



## **Planning Proposal**

**13-17 Eagleview Road, Minto  
(Lot 7 DP 39165)**

**December 2024**

## Introduction

This Planning Proposal explains the intent of and justification for the proposed amendment to the *Campbelltown Local Environmental Plan 2015* (CLEP 2015) to include a 'place of public worship' as an additional permitted use under Schedule 1 of CLEP 2015 for the subject site for the property located at 13-17 Eagleview Road, Minto (Lot 7 DP 39165).

## The Site

The subject site is located at 13-17 Eagleview Road, Minto (Lot 7 DP 39165) which has an area of 2.085 ha (20,850 m<sup>2</sup>). The site is located approximately 7 km north of the Campbelltown City Centre and 3.5 km to the northeast of Minto Town Centre. Figure 1 is an air photo that shows the subject land in red as well as the surrounding area.

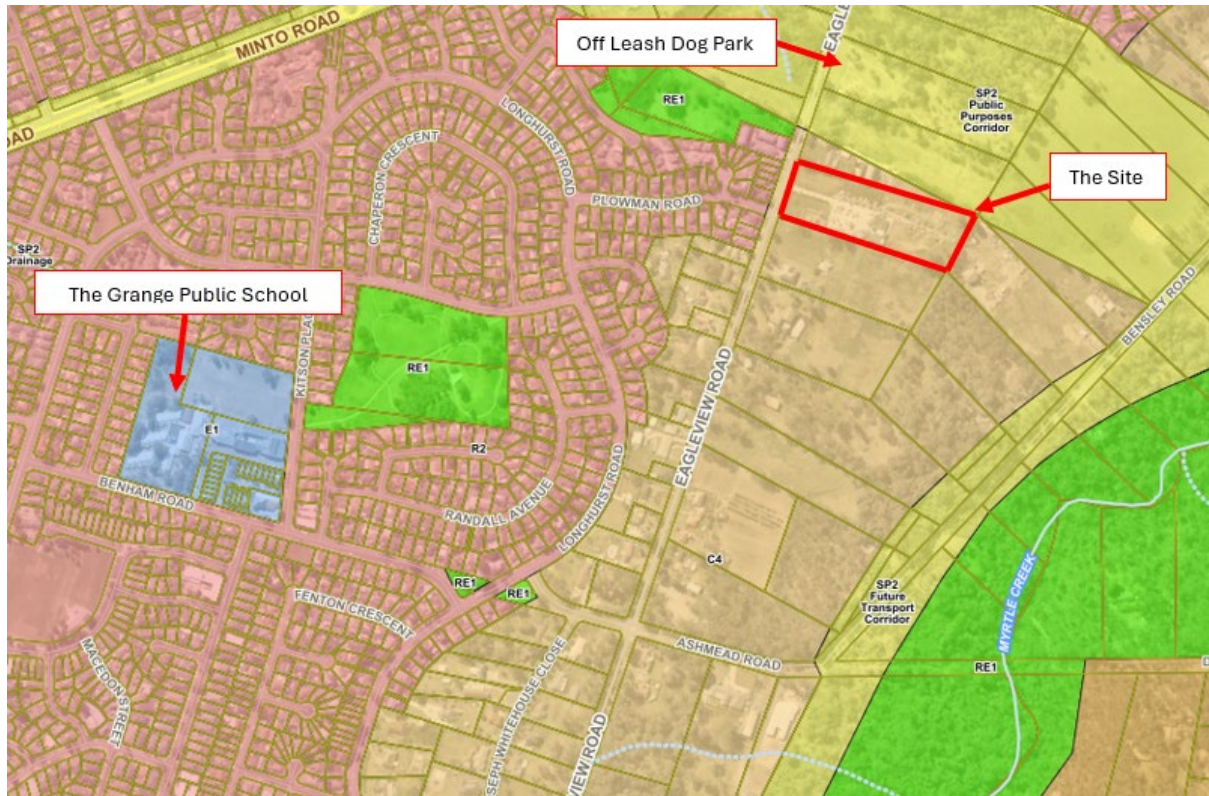
The site includes a community centre, residential dwelling, carport and a storage room. The remaining site area is largely either formalised concrete car park or grassland, with some formal landscaping and native trees.



**Figure 1: Subject Site**

Surrounding the site are rural residential lots to the south and east, R2 – Low Density Residential zoned land to the west and an SP2 – Public Purposes Corridor to the north. The public purposes corridor also includes an off-leash dog park.

Minto Mall, Minto Railway Station, and two schools are located 3 kms to the southwest. Figure 2 shows the current zoning map.



**Figure 2: Zoning of subject site and the vicinity**

## Background

On 1 June 2018, Council approved alterations and additions to the existing building on the site to be used as a 'community facility', known as the Australian Muslim Welfare Centre (AMWC).

There has been a long history of compliance action taken by Council and there is currently a matter before the Land and Environment Court.

On 27 November 2023, a Planning Proposal Request was lodged by GLN Planning Pty Ltd which sought to amend the CLEP 2015 to:

- permit 'places of public worship' as an additional permitted use with consent under Schedule 1 of the CLEP 2015; and
- include the site on the 'additional permitted uses' map under CLEP 2015.

In 2012, Council granted development consent (DA No. 2118/2011/DA-0) for the construction of an outbuilding on the site, for use as a craft studio. The development consent included the following conditions:



- The use of the craft studio was limited to a maximum of 5 people.
- The hours of operation were restricted to between 9 am and 5 pm Monday to Friday, and 9 am to 1 pm on Saturdays.
- The use of the site for any purpose other than a craft studio, including a religious establishment, was confirmed as not permissible.

On 7 June 2018, Council granted a new development consent (DA No. 3587/2017/DA-C) for alterations and additions to the existing outbuilding for use as a community facility. Under this consent, the following main conditions were imposed:

- Occupancy at the site for events and gatherings was capped at 50 people for regular weekly activities.
- A maximum of 150 people was permitted 12 times a year for infrequent events such as birthday parties.
- It was confirmed that the use of the site as a place of public worship, educational establishment, or any other land use not specified by that development consent is not permissible on the site.

On 19 October 2023, a modification application (3587/2017/DA-C/A) was submitted to Council seeking to:

- increase the maximum attendance at the site for regular weekly activities from 50 to 100 people.
- increase the maximum attendance for larger events at the premises on Friday, Saturday and Sunday from 100 to 220 people (maximum of 2 gatherings a day with a minimum one-hour gap between each event).
- construct an awning at the rear of the community facility.
- alter and upgrade the car park to increase the amount of parking available on site.
- construct a 1.8 m fence along the Northern, Eastern and Southern boundaries for noise attenuation.

The modification application was approved on 11 July 2024.

On 22 May 2024, the Planning Proposal was considered by the Campbelltown Local Planning Panel (LPP). At the LPP meeting, the Panel identified the need for more information to assess the impact, intensity, and frequency of the proposed use. The applicant was asked to provide more information on the following: the intensity and frequency of the site, traffic and residential amenities, car parking, and public safety.

A Traffic and Transport Assessment Report was lodged on 16 July 2024, in response to the request of the Local Planning Panel. To address the concerns raised around traffic and parking for the site, additional information was provided including a design concept showing entry to the site from the roundabout at the intersection of Eagleview Road and Plowman Road and exit from the existing entry point on Eagleview Road. This information was sufficient to demonstrate that there are potential solutions to the traffic issues, although is not confirmed as the final solution. The final solution would be determined as part of any future development application for a place of public worship.

## **Part 1 – Objectives or intended outcomes**

The objectives and intended outcomes of the Planning Proposal will be achieved by amending the CLEP 2015 to add a 'place of public worship' as an additional permitted use under Schedule 1 for 13 – 17 Eagleview Road, Minto.

### **Objective**

#### **The objective of the Planning Proposal is to:**

- add a 'place of public worship' as an additional permitted use under Schedule 1 of CLEP 2015 for the subject site; and
- add the site within the 'Additional Permitted Uses' map under CLEP 2015.

The proposed amendments need to be facilitated via the Planning Proposal process in order to achieve the desired outcome.

The proposed mapping is identified in Part 4 of this Planning Proposal document.

## **Part 2 – Explanation of Provision**

This section provides a detailed statement of how the objectives or intended outcomes will be achieved by amending an existing LEP.

### **Intended Provisions**

The objectives can be achieved by adding a new clause under Schedule 1 – Additional Permitted Uses of CLEP 2015 and amending the 'additional permitted uses' map to include the site.

This would involve adding a clause under Schedule 1 which states that 13-17 Eagleview Road, Minto can be used for the purpose of a 'public place of worship' with consent. Further, the 'additional permitted uses' map would subsequently be updated to identify the site as including an additional permitted use.

The proposed draft clause to be added is outlined below.

### **Schedule 1 – Campbelltown Local Environmental Plan 2015**

*Clause XX Use of certain land at 13-17 Eagleview Road, Minto*

- (1) This clause applies to land at 13-17 Eagleview Road, Minto, being Lot 7, DP 39165.*
- (2) Development for the purpose of a place of public worship is permitted with development consent.*

## **Part 3 – Justification**

### **3.1 Strategic Merit**

The Planning Proposal seeks to include 'place of public worship' as an additional permitted use under Schedule 1 of CLEP 2015. The proposal is considered to have site-specific merits for the following reasons:

- The site has sufficient area (over 2 ha) to accommodate a place of public worship.
- While the site contains a small portion of significant vegetation that is mapped for conservation, there is no direct impact on vegetation from allowing the site to be used as a place of public worship.
- The site can accommodate all the required off-street parking.
- It has been demonstrated that there are potential solutions to traffic concerns, with the final design to be confirmed through the development application process.
- Other potential concerns relating to future site operations can be addressed through development consent conditions related to limiting the number of patrons, requiring signage to prevent inappropriate on-street parking, and regulating operating hours to mitigate impacts on neighbouring residential properties.

### **Section A – Need for the planning proposal**

#### **1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?**

No.

The Planning Proposal has not been prepared as a result of any strategic study or report. The Planning Proposal is a result of a planning proposal request initiated by the applicant. However, the proposal is considered appropriate given its comparable environmental impacts similar to other uses permissible at the site (i.e. childcare centre, community facilities).

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

Yes.

The Planning Proposal is the best way to achieve the intended outcomes and objectives.

## **Section B – Relationship to strategic planning framework**

### **3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes.

The Planning Proposal is not inconsistent with the relevant objectives and actions outlined in the *Greater Sydney Regional Plan* and the *Western City District Plan*.

#### **Greater Sydney Region Plan**

The Greater Sydney Region Plan provides a framework for the predicted growth in Greater Sydney. The plan identifies key goals of delivering a metropolis of three 30-minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

The following priorities of the Greater Sydney Region Plan have been identified for this Planning Proposal:

- Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods

The Planning Proposal will support a growing community by enabling a place of public worship. The Planning Proposal will also assist in providing the local community and neighbourhoods with culturally rich and diverse opportunities.

#### **Western City District Plan**

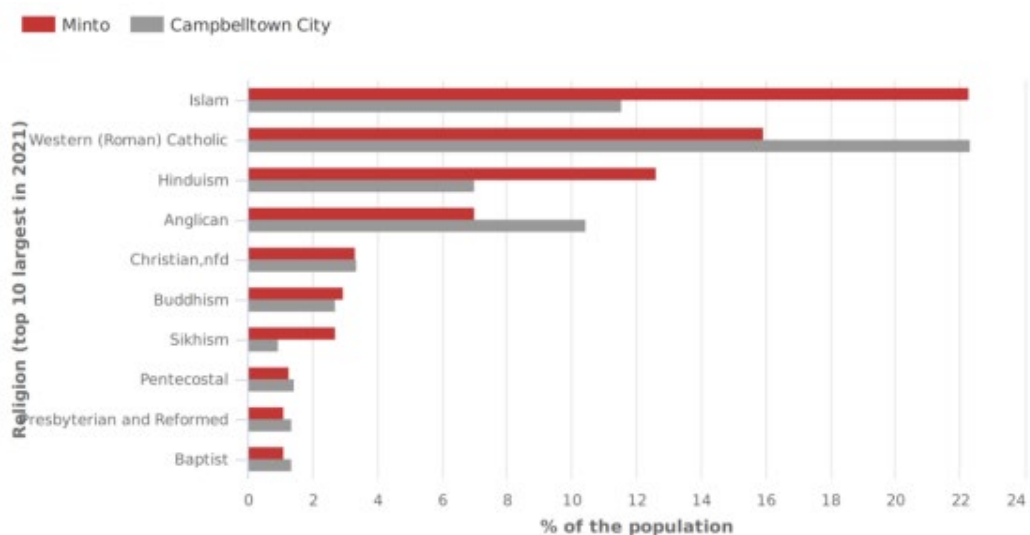
The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan. The plan provides guidance in relation to job creation, housing supply and sustainability.

The following priorities of the Western City District Plan have been identified for this Planning Proposal:

- Objective 6: Services and infrastructure meet communities' changing needs.
- Objective 7: Communities are healthy, resilient and socially connected.

The Planning Proposal, by adding an additional use to the site, will meet the needs of a growing community. This includes the changes and supporting needs of the Muslim community. According to the 2021 census, the largest religious group within Minto was Islam with 22.3 per cent – refer to Figure 3.

The addition of an additional permitted use to the already approved community facility will directly contribute to the above objective, enabling stronger social bonds and engagement. The proposed additional use is consistent with the rural metropolitan character of the surrounding neighbourhood and consistent with other uses already permitted in the zone (i.e., childcare centre, community centre).



Source: Profile ID, ABS Census 2021

**Figure 3 – ABS Census 2021 – Minto Religious affiliation**

Currently, the permissibility of places of public worship across the Western City District within the C4 zones is varied.

Below is a comparison of Local Government Areas (LGA).

Comparison – Are Places of Public Worship Permissible in the C4 Zone in WCD?								
LGA	Campbell town	Camden	Fairfield	Liverpool	Hawkesbury	Penrith	Wollondilly	Blue Mountains
Permissible?	No	No	N/A	N/A	Yes	Yes	No	No

**Figure 4 – Comparison of LGAs – Permissibility of Place of Public Worship in C4 zone**

As per Figure 4, places of public worship are not permissible in C4 zoned land in Campbelltown, Camden, Wollondilly, and Blue Mountains local government areas.

Penrith and Hawkesbury Councils permit places of public worship with development consent in the C4 Environmental Living zone.

Fairfield and Liverpool councils do not have a C4 – Environmental Living zone in their Local Environmental Plans.

#### **4. Is the planning proposal consistent with Council's LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?**

Yes.

The Planning Proposal is not inconsistent with *Campbelltown Local Strategic Planning Statement* and *Campbelltown Community Strategic Plan*.



## **Campbelltown Community Strategic Plan – Campbelltown 2032**

The *Campbelltown Community Strategic Plan* (CSP) outlines the strategic direction of Council for a 10-year period based on the feedback of the local community and research on successful and resilient communities. The CSP represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions. The CSP has been structured to address key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and belonging,
- Outcome 2: Places for people,
- Outcome 3: Enriched natural environment,
- Outcome 4: Economic prosperity, and
- Outcome 5: Strong leadership.

These outcomes will be achieved through the implementation of strategies identified within the CSP. The following outcomes are considered the most relevant in the consideration of this Planning Proposal:

- 1.1 A proud and inclusive community
- 2.1 Public spaces and facilities

The Planning Proposal is considered consistent with the above outcomes.

## **Campbelltown Local Strategic Planning Statement (LSPS)**

The Planning Proposal is consistent with the *Campbelltown Local Strategic Planning Statement* (LSPS) and will assist with providing a place of public worship for a growing community.

The LSPS identified the site as being a 'Potential Transition Area' as shown in Figure 4. The LSPS defines an area of potential transition as 'parcels of land zoned E4 (note since the LSPS was drafted the zone has changed to C4), where some modest reduction of lot size (2ha to 1ha) could be possible under the existing provisions of Campbelltown LEP, 2015 subject to specified criteria being met. This planning proposal does not seek any alteration to the minimum lot size.

The use of the site as a community facility and potential use as a place of public worship are appropriate for these larger lot sizes which provide space for separation from neighbours and car parking.



**Figure 5 – Structure Plan**

A number of actions within the LSPS are relevant to the proposal, and an assessment of the Planning Proposal against these actions are contained in Table 1 below:

LSPS Priorities	
Theme 1 – A vibrant, liveable city	
Priority	Response
Priority 4: Celebrating the arts and culture	The Planning Proposal meets the need of the growing Muslim community by providing a place of public worship to celebrate their culture and religion. The Planning Proposal would facilitate a cultural facility in the form of a place of worship not dissimilar to the community facility already approved on site.
Theme 2 – A Respected and Protected Natural Environment	
Priority 6: Respecting and protecting our natural assets	This site is constrained by biodiversity values in the southeastern corner. The proposal to include 'a place of public

	worship' as a permissible use for the site will not impact biodiversity values on the site as the future development could easily avoid this part of the site.
<b>Theme 4 – A successful city</b>	
Priority 14: Ensuring infrastructure aligns with growth	The site already benefits from existing infrastructure. Information has been provided demonstrating that there are potential solutions to traffic concerns for access to and egress from the site.

**Table 1: Assessment against the relevant LSPS**

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

Further detailed assessment against other State and regional studies or strategies beyond what has already been considered is not deemed necessary.

**6. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal has been reviewed against the provisions of relevant State Environmental Planning Policies (SEPPs) – refer to Table 2

<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP (Biodiversity and Conservation) 2021	<p>The site includes a portion of biodiversity land on the southeastern corner of the site. The proposal to include 'a place of public worship' as a permissible use for the site will not impact biodiversity values on the site as this small part of the site is easily avoided.</p> <p>Consideration of biodiversity will occur if a future development application is submitted for the expansion of the footprint of the existing buildings on site.</p>
Chapter 2 – Vegetation in non-rural areas	<p>This chapter is applicable to the Planning Proposal as the site is zoned C4 – Environmental Living.</p> <p>The inclusion of an additional use for the site does not result in the clearing of native vegetation zoned for urban purposes. The</p>

State Environmental Planning Policies	Comment
	<p>proposal is not linked to a development application (DA). As per the Department of Planning, Housing and Infrastructure Vegetation SEPP Frequently Asked Questions for Council, this part of the B&amp;C SEPP applies to clearing of vegetation that occurs outside of a development consent.</p>
Chapter 4 – Koala Habitat Protection 2021	<p>This chapter of the B&amp;C SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for <i>Phascolarctos cinereus</i> (Koala) 'to support a permanent free-living population over their present range and reverses the current trend of Koala population decline' (clause 4.1).</p> <p>The site contains a small area in the southeast corner that contains 'potential koala habitat'.</p> <p>Any future development of the site would need to consider this and be consistent with the approved Campbelltown Koala Plan of Management adopted for Campbelltown LGA. The proposed amendment to Schedule 1 does not impact on Koalas habitat within the area. The current use of the site avoids any impact on this area and it anticipated that future use as a place of public worship could do the same.</p>
SEPP (Exempt and Complying Development Codes) 2008	Exempt and complying development under the SEPP will continue to apply as relevant to the individual site.
SEPP (Housing) 2021	The Planning Proposal does not include any provisions which impede the operation of this SEPP over the site. This SEPP will apply to any future DAs that relate to build form on the Site.
SEPP (Industry and Employment) 2021	Not Applicable.

State Environmental Planning Policies	Comment
SEPP (Planning Systems) 2021	The Planning Proposal does not include any provisions which impede the operation of this SEPP over the site.
SEPP (Precincts – Central River City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Eastern Harbour City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Western Parkland City) 2021	Not relevant to the Proposal.
SEPP (Primary Production) 2021	Not relevant to the Proposal.
SEPP (Resilience and Hazards) 2021	Not relevant to the Proposal.
SEPP (Resources and Energy) 2021	Not relevant to the Proposal.
SEPP (Sustainable Buildings) 2022	The Planning Proposal does not include any provisions which impede the operation of this SEPP over the site. This SEPP will apply to any future DAs on the site for built form.
SEPP (Transport and Infrastructure) 2021	Chapter 2 Infrastructure.  This chapter aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development. The additional permitted use does not alter the operation of this SEPP.

**Table 2: Assessment against the relevant SEPP**

**7. Is the planning proposal consistent with applicable Local Planning Directions (previously known as Ministerial Directions) (s9.1 directions) or key government priority?**

The Minister for Planning and Environment issues Local Planning Directions that Councils must follow when preparing a PP. This Planning Proposal is generally consistent with the Section 9.1 direction – refer to Table 3.

Consideration of s9.1 Directions	Comment
<b>Focus Area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	Consistent.

Consideration of s9.1 Directions	Comment
	The site is located within the Western Parkland City. This document provides high level overarching guidance on the strategy for Greater Sydney. This proposal to include an additional permitted use at the site, would not preclude the outcomes of the Greater Sydney Region Plan from being achieved.
1.2 Development of Aboriginal Land Council land	Not relevant to the Proposal.
1.3 Approval and Referral Requirements	Consistent.  No new referral or concurrence conditions are proposed.
1.4 Site Specific Provisions	Consistent.  The Planning Proposal would enable a public place of worship as an additional permitted use within the site, as such it is consistent with section 1.4 1 C with this direction : Direction 1.4 (1) C states: A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.  No other site-specific provisions are proposed which would control or limit this land use form being achieved over the site.
1.4A Exclusion of Development Standards from Variation	Not relevant to the Proposal.
<b>Focus Area 1: Planning Systems – Place-based</b>	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not relevant to the Proposal.



<b>Consideration of s9.1 Directions</b>	<b>Comment</b>
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not relevant to the Proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use Infrastructure and Implementation Plan	Not relevant to the Proposal.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not relevant to the Proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not relevant to the Proposal.
1.10 Implementation of Western Sydney Aerotropolis	Not relevant to the Proposal.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not relevant to the Proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not relevant to the Proposal.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant to the Proposal.
1.14 Implementation of Greater Macarthur 2040	<p>Consistent.</p> <p>This proposal to include an additional permitted use at the site, would not prevent the outcomes of Greater Macarthur 2040 being achieved. This includes environmental considerations for vegetation and koalas, tree canopy coverage and consideration of bushfire risk.</p>
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not relevant to the Proposal.
1.16 North West Rail Link Corridor Strategy	Not relevant to the Proposal.
1.17 Implementation of the Bays West Place Strategy	Not relevant to the Proposal.

Consideration of s9.1 Directions	Comment
1.18 Implementation of the Macquarie Park Innovation Precinct	Not relevant to the Proposal.
1.19 Implementation of the Westmead Place Strategy	Not relevant to the Proposal.
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not relevant to the Proposal.
1.21 Implementation of South West Growth Area Structure Plan	Not relevant to the Proposal.
1.22 Implementation of the Cherrybrook Station Place Strategy	Not relevant to the Proposal.
<b>Focus Area 2</b>	
Design and Place	Not relevant to the Proposal.
<b>Focus Area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zones	<p>Consistent.</p> <p>The site is zoned C4 - Environmental Living under CLEP 2015. This Planning Proposal does not propose to alter this zoning. Further, there is already protection afforded to environmental sensitive areas through the biodiversity values map which applies to an isolated area in the southeast corner of the site.</p>
3.2 Heritage Conservation	<p>Consistent.</p> <p>The Planning Proposal does not propose amendments to the LEP clause or maps relating to Heritage. All future DAs submitted will be required to comply with the relevant provisions of the LEP, <i>National Parks and Wildlife Act 1974 and Heritage Act 1977</i></p> <p>The site is not identified as having local or state heritage significance.</p>
3.3 Sydney Drinking Water Catchments	Not relevant to the Proposal.

Consideration of s9.1 Directions	Comment
3.4 Application of C2 and C3 zones and Environmental Overlays in Far North Coast LEPs	Not relevant to the Proposal.
3.5 Recreation Vehicle Areas	Not relevant to the Proposal.
3.6 Strategic Conservation Planning	Not relevant to the Proposal.
3.7 Public Bushland	Not relevant to the Proposal.
3.8 Willandra Lakes Region	Not relevant to the Proposal.
3.9 Sydney Harbour Foreshores and Waterways Area	Not relevant to the Proposal.
3.10 Water Catchment Protection	Not relevant to the Proposal.
<b>Focus Area 4: Resilience and Hazards</b>	
4.1 Flooding	Not relevant to the Proposal.
4.2 Coastal Management	Not relevant to the Proposal.
4.3 Planning for Bushfire Protection	<p>Consistent.</p> <p>The land is mapped as bushfire prone land. The Planning Proposal does not propose any physical changes to any part of the site. Any future application to amend the land use or undertake works would need to undertake an assessment against planning for bushfire protection. The use of the site as a place of public worship is not a special fire protection purpose and would not require a bush fire safety authority under the <i>Rural Fires Act 1997</i>.</p>
4.4 Remediation of Contaminated Land	<p>Consistent.</p> <p>The land use zone is not proposed to be amended under this Planning Proposal. The site has previously been determined to be suitable for community type uses.</p>
4.5 Acid Sulfate Soils	Not relevant to the Proposal.
4.6 Mine Subsidence and Unstable Land	Not relevant to the Proposal.

Consideration of s9.1 Directions	Comment
<b>Focus Area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	Not relevant to the Proposal.
5.2 Reserving Land for Public Purposes	Not relevant to the Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	Not relevant to the Proposal.
5.4 Shooting Ranges	Not relevant to the Proposal.
<b>Focus Area 6: Housing</b>	
6.1 Residential Zones	Not relevant to the Proposal.
6.2 Caravan Parks and Manufactured Home Estates	Not relevant to the Proposal.
<b>Focus Area 7: Industry and Employment</b>	
7.1 Employment Zones	Not relevant to the Proposal.
7.2 Reduction in non-hosted short-term rental accommodation period	Not relevant to the Proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant to the Proposal.
<b>Focus Area 8: Resources and Energy</b>	
8.1 Mining, Petroleum and Extractive Industries	Not relevant to the Proposal.
<b>Focus Area 9: Primary Production</b>	
9.1 Rural Zones	Not relevant to the Proposal.
9.2 Rural Lands	Not relevant to the Proposal.
9.3 Oyster Aquaculture	Not relevant to the Proposal.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	Not relevant to the Proposal.

**Table 3: Assessment against the relevant Local Planning Directions**

## Section C – Environmental, social and economic impact

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

No.

However, the site contains an isolated area of mapped as terrestrial biodiversity in the southeastern corner of the site, which protects the threatened ecological community of the Cumberland Shale-Sandstone Ironbark Forest and core Koala Habitat located in the southeast corner of the property – refer to Figure 4. This area is capable of being managed and protected as part of any future DA and this would not preclude development over the site including a change of use to a 'place of public worship' following the proposed amendment to the LEP under this Planning Proposal.

A small part of the site is mapped as potential koala habitat. Any future development of the site would need to avoid this area to be consistent with the approved Koala Plan of Management adopted by Council.

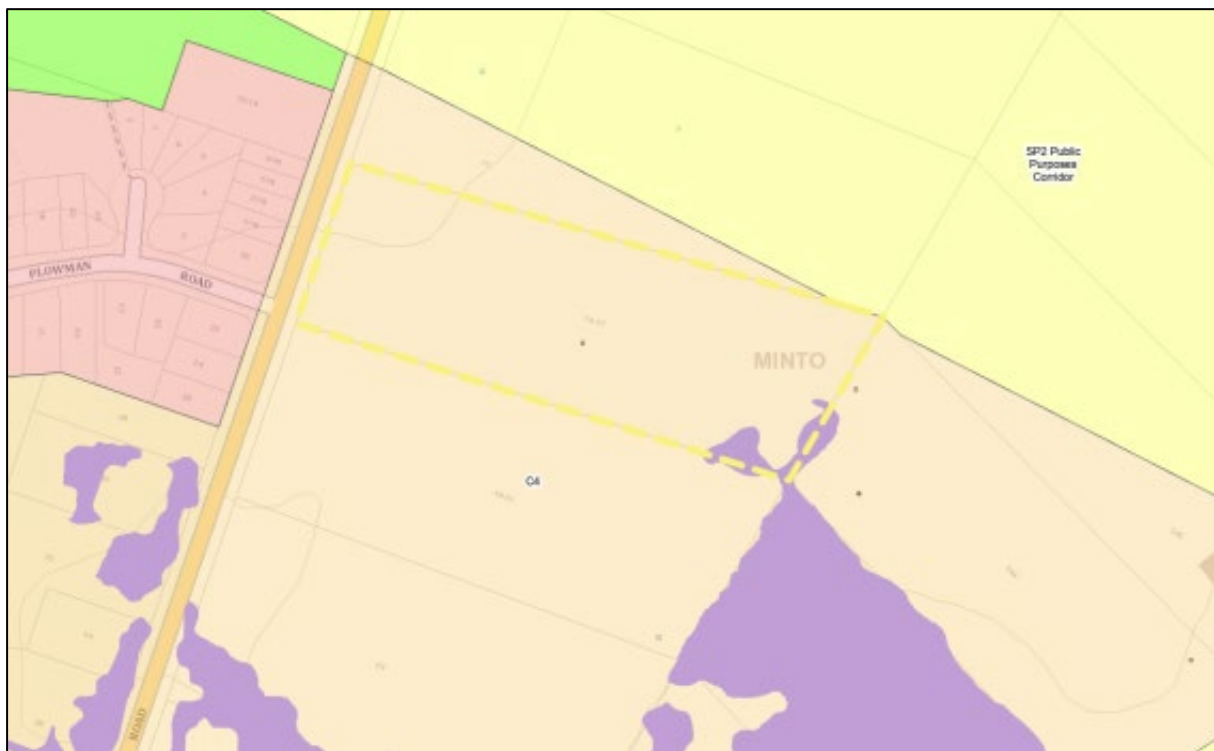


Figure 6 – Biodiversity Map of Site

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

No.

The site is unlikely to result in significant additional environmental effects beyond those already considered for the community centre.

The site is mapped as bushfire prone land. A 'place of public worship' is not considered a 'special fire protection purpose' which would require approval under the *Rural Fires Act 1997*. Notwithstanding, appropriate consideration will need to be given to emergency evacuation routes and or building materials and infrastructure to protect the site as part of any future development application. This would be prepared by a specialist bushfire consultant.

#### **10. Has the planning proposal adequately addressed any social and economic effects?**

Yes, the planning proposal will have a positive social impact by providing an additional land use that will enable a public place of worship to be permitted with consent at the site. The additional use of the site will support social interactions within the Muslim community and will provide a facility for a growing community in Minto.

### **Section D – State and Commonwealth Interests**

#### **11. Is there adequate public infrastructure for the planning proposal?**

Yes.

There is adequate public infrastructure in place to support this proposal used. As part of the community centre approved over the site, the site was installed with water and sewer electricity and telecommunications connections to ensure the site was capable of supporting the community centre. The same connections would be used for a place of public worship.

- **Traffic**

A traffic assessment report was prepared by Arc Traffic + Transport which identified that further work will need to be undertaken at the development assessment stage, including evaluating the impact of potential increased traffic at the Plowman and Eagleview Road intersection (roundabout) during cultural events and on Fridays between 11 am and 3 pm.

A preliminary design concept for site access was prepared by Genesis Traffic, detailing a potential use of the roundabout in accordance with relevant Australian Standards to improve local traffic circulation.

Additional traffic assessments and design work will need to be conducted at the development application phase to ensure safe and efficient access to and egress from the site.

#### **12. What are the views of the State and Federal public authorities and government agencies consulted in order to inform the Gateway Determination?**

Consultation with state and federal public authorities and government agencies has not yet been undertaken. Consultation will occur with public authorities identified in the Gateway Determination. It is unlikely that any commonwealth agencies will need to be consulted for this Planning Proposal.



## Part 4 – Mapping

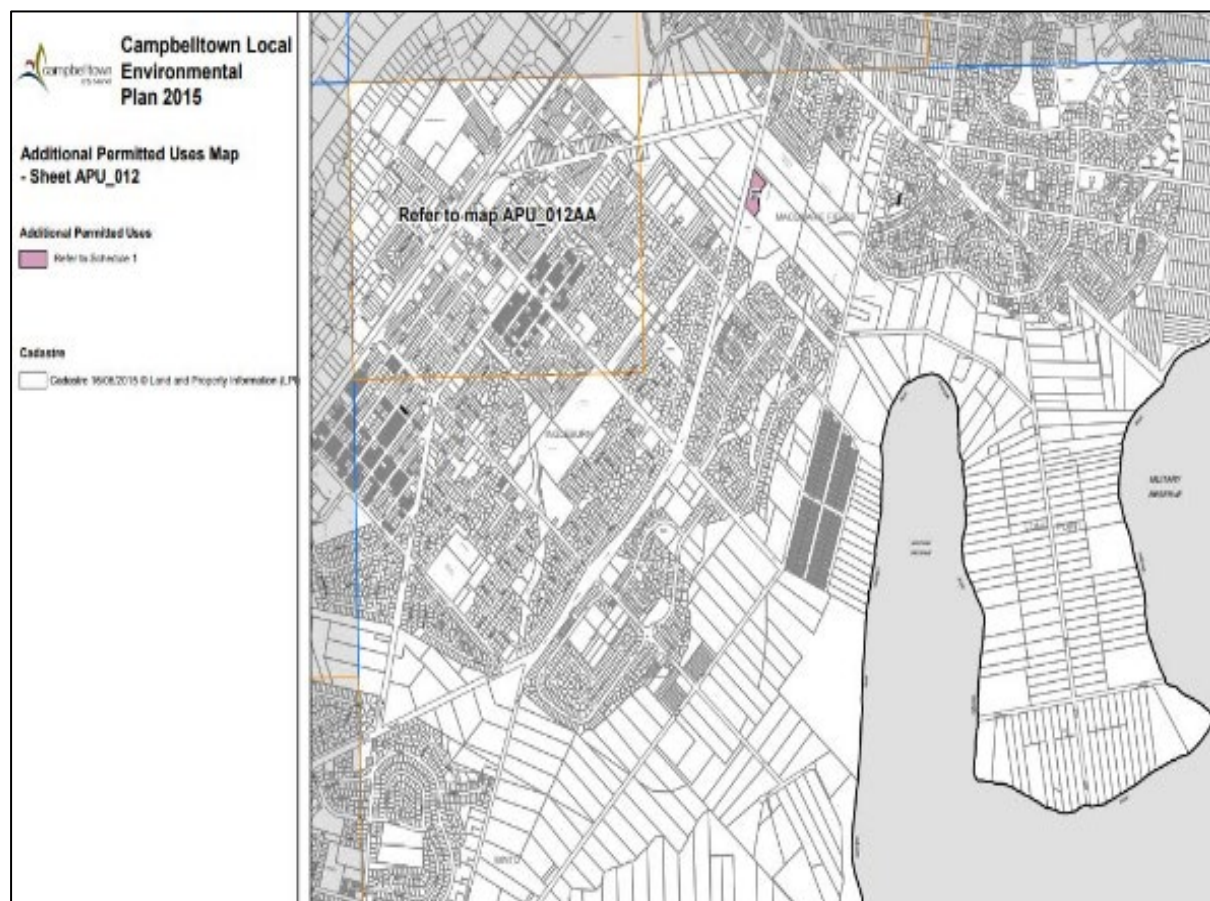
The Planning Proposal seeks to amend the following map in CLEP 2015:

Map	No	Requested Amendment
Additional Permitted Uses	Tile number 012	Amend the Additional Permitted Uses map by applying an overlay for 13-17 Eagleview Road, Minto (Lot 7 DP 39165).

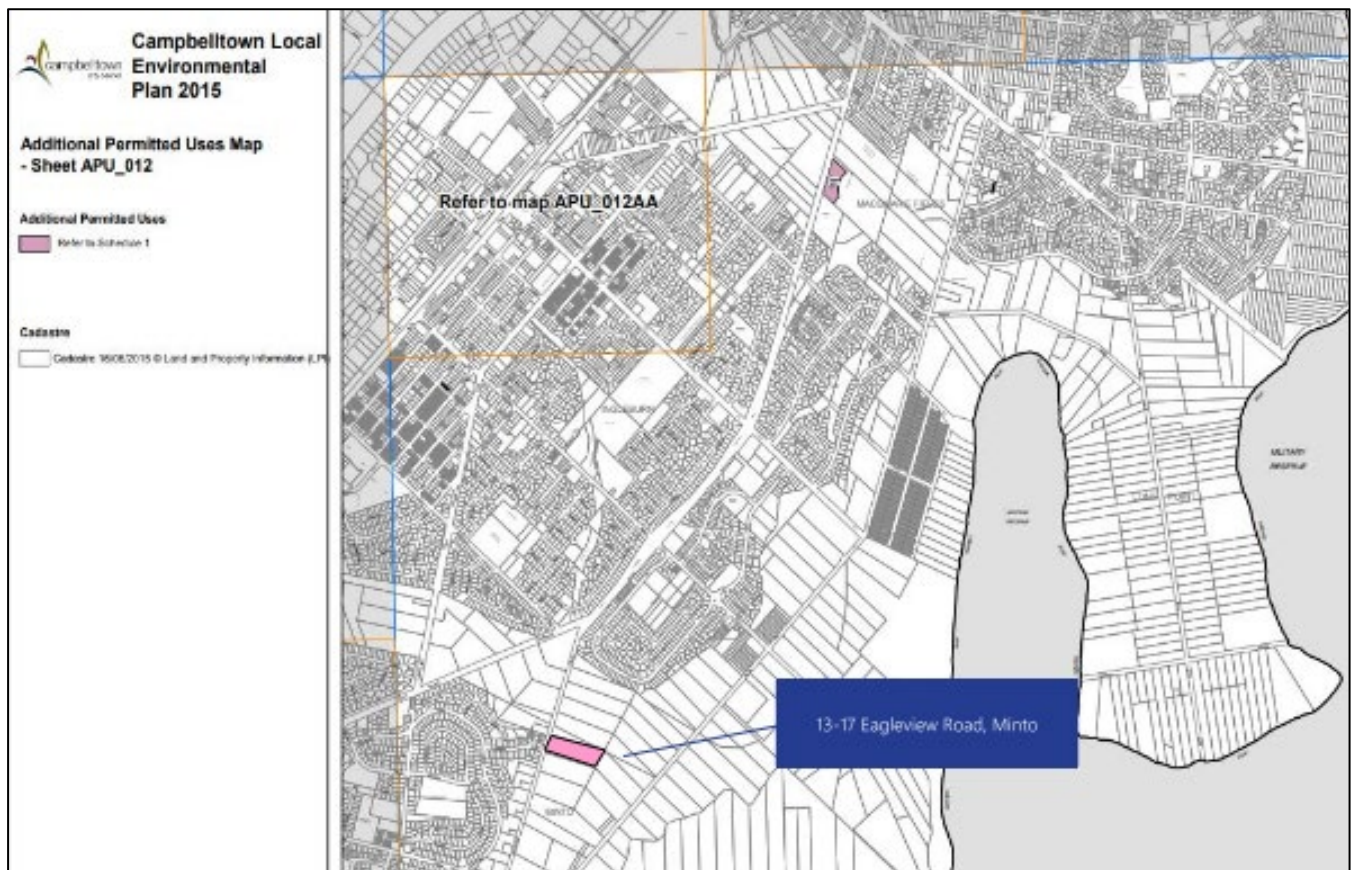
**Table 4: Mapping change**

The current and proposed maps are identified below in figure 7 and 8.

**Figure 7 – Current Map**



**Figure 8 – Proposed Map**



## Part 5 – Community consultation

The Planning Proposal will be submitted to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination. If a Gateway Determination is issued by the DPHI, the Planning Proposal will be exhibited for the period outlined in the Gateway Determination.

Public exhibition of the draft Planning Proposal will include:

- Exhibition on Council's website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)).
- Availability on the NSW Planning Portal website ([www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au)).
- Copies of the Planning Proposal being available at Council's Administration Building at 91 Queen Street, Campbelltown.

### 5.1 Campbelltown Local Planning Panel Comments

The Planning Proposal was considered by the Campbelltown Local Planning Panel (LPP) at its meeting held on 22 May 2024.

The following responses are provided below in relation to comments raised by the LPP in Figure 12 below.

LPP Comments/Minutes	Response
The Panel notes that there are 3 places of public worship that have historically been approved within the C4 Environmental Living zone by way of additional permitted uses under Schedule 1 of the CLEP 2015.	The 3 approved places of public worship were all in existence prior to the commencement of CLEP 2015.
The Panel notes the contents of the report and the Planning Proposal to amend the CLEP 2015.	Noted.
The Panel notes that the Planning Proposal would provide a facility for the local community.	Noted.
The Panel considered the Planning Proposal and the Council report and considered that the Planning Proposal submitted required further work and additional information to address the potential impacts and the intensity and frequency of the use on the local area. Further justification should be provided that the C4 zone and the site in this case is appropriate and suitable for the use and to ensure there is site specific merit for the proposal. Consideration needs to be	<u>Intensity and frequency</u>  The applicant has indicated that any future use of the site as a place of public worship would be subject to a cap on capacity and frequency, similar to the current approved use as a community centre, which allows a maximum capacity of 220 people.  <u>Justification for the C4 Zone</u>

LPP Comments/Minutes	Response
<p>given to the provisions of specific clauses in the LEP that will preserve the environment amenity of the area and the future design.</p>	<p>Certain sites within the C4 zone have large areas with limited vegetation, making them suitable for a place of public worship without significantly impacting the residential amenity of adjoining properties. These larger sites can accommodate on-site parking and provide generous setbacks to mitigate potential noise and privacy concerns. Below is an assessment of the subject site in relation to:</p> <ul style="list-style-type: none"> <li>• Environment</li> </ul> <p>The site includes a small area of Biodiversity Value in the southeast corner and a few scattered trees. Otherwise, it is clear, with an existing community centre and associated parking already in place. Allowing a place of public worship as a permissible use on this site is not likely to result in any significant direct environmental impacts. Any future development applications will be assessed and conditioned to ensure that environmental impacts are properly addressed and managed.</p> <ul style="list-style-type: none"> <li>• Social</li> </ul> <p>The proposed use of the site as a place of public worship would provide additional opportunities for individuals to gather for the purpose of engaging in worship and by extension, socialise with one another. If adopted, the site would support congregational gatherings which in turn supports people within a known and safe context. This would have a positive and cohesive social impact on the community.</p> <ul style="list-style-type: none"> <li>• Economic</li> </ul> <p>The use of the site for a place of public worship could provide a positive economic benefit. It would provide for gatherings that bring people in from surrounding areas who may then stop within the area to shop at local businesses.</p>

LPP Comments/Minutes	Response
	<ul style="list-style-type: none"> <li>Other site-specific matters</li> </ul> <p>Other matters which have been considered to determine whether the site is suitable for use as a place of public worship include:</p> <ul style="list-style-type: none"> <li>Bushfire prone land</li> </ul> <p>The site is partially bushfire prone containing vegetation buffer and vegetation Category 3. Bushfire impacts were considered as part of the DA for the community centre with recommendations provided to support the safe occupation and use of the site. A similar exercise would occur as part of any Development Application for the use of the site as a place of public worship. Any recommendations outlined, which may consider among other things a limitation on patrons, would form a condition of any future consent.</p> <ul style="list-style-type: none"> <li>Servicing</li> </ul> <p>The site is serviced with water, sewer, electricity and telecommunications. These services were connected to support the existing community centre and lead in from Eagleview Road to the existing building. Any future use of the site for a place of public worship could use these same services.</p> <p><u>Local Provisions in the CLEP 2015</u></p> <p>Council is able to add local provisions under the CLEP 2015, however, in this instance, it is not considered necessary as it can be managed by way of other existing controls in State environmental Planning policies, the CLEP 2015 and the Campbelltown (Sustainable City) Development Control Plan which will guide the assessment of any future development application.</p>
Any potential design or environmental issues associated with the site and its future use could be addressed through changes to the	It is not considered necessary in this instance to amend the Campbelltown Sustainable City Development Control Plan

LPP Comments/Minutes	Response
DCP to provide greater planning direction e.g. a masterplan of future use and indicative layout.	(SCDCP). Part 10, <i>Places of Public Worship</i> , of the SCDCP provides sufficient development controls to ensure that environmental issues, parking and impacts on neighbouring properties are appropriately addressed and managed at the development application stage. Any future built form will be assessed through the Development Application (DA) process, with appropriate conditions of consent imposed to address impacts such as occupancy limits and parking requirements.
The Panel recommends that the applicant be invited to submit further information in regard to the matters raised above and addressed in more detail the following matters:	As below.
<b>Intensity and Frequency of Use:</b> The impact of the establishment's intensity and frequency of use on the local area should be thoroughly considered. Limits on scale, frequency, and capacity (number of users) should be included in any amendment to CLEP 2015.	Council will be able to regulate the use of the site (i.e., frequency and capacity) through any future development consent, allowing for a detailed review of impacts and conditioning the approval accordingly. The site's capacity has already been demonstrated by the approved maximum of 220 users, which aligns with anticipated impacts if used as a place of public worship. These impacts would be similar to those previously considered and approved by Council for the operation of the existing community centre.
<b>Traffic and Residential Amenity:</b> A traffic study should be conducted to assess all potential impacts on the residential amenity of the local neighbourhood and nearby neighbours	A Traffic Report was submitted to Council prepared by Arc Traffic + Transport.  In summary the Report identified that sufficient parking could be provided on site in line with the car parking rates under Council's DCP for a place of public worship. It also identified that the trip generation related to the proposed use with a capacity of up to 220 people could be accommodated within the existing local road network with spare capacity during peak periods.



LPP Comments/Minutes	Response
	<p>The Traffic Report assessed the peak hour intersection volumes for Collins Promenade and Eagleview Road based on SIDRA modelling. For this intersection both the AM and PM level of service was identified as 'B'. This means the intersections would operate at an appropriate level of service in each of the peak periods with minimal average delays, queue lengths and also having significant spare capacity.</p>
<p><b>Car Parking and Public Safety:</b> Limitations should be placed on the scale and number of users on the site at any one time to mitigate the impact on street parking and public safety risks. Patronage on the site should be controlled in the same way as that of a community centre in the same location.</p>	<p>The site is currently required to provide 120 sealed car parking spaces to cater for the 220 users of the approved community facility. Notably, under the SCDCP, the number of car parking spaces required for 220 people, if the site were to be used for a Place of Public Worship, would be 63 spaces.</p> <p>Currently, for larger events, patron numbers are managed by designating a person at the entry gate to count attendees. This person begins counting up to 30 minutes before the event starts. Once the maximum occupancy is reached, both the pedestrian and vehicle entry gates are closed, and a sign is placed at the entrance to inform people that the event has reached capacity.</p> <p>This approach could be considered in the management of the proposed Place of Public Worship as part of any future DA approval.</p>

## Part 6 – Project Timeline

Dates	Item
<b>22 May 2024</b>	Local Planning Panel advice
<b>10 December 2024</b>	Report to Council
<b>December 2024</b>	Referral to DPHI for Gateway Determination
<b>February/March 2025</b>	Gateway Determination Issued
<b>April 2025</b>	Public exhibition of Planning Proposal and referral to any required public authorities
<b>June 2025</b>	A report to Council on Submissions received
<b>July 2025</b>	Send Planning Proposal to DPHI for finalisation
<b>September 2025</b>	Making of LEP Amendment