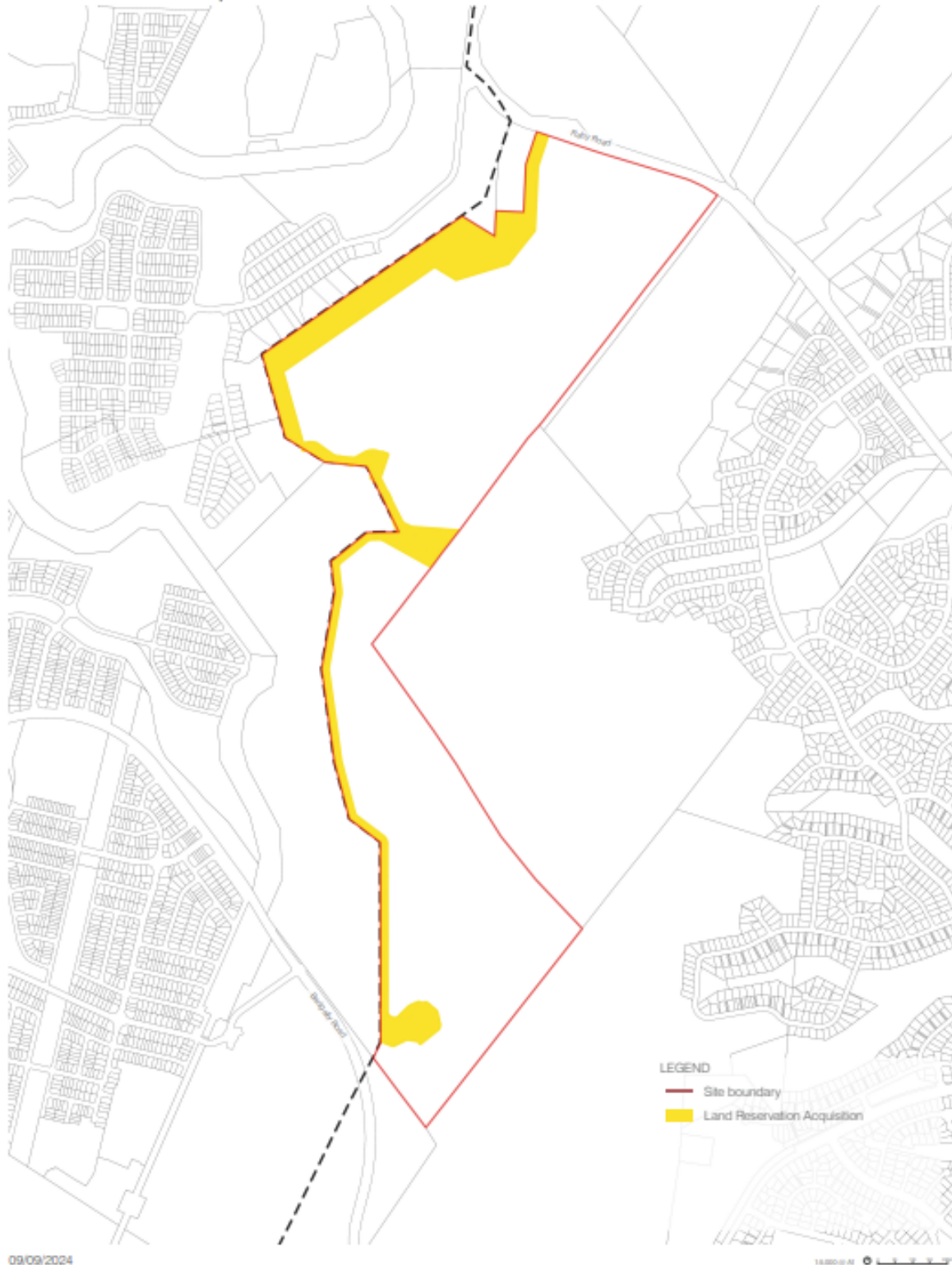
**Delegate of the Minister for Planning and
Public Spaces**

Attachment 2: Changes to CLEP 2015 Zoning Map



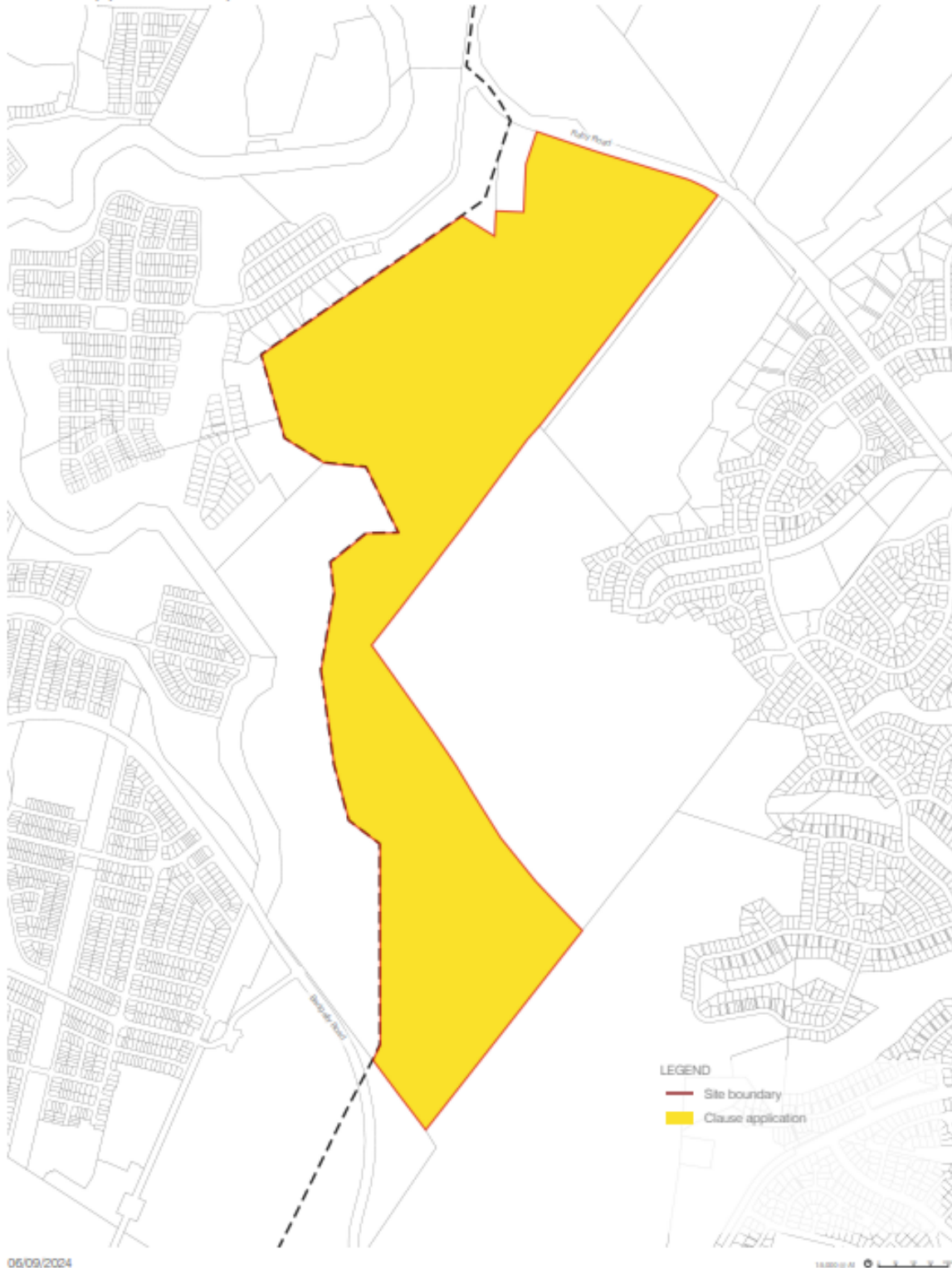
Attachment 3: Changes to Land Reservation Map

Land Reservation Acquisition Plan



Attachment 4: Changes to Clause Application Map

Clause Application Map



Attachment 5: Changes to CLEP 2015 Additional Permitted Uses Map

Existing Map



