



IRF 23/387

Gateway determination report – PP-2023-284(Camden) and PP -2023-296 (Liverpool)

Leppington Town Centre

August 23



Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Gateway determination report – PP-2023-284(Camden) and PP -2023-296 (Liverpool)

Subtitle: Leppington Town Centre

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Acknowledgment of Country

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

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Leppington Town Centre Development Control Plan Schedule 2 – Draft for consultation September 2022
Leppington Town Centre Planning Proposal (draft) June 2023
Leppington Town Centre proposed SEPP Maps September 2022
Biodiversity Conservation Assessment August 2012
Bush Fire Assessment Report August 2021
Historic Heritage Project June 2012
Historical Technical Studies commissioned by DPE - 2012
Indigenous Heritage Assessment Project June 2012
Ingleburn Road Intersections (draft) 2023
Market Demand Analysis (Final draft) April 2021
Open Space and Infrastructure Strategy September 2022

Preliminary Community Engagement Report June 2021

Social Infrastructure and Open Space Assessment September 2022

Sydney Water Sewer Capacity Advice May 2022

Town Centre Place Activation and Brand Strategy May 2022

Traffic Modelling Report (Final draft) 17 March 2022

Upper South Creek Flood Study February 2023

Urban Design and Landscape Report September 2022

Utilities Assessment September 2022

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	LGA name
PPA	Camden Council and Liverpool Council
NAME	Leppington Town Centre (10,500 homes) (11,000 jobs)
NUMBER	PP-2023-284 (Camden) PP-2023-296 (Liverpool)
LEP TO BE AMENDED	State Environmental Planning Policy (Precincts—Western Parkland City) 2021
ADDRESS	Leppington Town Centre
DESCRIPTION	Various
RECEIVED	9/02/2023
FILE NO.	IRF23/387
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal. The proposal seeks to amend the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* land use zones, planning provisions and maps for the Leppington Town Centre.

The objectives of the planning proposal seek to deliver:

- 11,000 jobs and 10,500 dwellings over the next 20 years in the Leppington Town Centre;
- 150,000m² of gross leasable retail floor space by 2041;
- 280,000m² of commercial, health, education and industrial floorspace by 2041;
- new public open spaces, including town squares north and south of the rail station;
- a new high school, selective school, and primary school; as well as expansion of the current Leppington Primary School;
- a 'pyramid' approach to density and building heights; and,
- a low carbon precinct.

The above objectives seek to address the lack of significant uptake of commercial and residential development in Leppington Centre, which has occurred since the initial rezoning in 2013 under the

former Sydney Region Growth Centres SEPP 2006. As such, the objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the State Environmental Planning Policy (Precincts—Western Parkland City) 2021, as indicated below:

Table 3 Current and proposed controls

Control	Zone	Current	Proposed
Zone	Eastern part of the centre	B7 Business Park	B4 Mixed Use R4 High Density Residential R3 Medium Density Residential B3 Commercial Core
	Middle and south of the centre	B3 Commercial Core	B4 Mixed Use R4 High Density Residential
	Northern part of the centre	B5 Business Development	B4 Mixed Use R4 High Density Residential
	Liverpool part of the centre	Nil	B4 Mixed Use
Additional permitted uses		B4 Mixed Use	Include: creative industries (artists studio's, recording studios, craft maker spaces
		B5 Business Development	Include: creative industries, technology industries, artisan food and drink.
Prohibited Use		R4 High Density Residential	Prohibit low density housing
Maximum height of the building in Liverpool LGA	Middle area B4	12m	50m
	Middle Area R4	12m	30→45m
	Frame area R3	12m	15m
Floor space ratio	B4: Inner core area	Nil	4.5:1 (5.25:1 with bonuses)

Control	Zone	Current	Proposed
	B3: Outer core	Nil	4.0:1 (4.25:1 with bonuses)
	B4: Outer core	Nil	3.5:1 (4.25:1 with bonuses)
	R4: Outer core	Nil	2.8:1 (3.3 with bonuses)
	B4: Middle area	Nil	2.8:1 (3.55:1 with bonuses) 2.5:1 (3.25:1 with bonuses)
	R4: Middle area	Nil	2.8:1 (3.3:1 with bonuses) 2.5:1 (3.0:1 with bonuses)
	R3: Frame area	Nil	1.8:1 (2.3:1 with bonuses) 1.5:1 (2:1 with bonuses) 1.2:1 (1.7:1 with bonuses)
	B5: Frame area	1:1	1.5:1
	IN2: Frame area	1:1	1.2:1
Floor Space Ratio: Commercial and active uses	Minimum commercial and active use's FSR's are proposed for mixed use development in the B4 Mixed Use zone.		
	Inner core area	Ground and first floor levels	Minimum 0.8:1
	Outer core area	Ground floor level	Minimum 0.4:1
	Middle area	Part of ground floor level	Minimum 0.2:1
Minimum lot size	Residential flat buildings, mixed use development with apartments	B4, R4, R3	1,500m ²
	Multi dwelling housing, attached dwellings	R3	1,000m ²
	Dual occupancies	R3	400m ²
	Dwelling houses	R3	300m ²
	Kiosks	R zones	100m ²

Control	Zone	Current	Proposed
Number of dwellings		Unknown	10,500
Number of jobs		Unknown	11,000
Growth Centres SEPP New – Appendix 9 Leppington Town Centre and associated DCP.	Remove Leppington Town Centre from Western Parkland City SEPP Appendix 4 (Liverpool Growth Centres Precincts)		
	Remove Leppington Town Centre from Western Parkland City SEPP Appendix 5 (Camden Growth Centres Precincts)		
	Further, the Growth Centres DCP (Schedule 2 – Leppington Major Centre) is proposed to be amended, including a draft indicative layout plan, to accommodate and support the proposed rezoning.		

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

1.4 Site description and surrounding area

Leppington Town Centre is a 440 hectare precinct located in Sydney's South West Growth Area and extends across the Camden and Liverpool Local Government Areas (LGAs).

The Camden Council portion of the Leppington Town Centre contains 181 parcels of land owned by 123 landowners or State agencies. A total of 53 ha of the precinct is in Government ownership and the largest private holding is 28 ha. in area.

The Liverpool City Council portion of the Leppington Town Centre contains 193 parcels of land, owned by 169 landowners or State agencies. State agencies hold 2.62ha of land and the largest private holding is 8.5ha. in area.

The site is largely an employment zoned business and industrial centre, with pockets of medium density residential zones.

Bringelly Road transects the north of the site, along the Camden and Liverpool LGA boundary and provides connections to Liverpool and the Western Sydney Airport (WSA).

Cowpasture Road and Camden Valley Way provide connections from Bringelly Road to Narellan and Campbelltown in the east.

To the South, Ingleburn Road separates the Leppington Town Centre from Leppington release area stages 1-5.

Central to the subject site is Leppington train station, which is accompanied by a 1,000 space commuter car park. A proposed South West Rail Link extension will form a key link between the Aerotropolis and Leppington.

Prior to a 2013 rezoning, Leppington Town Centre was comprised of rural lands with scattered patches of vegetation. Limited development since the initial rezoning has preserved view lines to the creeks, the rolling hill landscape and patches of native vegetation. The site has maintained its rural land uses under existing use rights applicable prior to 2013, rather than transitioning into the permitted urban zoning that currently applies to the site.

The following diagrams illustrate proposed density areas and land uses.

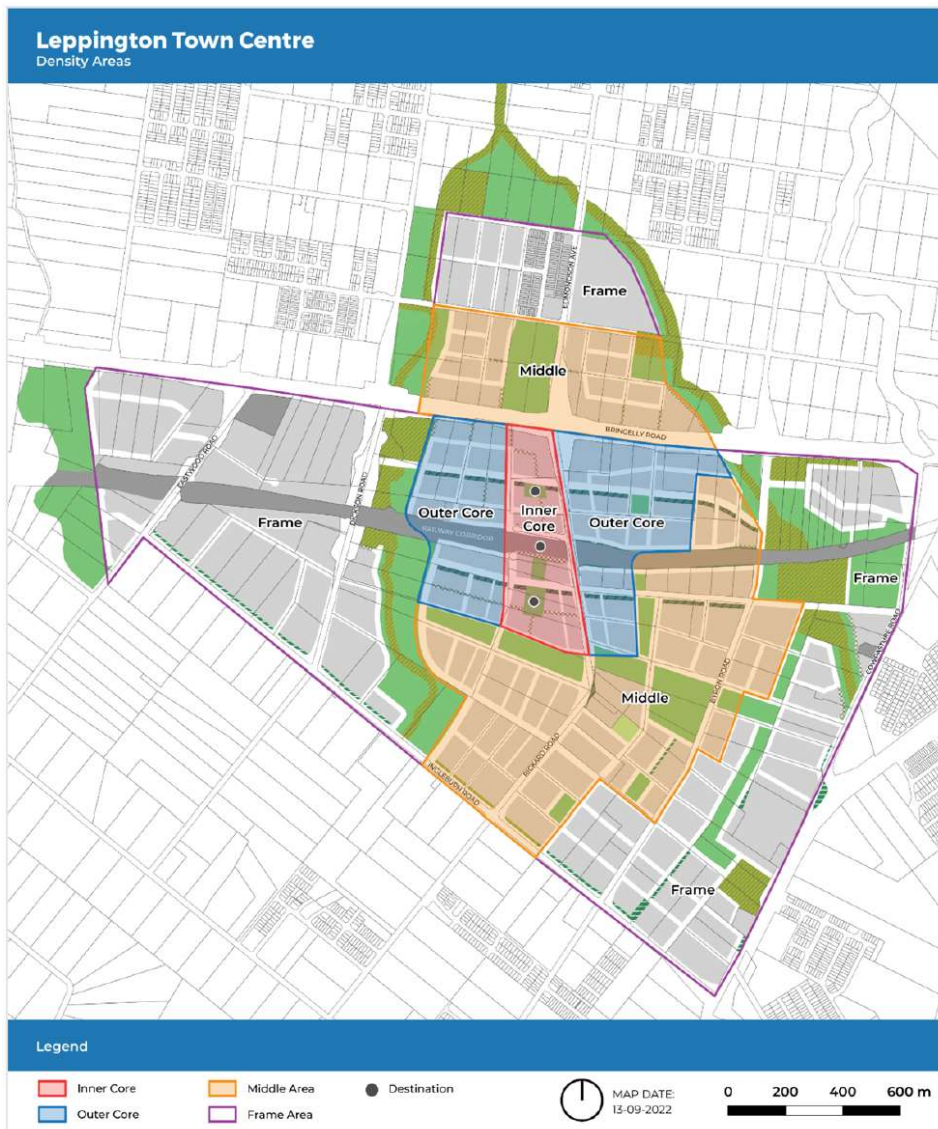


Figure 1 Leppington Town Centre Density Areas (source: planning proposal)



Figure 2 Indicative layout plan (ILP) Site context (source: planning proposal)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the following maps, which are suitable for community consultation purposes.

- Land Application Map
- Development Control Plan Map
- Precinct Boundary Map
- Indicative Layout Plan
- Land Use Zoning Map
- Floor Space Ratio Map
- Height of Building Map
- Land Reservation Acquisition Map
- Residential Density Map

In addition, the following new maps are proposed, in relation to proposed local provisions for the Town Centre precinct:

- Commercial and Active Uses Floor Space Map
- Public Realm Excellence Area Map

It is noted that the Local Plan Making Guidelines advise current mapping should be included in planning proposals. A condition is recommended for the councils to include current mapping in the planning proposal prior to exhibition.

1.6 Background

Date	Action/Description	By who
Dec 2019	<p>Planning review for the Leppington Town Centre was returned to Camden Council, in association with Liverpool Council, to progress as part of the 'New Approach to Precincts' announcement.</p> <p>The Camden Precincts Collaboration Group was established to coordinate Council and agency involvement.</p>	The Department of Planning and Environment (DPE)
10/6/2021	DPE provided funding to Camden Council to assist with preparing the Leppington Town Centre Planning Proposal.	DPE
17/11/2022	Initial planning proposal lodged by Camden Council (PP-2022-4033)	Camden Council
18/11/2022	Initial planning proposal lodged by Liverpool City Council (PP-2022-4045)	Liverpool City Council
19/12/2022	<p>Each Council was notified by letter that the outcome of the Gateway assessment was 'resubmission' for the following reasons:</p> <p>There were outstanding matters to be resolved with:</p> <ul style="list-style-type: none"> • Transport for NSW: the proposed extension of Byron Road to Bringelly Road, and access arrangements to Browns Road; • Schools Infrastructure NSW: the proposed location of a public high school and a selective high school; and • Sydney Water: serviceability and timing of the Upper South Creek Advanced Water Recycling Facility. <p>Further, in response to the recommendations of the independent 2022 NSW Flood Inquiry, the councils were requested to clarify:</p> <ul style="list-style-type: none"> • in existing residential areas within the PMF, whether there are any proposed increases to those residential yields; and 	DPE

	<ul style="list-style-type: none"> whether there are there any new proposed residential areas in the PMF. 	
09/02/2023	Camden Council resubmitted the revised planning proposal (PP-2023-284)	Camden Council
10/02/2023	Liverpool City Council resubmitted the revised planning proposal (PP-2023-296)	Liverpool City Council

2 Need for the planning proposal

A planning proposal is the only method of amending the appendixes, planning controls and maps in State Environmental Planning Policy (Precincts—Western Parkland City) 2021.

No alternative method is available to achieve these objectives.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Metropolis of Three Cities Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 11 Housing is more diverse and affordable	<p>Consistent: The proposal proposes an incentive provision and sufficient heights to achieve 3% affordable housing in accordance with Council's targets.</p> <p>Bonus FSRs have been introduced in order to incentivise the provision of affordable housing within Leppington Town Centre.</p> <p>The Planning Proposal proposes the provision of 10,000 apartments and 500-1,000 townhouses in order to increase the diversity of housing within the Leppington Town Centre.</p> <p>It is noted that the planning proposal does not meet the targets for affordable housing of 5-10% referred to within the Regional Plan. This shortfall is justified by an economic analysis prepared to support the planning proposal.</p>
Objective 13 Environmental heritage is identified, conserved and enhanced	<p>Consistent: The proposal seeks to preserve significant biodiversity within the 3 riparian zones.</p>

Objective 15 The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	Consistent: providing an extension of the rail line from Leppington to the Badgerys Creek Aerotropolis and Western Sydney Airport
Objective 26: A cool and green parkland city in the South Creek corridor	Consistent: The Planning Proposal seeks to utilise the South Creek watercourse corridor that traverses Leppington Town Centre.
Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Consistent: Leppington is an urban zoned land area. The proposal seeks to preserve significant biodiversity within three (3) riparian zones.
Objective 31 Public open space is accessible, protected and enhanced	Consistent: Green grids will be developed, providing 81.4 hectares of public open space.
Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	Consistent: Public open space will adjoin the Kemps Creek, Scalabrini Creek and South Creek Tributaries – linking open space with riparian corridors.

3.2 District Plan

The site is within the Western Parkland District, released by the then Greater Sydney Commission on 18 March 2018. In this plan, Leppington is identified as a designated Planned Precinct.

The plan contains planning priorities and actions to guide the growth of the district, while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan. The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*.

The following table (overleaf) includes an assessment of the planning proposal against relevant directions and actions.

District Plan Priorities	Justification
Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres	
<p>Action 63: Strengthen Leppington through approaches that:</p> <ul style="list-style-type: none"> a. develop a masterplan for the Leppington town centre in collaboration with Camden and Liverpool City Councils, stakeholders and the community b. coordinate the release and rezoning of land for residential, employment and other urban development in Leppington town centre in accordance with the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and to support the District's housing and job targets c. coordinate and deliver enabling infrastructure to support future development. 	Consistent: all three approaches have been satisfied.
Planning Priority W13: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	
Action 71: Implement the South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City.	Consistent: Kemps Creek, Bond's Creek and Scalabrini Creek all traverse the site, accompanied by significant green space – assisting in the cooling of the town centre.
Planning Priority W14: Protecting and enhancing bushland and biodiversity	
<p>72. Protect and enhance biodiversity by:</p> <ul style="list-style-type: none"> a. supporting landscape-scale biodiversity conservation and the restoration of bushland corridors b. managing urban bushland and remnant vegetation as green infrastructure c. managing urban development and urban bushland to reduce edge-effect impacts. 	Consistent: The threatened Camden White Gum – Eucalyptus Benthamii has been incorporated into the Street Tree Masterplan for the Leppington Town Centre, which aims to provide extensive tree coverage along all road types
Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections	
73. Expand urban tree canopy in the public realm.	Consistent: The threatened Camden White Gum – Eucalyptus Benthamii has been incorporated into the Street Tree Masterplan for the Leppington Town Centre, which aims to provide extensive tree coverage along all road types.
74. Progressively refine the detailed design and delivery of:	Consistent: Public open space will adjoin the Kemps Creek, Scalabrini Creek and South Creek Tributaries –

<p>a. Greater Sydney Green Grid priority corridors and projects important to the District</p> <p>b. opportunities for connections that form the long-term vision of the network</p> <p>c. walking and cycling links for transport as well as leisure and recreational trips.</p>	<p>linking open space with riparian corridors; creating substantial green links.</p>
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Planning Priority W18: Delivering high quality open space

<p>80. Maximise the use of existing open space and protect, enhance and expand public open space by:</p> <p>a. providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow</p> <p>b. investigating opportunities to provide new open space so that all residential areas are within 400 metres of open space and all high density residential areas (over 60 dwellings per hectare) are within 200 metres of open space</p> <p>c. requiring large urban renewal initiatives to demonstrate how the quantity of, or access to, high quality and diverse local open space is maintained or improved</p> <p>d. planning new neighbourhoods with a sufficient quantity and quality of new open space</p> <p>e. delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses</p> <p>f. delivering or complementing the Greater Sydney Green Grid</p> <p>g. providing walking and cycling links for transport as well as leisure and recreational trips.</p>	<p>Consistent: The Planning Proposal is for a strategic town centre and is predominantly an urban environment. Public space has been proposed within proximity of all land use types.</p> <p>Public Open Space will adjoin Kemps Creek, Scalabrini Creek and South Creek tributaries enabling people to better connect with South Creek corridor. Civic squares, linear East-West parks and public domain areas are provided by the Proposal.</p> <p>Owing to the fragmented landownership and residential density of the Precinct, high quality open space has been included within the DCP for Leppington Town Centre.</p> <p>Potential flood retention basins adjoin public open space and will provide additional passive open space.</p> <p>The proposed school locations have been identified in collaboration with Schools Infrastructure NSW. These school locations have been co-located with sporting and cultural facilities</p>
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3.3 Local

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

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement Camden/Liverpool	Leppington is a strategic part of the Council's LSPS
Local Housing Strategy - Camden	<p>Camden's Local Housing Strategy seeks to deliver 10,000 to 12,500 dwellings in the period 2021/22 to 2025/26.</p> <p>The current capacity for Leppington Town Centre is 1,677 attached dwellings and 435 apartments.</p> <p>The planning proposal facilitates the potential to deliver 10,500 to 11,000 dwellings, across both Camden and Liverpool portions of the site.</p>
Local Housing Strategy - Liverpool	<p>Liverpool's Local Housing Strategy seeks to deliver 18,500 to 12,000 dwellings in the period 2021/22 to 2025/26.</p> <p>The current capacity for Leppington Town Centre is 1,677 attached dwellings and 435 apartments. The proposal may potentially deliver 10,500 to 11,000 dwellings, across both Camden and Liverpool portions of the site.</p>

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed, as follows:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
Direction 1.21 Implementation of South West Growth Area Structure Plan	Consistent	The proposal has appropriately addressed the Structure Plan and Guide, approved by the Minister for Planning and as published in December 2022
Direction 3.1 Conservation Zones	Undetermined	<p>A planning proposal must protect and conserve environmentally sensitive areas and must not reduce the conservation standards that apply to the land.</p> <p>The planning proposal's consistency with this direction is undetermined. It proposes a number of rezonings from C2 (Environmental Conservation) to RE1 (Public Recreation) and SP2 (Infrastructure).</p> <p>Advice is required from EHG to determine whether the RE1 and SP2 zones maintain the appropriate conservation controls.</p>

Direction 3.7 Public Bushland	Consistent	The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland gives priority to retaining public bushland. Within the subject site, significant bushland and ecological communities are located within the Kemps Creek, Scalabrini Creek and South Creek tributaries riparian corridors. These will be protected and enhanced.
Direction 4.1 Flooding	To be determined	<p>The objectives of this direction are to:</p> <p>(a) ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>The planning proposal is inconsistent with this direction as the subject site is partially affected by the PMF and further information is required to be provided by the councils.</p> <p>Councils are to provide further information to satisfy the direction.</p>
Direction 4.3 Planning for Bushfire Protection	To be determined	<p>The Centre is partially located on bushfire prone land.</p> <p>A bushfire report has been prepared and identifies that category 1, 2 and 3 Vegetation are located within the site, along with associated buffer zones that are considered ‘bushfire prone’</p> <p>To satisfy the direction, consultation with the RFS is recommended.</p>
Direction 5.1 Integrating Land Use and Transport	Consistent	The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve several objectives related to access, reducing travel demand, increasing transport choice,

		<p>reducing car dependency and supporting viable public transport options.</p> <p>The proposal meets the intent of the direction, as it is noted:</p> <ul style="list-style-type: none"> Leppington Train Station is a central feature within Leppington Town Centre. The proposed Indicative Layout Plan has expanded the accessibility to this train station through a variety of alternative transportation measures including vehicle, bus lanes, dedicated bike lanes and a highly walkable urban environment 																				
<p>Direction 5.2 Reserving Land for Public Purposes</p>	<p>To be determined</p>	<p>This planning proposal seeks to introduce a number of RE1 and SP2 Infrastructure zones. The acquisition authority for each type of land is shown below.</p> <p>While the proposal indicates that agreement has been reached with the authorities, to satisfy the direction, it is recommended that Council provides written approval from Transport; Education; and, Health, prior to finalisation of the proposal.</p> <table border="1" data-bbox="619 882 1222 2002"> <thead> <tr> <th>Type of land shown on Map</th> <th>Authority of the State</th> </tr> </thead> <tbody> <tr> <td>Zone RE1 Public Recreation and marked "Community facility"</td> <td>Council</td> </tr> <tr> <td>Zone RE1 Public Recreation and marked "Local open space"</td> <td>Council</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked "Classified road"</td> <td>Transport for NSW</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked "Local drainage"</td> <td>Council</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked "Railway"</td> <td>The corporation constituted under section 2.5 of the Act</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked "Local road"</td> <td>Council</td> </tr> <tr> <td>Zone SP2 Infrastructure and marked "Educational establishment"</td> <td>Department of Education</td> </tr> <tr> <td>Zone B4 Mixed Use and marked "Community facility"</td> <td>Council</td> </tr> <tr> <td>Zone B4 Mixed Use and marked "Health services facility"</td> <td>Ministry of Health</td> </tr> </tbody> </table>	Type of land shown on Map	Authority of the State	Zone RE1 Public Recreation and marked "Community facility"	Council	Zone RE1 Public Recreation and marked "Local open space"	Council	Zone SP2 Infrastructure and marked "Classified road"	Transport for NSW	Zone SP2 Infrastructure and marked "Local drainage"	Council	Zone SP2 Infrastructure and marked "Railway"	The corporation constituted under section 2.5 of the Act	Zone SP2 Infrastructure and marked "Local road"	Council	Zone SP2 Infrastructure and marked "Educational establishment"	Department of Education	Zone B4 Mixed Use and marked "Community facility"	Council	Zone B4 Mixed Use and marked "Health services facility"	Ministry of Health
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Zone B4 Mixed Use and marked "Health services facility"	Ministry of Health																					

Direction 6.1
Residential Zones

Consistent*

The objectives of this Direction are to:

- (a) encourage a variety and choice of housing types to provide for existing and future housing needs;
- (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and
- (c) minimise the impact of residential development on the environment and resource lands.

The proposal is considered to be consistent with this direction, as:

- a variety of housing types of good design will be provided;
- a requirement exists that residential development is not permitted until land is adequately serviced (refer 7.17 *Essential services* of the Growth Centres SEPP); and
- taking into consideration the various proposed zones, the proposal does not contain provisions which will reduce the overall permissible residential density of land.

* While this is the case, given the complexity of the proposal, any technical inconsistency is considered to be of a minor nature and it is recommended to the delegate, as such.

Direction 7.1 Business and Industrial Zones	Inconsistent	<p>The objectives of this Direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres.</p> <p>This direction seeks to ensure that a planning proposal does not reduce the total potential floor space area for employment uses and related public services in employment zones.</p> <p>The planning proposal will result in a reduction of B7 Business Park land by 61 ha. and a reduction of the B3 Commercial Core zone by 17 ha. The B4 Mixed Use zone will be increased by more than double to 51ha.</p> <p>Despite the proposed reduction in the business zones, the total number of jobs expected for the Leppington Town Centre under the revised planning proposal is forecast to be 11,000 - 12,500 by 2041 and 18,500 in the longer term (as outlined in Hill PDA's Leppington Town Centre Market Demand Analysis).</p> <p>This is comparable to less than 9,000 jobs that can be facilitated under the existing zoning and is a result of denser job types being 203 203 facilitated in the B4 Mixed Use zone (which is increasing) than in the B7 Zone (which is decreasing).</p> <p>Consequently, it is considered that the proposal is not inconsistent with the intent of the direction in this regard.</p> <p>It is noted, however, that the proposed employment areas are not directly addressed with a strategy approved by the Planning Secretary (refer to item (1) (e) of the direction).</p> <p>Given the complexity of the proposal, to satisfy this aspect of the direction, it is recommended to the delegate that any inconsistency is of a minor nature.</p>
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3.5 State environmental planning policies (SEPPs)

The Leppington Town Centre falls within State Environmental Planning Policy (Precincts—Western Parkland City) 2021.

The planning proposal seeks to remove Leppington Town Centre from Appendix 4 (Liverpool Growth Centres Precinct Plan) and Appendix 5 (Camden Growth Centres Precinct Plan) of the Western Parkland City SEPP (formerly Growth Centres SEPP) and replacing it within a new Leppington Town Centre Precinct Plan; supported by a new draft Development Control Plan for the Leppington Town Centre.

3.5.1 SEPP (Biodiversity and Conservation) 2021

Chapter 2: Vegetation in Non-Rural Areas

Chapter 2 is applicable to lands within the proposal and aims to protect the biodiversity values of trees and other vegetation in non-rural areas.

The proposal does not inhibit the applicable of Chapter 2 of the SEPP. Any proposed development will be assessed against this chapter at the DA stage.

Chapter 6: Water Catchments

The proposal does not inhibit the application of Chapter 6 of this SEPP. The intent of the riparian systems aim to address water quality, quantity and flooding issues within the Leppington Town Centre.

3.5.2 SEPP (Resilience and Hazards) 2021

Chapter 4: Remediation of land

Chapter 4 is applicable to lands within the proposal and aims to provide for a State-wide planning approach to the remediation of contaminated land.

The proposal does not inhibit the application of Chapter 4 of this SEPP. The proposal highlights that JBS Environmental reviewed the current zoning for Leppington Town Centre with respect to the conclusions and recommendations of the Preliminary Environmental Site Assessment (PESA) (JBS 2011) and that no additional sites with significant contamination have been identified by NSW EPA since the 2011 report.

As such, any future proposed development will be assessed against this chapter at the DA stage.

3.5.3 SEPP 65 (Design Quality of Residential Apartment Development)

SEPP 65 applies to the proposal and aims to provide design principles and guidance for residential flat development.

The proposal contains zones where this SEPP applies and does inhibit the application of this SEPP. Any proposed development will be assessed against this SEPP at the DA stage.

3.5.4 SEPP (Planning Systems) 2021

Chapter 2: State and Regional Development

Chapter 2 is applicable to lands within the proposal and aims to identify development that is: regionally significant development, State significant development and State significant infrastructure.

The proposal does not inhibit the application of Chapter 2 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

Chapter 4: Concurrences and Consents

Chapter 4 is applicable to lands within the proposal. The proposal does not inhibit the application of Chapter 4 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

3.5.5 SEPP (Building Sustainability Index: BASIX) 2004

This SEPP is applicable to lands within the proposal and provides regulations to ensure sustainable residential development across the State.

The SEPP would continue to apply to future housing development resulting from the planning proposal.

Therefore, the proposal does not inhibit the application of this SEPP and any proposed development will be assessed against this SEPP at the DA stage.

3.5.6 SEPP (Transport and Infrastructure) 2021

Chapter 2: Infrastructure

Chapter 2 is applicable to lands within the proposal and aims to facilitate effective delivery of infrastructure across the State.

The proposal does not inhibit the application of Chapter 2 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

Chapter 3: Educational Establishments and Child Care Facilities

Chapter 3 is applicable to lands within the proposal and aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

The proposal does not inhibit the application of Chapter 3 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

Chapter 4: Major Infrastructure Corridors

Chapter 4 is applicable to all land within a future infrastructure corridor and the adjacent land.

The proposal has considered the proposed South West Rail Link extension (SWRL). Infrastructure can be provided consistent with the intent of this SEPP.

The proposal does not inhibit the application of Chapter 4 of this SEPP.

3.5.7 SEPP (Exempt and Complying Development Codes) 2008

This SEPP is applicable to lands within the proposal and provides State-wide development controls for exempt and complying development.

The proposal does not inhibit the application of this SEPP. Any proposed development will be assessed against this SEPP at the DA stage.

3.5.8 SEPP (Precinct – Western Parkland City) 2021

Chapter 2: State significant precincts

Chapter 2 is applicable to land within the proposal and aims to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State to facilitate the orderly use, development or conservation of those State significant precincts.

The subject site is within the Leppington Town Centre will create relevant planning provisions for future urban development.

The proposal does not inhibit the application of Chapter 2 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

Chapter 3: Sydney Region Growth Centres

Chapter 3 is applicable to land within the proposal.

The proposal is also consistent with State and local strategic planning policies and is located within the SWGA.

The proposal does not inhibit the application of Chapter 3 of this SEPP. Any proposed development will be assessed against this chapter at the DA stage.

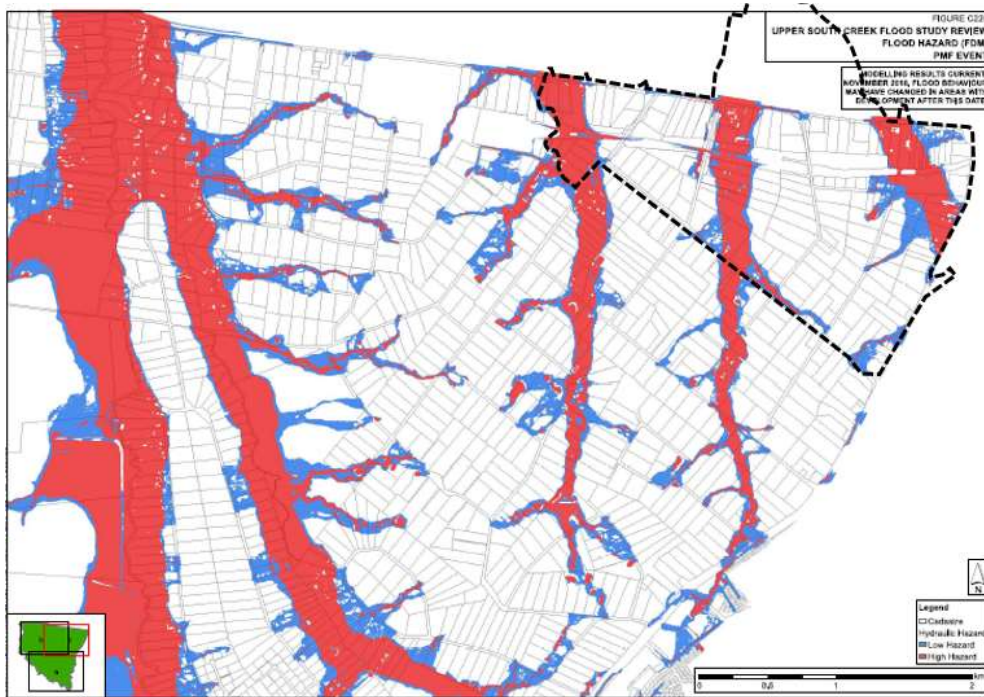
4 Site-specific assessment

4.1 Environmental

4.1.1 Flooding

Leppington Town Centre is located within the South Creek catchment, which as part of the Nepean River system. The planning proposal has been accompanied by a Riparian Corridor and Flooding Assessment and Camden Council released its new flood study on 14 February 2023.

As below, the new flood study has identified that the Leppington Town Centre subject to minor inundation at the PMF level.



Since the then NSW government response to the Flood Inquiry, there has been increased focus on residential zones below the PMF.

Council has identified that the draft plan seeks to rezone four small areas from Business zones to residential and mixed-use zones; which will increase residential density (B4 Mixed Use, R3 Medium Density Residential and R4 High Density Residential), as shown in the following image.

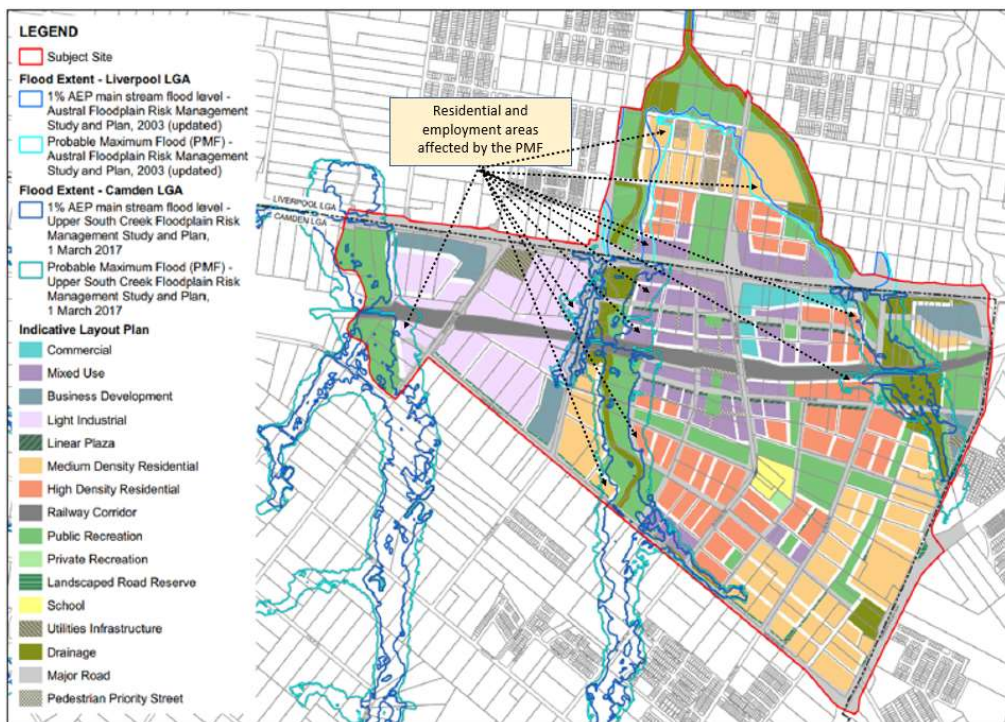


Figure 3 ILP overlaid with FPL and PMF

The Department acknowledges Council's comment that the overall result of the rezonings has been to decrease residential yield within the flood zones. As the proposal, however, seeks to increase residential density at certain locations affected by the PMF, further information is required to be provided by the councils for further consideration.

4.1.2 Biodiversity

Liverpool Council have provided biodiversity conservation assessment reports from 2012. These reports include Leppington Town Centre within the boundary of the Leppington North.

Biodiversity conservation assessment report 2012

- The current vegetation communities within the Precincts are composed of three Threatened Ecological Communities associated with the Cumberland Plain:
 - Shale-Gravel Transitional Forest;
 - Sydney Coastal River Flat Forest - Alluvial Woodland; and
 - Cumberland Plain Woodland - Shale Plains Woodland (including both Shale hills and Shale Plains Woodland).
- While largely degraded, both the terrestrial and aquatic habitats are considered to represent a significant opportunity for rehabilitation. In particular the importance of riparian corridors and associated vegetation is recognised. The riparian corridors contain much of the higher quality vegetation and act as the primary wildlife corridors within the Precincts.
- The native vegetation retention areas identified in the Native Vegetation Protection Areas Map, are retained in the drainage & Riparian, and public recreation corridors identified in the current ILP. These corridors also protect the 'non-certified' areas of the Biodiversity Certification Order applying to the Leppington North Precinct.
- Identified threatened ecological species (Cumberland Plain Land Snail, Grey-headed Flying Fox and five species of microbats) are contained within the protected riparian corridor.

4.1.3 Bushfire

A bushfire assessment report has been provided for the centre, which identifies the subject land containing vegetation categories 1 2 and 3 (refer to below image).

The study advises that the proposal satisfies the s9.1(2) Directions and has the capacity to satisfy all relevant specifications and requirements of Planning for Bush Fire Protection 2019. The report also recommends that:

Where possible the carriageway of Local Streets adjacent to the riparian corridors should be increased to 8 metres. Alternatively other access options should be considered to provide interface access for attending fire services. These alternate options could include service/ fire trails within the adjacent managed open space. These trails could also be utilised as pedestrian / cycle links.

Council has advised that in response to this recommendation, an 8m wider perimeter road typology has been created in the draft ILP along riparian open space corridors.

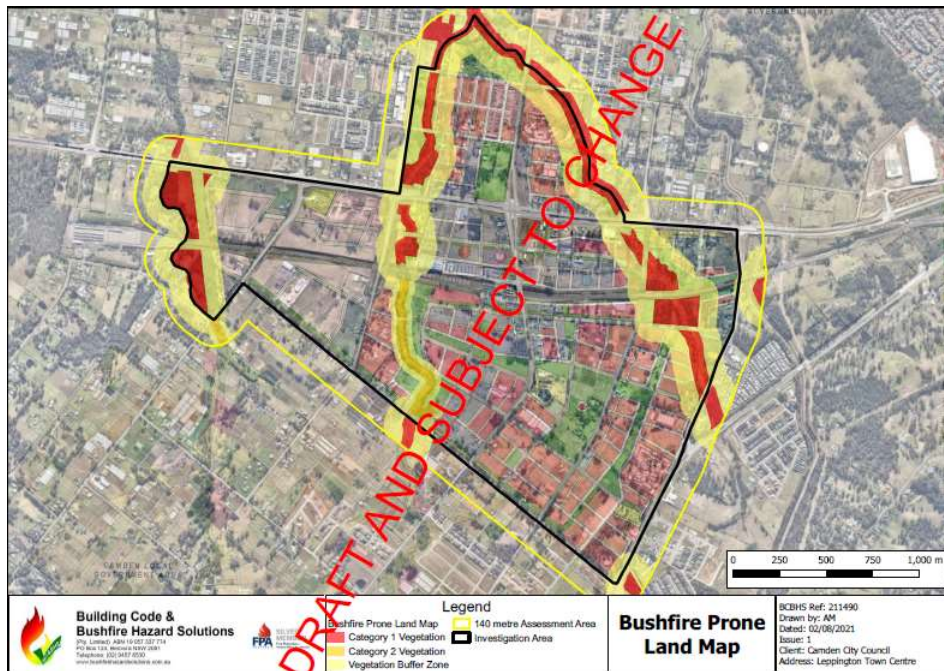


Figure 4 Bushfire Prone Land Map

4.2 Social and economic

The planning proposal has been supported by; a housing demand analysis, retail and employment demand analysis, and a social infrastructure and open space assessment.

The planning proposal seeks to generate 10,500 dwellings and 11,000 jobs by 2041. The following provides a further assessment of the potential social and economic impacts associated with the proposal.

4.2.1 Affordable Housing

The planning proposal seeks to provide FSR bonuses in residential and mixed use zones to achieve a 3% allocation of affordable rental housing.

A Metropolis of Three Cities has set a target Affordable Rental Housing Targets of 5–10% of new residential floor space. The Camden Local Planning Panel has requested justification for the proposal seeking to provide 3%.

Council has responded to the Camden LPP advice by referring to the Hill PDA study. Hill PDA carried out feasibility testing for various rates of affordable housing within theoretical developments and found that:

- At 5%, the bonus required for affordable housing to be delivered at no net cost would require a FSR bonus of up to 5:1.
- Council officers considered this advice and found the required bonus to be excessive.
- At 3%, the bonus required for affordable housing to be delivered at no net cost would require a FSR bonus of between 0.25:1 to 0.75:1.
- As a result of this feasibility testing Hill PDA recommended a 3% affordable housing rate and a FSR bonus of 0.25:1 for R4 and 0.5:1 for B4.

Council officers considered the above and found a 3% affordable housing rate and a FSR bonus of 0.25:1 for R4 and 0.5:1 for B4 to be reasonable.

Hill PDA notes that:

“The take-up rate for affordable housing would initially be slow. The land value and construction cost ratio is currently very low compared to established markets. Therefore, it is unlikely that a developer would take up the bonus FSR until the LTC develops into a strategic centre resulting in higher end sale revenue and more favourable development margins are achievable”.

4.2.2 Social Infrastructure

There is little existing social infrastructure and public passive open space within the subject site.

Leppington is expected to have a resident population of 26,000. Based on expected demographics, future social infrastructure and open space will need to cater for young children and families, through to young workers and older people.

Consequently, access to education establishments, health, emergency services and community facilities is addressed in the proposal.

To address this situation, the following have been identified as priority items, to be delivered early in the redevelopment of the centre:

- health care hub (which will utilise the existing Land Reservation for Acquisition provisions in the centre, north of the train station);
- redevelopment and expansion of the existing primary school, which will require land acquisition; and,
- development of an additional primary school, and; development of one new secondary school.

4.2.3 Open Space

There is little existing public open space within the subject site.

Details of open space, active space, facilities and land acquisition to deliver this amenity have been detailed in the planning proposal.

Council has proposed zoning and land reservations equal to 81.4ha to support future development.

4.3 Infrastructure

4.3.1 South West Rail Extension

The town centre will be connected to the new Western Sydney Airport (WSA) via an extension of the existing rail line (identified in Future Transport Strategy 2056). The NSW State Government confirmed the corridor for the South West Rail Line, with connectivity to the WSA and Aerotropolis, on 30 June 2020

4.3.2 Traffic

A traffic assessment has provided strategic and mesoscopic modelling used to develop and assess the road network required to support the future Leppington Town Centre and Precincts. In summary, the 2041 mesoscopic results state:

“the modelling suggests that the Council’s intended road network and its envisaged hierarchy may be adequate for the LTCP and its associated travel demands, based on hierarchy/capacities”.

4.3.3 Drainage

In November 2019, Council commenced design works on the Bonds Creek Stormwater Management Project, which aims to design regional stormwater quantity and quality management

infrastructure in Leppington Town Centre. This project is funded under section 7.11 contributions and is at the 40% completion design stage.

4.3.4 Wastewater

Leppington Town Centre is divided into three precincts for sewer connection (Catchment 1 USC AWRC, Catchment 2 SPS1183, Catchment 3 SPS1182). Sydney Water has assessed the development plans and made the following commentary regarding each catchment.

Catchment 1 USC AWRC: Will not be available for wastewater services, until mid-22025 when the Advanced Water Recycling Centre and trunk infrastructure are operational.

Catchment 2 SPS1183: Sydney Water is confident that the forecast growth of up to 748 dwellings and 944 jobs to 2025 can be serviced in this catchment.

Catchment 3 SPS1182: Sydney Water indicates that sewer capacity provided to Catchment 3 can support the forecasted growth up to 2026 and into the future.

4.3.5 Electricity

Growth profiles indicate that the North Leppington zone substation may need to be augmented in 2028 to support the town centre, with additional supply being provided by South Leppington, Austral and North Catherine substations, after 2037.

4.3.6 Telecommunications

NBN will utilise existing ducts within the shared trench of existing roads to install new telecommunications. Developers will need to provide pit and pipe infrastructure, including new ducts for and new roads, within site boundaries.

4.3.7 Gas

Jemena advised the development could be serviced by its gas network and that minimal capital contributions would be required for infrastructure augmentation. There is an existing secondary main along Cowpasture Road which will be extended southwards between 2021-2025 and a gas main is proposed to be constructed on Ingleburn Road between 2026-2030.

4.3.8 Water

Currently Leppington Town Centre is located within the Raby Water Supply Zone, which forms part of the Macarthur Delivery System. The Raby reservoirs are located approximately 2.6 km south east of the Leppington Train Station and have a combined capacity of 12 ML.

The following advice from Sydney Water (dated 30 May 2022) is taken from the Utilities Assessment Report.

Water Servicing

- Water is supplied via the Leppington and Raby Water Supply Zones (WSZs). Amplifications are required to the networks within both WSZs to service the proposed 10,500 dwellings. Hydraulic modelling work to identify the required amplifications and timeframes is in progress and scheduled for completion in October 2022.
- Until these amplifications are delivered the system capacity is forecast at approximately 1000 dwellings or equivalent dwelling/employment mix.
- Developer led amplifications (e.g., larger pipes and pressure boosters) may provide options to support additional capacity while the WSZ works occur

The Utilities Assessment has concluded that:

- Given the presence of existing water mains throughout the Precinct it is likely that there will be some spare potable water capacity in the network for the initial stages of development.

- Existing mains will need to be upgraded to support the future growth.
- There will not be sufficient capacity for the local Reservoirs at Raby and Leppington to supply the ultimate development. As such, upgrades to Leppington Reservoir are recommended but are not expected to be required before 2040 - subject to detailed network modelling and growth estimates for the precinct.

4.4 Contributions Plan and Planning Agreements

At page 207 of the planning proposal: “The contributions plan to support the revised town centre is subject to a separate project.” The future contributions plan will be subject to community consultancy, noting that the Infrastructure report states that costs will exceed IPART approval threshold; inferring a planning agreement will be required in addition to the contributions plan.

Current infrastructure funding in the Leppington Town Centre is provided for by three main mechanisms:

- Camden Council’s Local Infrastructure Contributions Plan (currently the Camden Growth Areas Contributions Plan [CP]);
- Liverpool City Council’s Local Infrastructure Contributions Plan (currently the Austral and Leppington North Precincts CP);
- Special Infrastructure Contribution (currently the NSW State government’s Western Sydney Growth Area SIC).

4.5 Housing Supply Delivery

Year	2026	2031	2036	2041
Apartments delivered	1,200	2,100	3,200	3,500
Forecast Total Completions of Apartments in LTC	1,200	3,300	6,500	10,000

4.6 Camden Local Planning Panel and Strategic Team Recommendations

The Camden Planning Panel (LPP) generally supported the Council Officer’s report and included:

- whether amalgamation controls are required to ensure that development will be consistent with the adopted Indicative Layout Plan; and
- whether specific LEP or DCP controls are required to encourage renewable energy initiatives.

Council officers have adequately responded.

In respect of amalgamation of controls, council indicated that since receiving the Panel’s advice, further refinements have been made to the draft ILP to ensure the orderly development of land where lots (as a result of the draft ILP) were too small to be developed.

For renewable energy initiatives, the officers conclude amendment was not necessary as the planning proposal and draft DCP include the relevant requirements – refer to: Incentive Clause 6.8 Low Carbon Buildings; Clause 6.10 Urban Heat; and DCP requirement 4.12 Sustainability and Rooftop Requirements.

The LPP also included:

- **Recommendation:** removing the minimum dwelling density requirements proposed for R3 and R4 zones.
Response: council officers have modified the draft Planning Proposal to remove the minimum dwelling density requirements (in the Camden LGA).
- **Recommendation:** consideration be given to delivering a dense vibrant town centre and ensure the retail viability of the centre.
Response: Council officers have considered the viability of mandatory non-residential ground floor GFA that extends a significant distance from the town centre and made relevant changes.
- **Recommendation:** clarification over testing whether higher sustainability standards were viable as base controls.
- **Response:** council officers have considered this matter and consider no substantial changes are necessary, drawing to attention to the amendment of the draft DCP, where a note has been inserted that directs readers to the BASIX website for examples and case studies to meet standards.
- **Note:** The Panel noted the District plan requirement for 5% to 10% affordable housing subject to viability and clear justification should be given as to why the requirement is 3%.
- **Response:** council officers considered this advice and, based on feasibility testing, it was considered that the 3% figure is justified.
- **Recommendation:** council establishes a clear tree canopy requirement onsite and in the public domain.
- **Response:** council officers have made appropriate amendments to the draft DCP.
- **Comment:** comment over the number of site significant controls in the DCP.
- **Response:** adequately addressed, including council officer comment that the length of the draft DCP reflects the size and the complexity of the precinct and the desire to achieve design excellence in a highly fragmented area.

4.7 Acquisition Authorities of SP2 sites

Part 5 of the draft Leppington Town Centre Precinct Plan specifies the acquisition authorities of proposed acquisition sites (refer following table):

Type of land shown on Map	Authority of the State
Zone RE1 Public Recreation and marked "Community facility"	Council
Zone RE1 Public Recreation and marked "Local open space"	Council
Zone SP2 Infrastructure and marked "Classified road"	Transport for NSW
Zone SP2 Infrastructure and marked "Local drainage"	Council
Zone SP2 Infrastructure and marked "Railway"	The corporation constituted under section 2.5 of the Act
Zone SP2 Infrastructure and marked "Local road"	Council
Zone SP2 Infrastructure and marked "Educational establishment"	Department of Education

Type of land shown on Map	Authority of the State
Zone B4 Mixed Use and marked “Community facility”	Council
Zone B4 Mixed Use and marked “Health services facility”	Ministry of Health

The note to the proposed Schedule 5 of the new Draft Leppington Town Centre Precinct Plan states:

“If land, other than land specified in the Table to subsection (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning and Infrastructure is required to take action to enable the designation of the acquiring authority under this Part”

This is taken from the existing Appendix 4 and 5 of the SEPP. The title of the Minister for Planning has altered and may be amended at legal drafting stage.

A recommended determination condition requires Council to provide written advice from the authorities confirming acceptance of the acquisition role.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

Given the complexity of the proposal, the Department supports the 28 day exhibition period.

5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 28 days to comment:

- Transport for NSW
- Greater Cities Commission;
- NSW Department of Education - Schools Infrastructure
- NSW Health
- Heritage NSW
- Sydney Water
- Landcom
- NSW State Emergency Services
- Environment and Heritage Group (EHG)
- NSW Rural Fire Services (RFS)
- Emergency services: Police, Ambulance and Fire Brigade.

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

Given the complexity of the proposal, the Department recommends a time frame of 18 months.

It is also recommended that should a favourable Gateway determination be issued, the determination includes conditions requiring council to exhibit and report on the proposal by specified milestone dates.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the planning proposal is complex and seeks to amend the State Environmental Planning Policy (Precincts—Western Parkland City) 2021, the Department recommends that Council not be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

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

- the proposal will satisfactorily address impediments to development of the centre, since its rezoning for urban purposes in 2013;
- the proposal is not inconsistent with regional, district and local plans and their relevant objectives;
- there are no adverse social, economic or environmental impacts;
- either no objections have been raised from key service providers during Council's initial notification period or these issues can be satisfactorily addressed during the process;
- the proposal supports increasing housing diversity in the local area through the provision of a mixture of dwelling typologies, whilst contributing to Camden's overall housing growth targets;
- the proposal also seeks to provide housing opportunities to support the SWGA and the future Western Sydney Aerotropolis;
- the proposed mapping amendments are consistent with the surrounding land uses, shown on the corresponding Western Parkland City Growth Centres SEPP maps; and
- the proposal will have a positive outcome for the community and complement the existing and future land use of the surrounding area.

9 Recommendation

It is recommended the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Directions: 6.1 Residential Zones; and, 7.1 Employment Zones are justified on the basis of minor significance; and
2. note that consistency with Section 9.1 Directions: 3.1 Conservation Zones; 4.1 Flooding; 4.3 Planning for Bushfire Protection; 5.2 Reserving Land for Public Purposes, remain unresolved and are subject to further consideration.

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

1. Prior to exhibition, the planning proposal is to be amended, as follows:
 - (a) include height of building controls for the Camden portion of the proposal, making the necessary amendment of the proposal and any applicable diagrams, together with the inclusion of existing and draft mapping;
 - (b) include existing zone maps as part of the proposal;
 - (c) include a notation in the planning proposal, under Part 2 Explanation of Proposed Provisions, stating that the proposed written instrument will be subject to legal drafting and the provisions may be altered to meet legal drafting requirements;
2. Prior to the finalisation of the proposal, Council is to investigate the worst-case scenario for the length of time those sites which will be inundated and are subject to the probable maximum Flood (PMF) event and are either proposed for residential development or will continue to be zoned for residential development.
 - Provide the above information to the Department of Planning and Environment following Council's consideration of submissions made to the exhibition.
3. Consultation is required with the following public authorities:
 - NSW Rural Fire Service.
 - Note: to satisfy section 9.1 Direction 4.3 *Planning for Bushfire Protection*, consultation is to take place prior to undertaking community consultation.
 - Greater Cities Commission.
 - Emergency services: Police, Ambulance and Fire Brigade.
 - State Emergency Services.
 - NSW Department of Education – School Infrastructure NSW.
 - Environment and Heritage Group.
 - Transport for NSW.
 - Heritage NSW.
 - Sydney Water.
 - NSW Department of Health
 - Landcom.

With the exception of the Corporation, in consulting with the relevant agencies proposed to undertake an acquisition role, Council is to obtain written approval that each agency agrees to be the acquisition authority to satisfy the requirements of section 9.1 Direction 5.2 *Reserving Land for Public Purposes*.

In consulting with the rail authority, Council is to clarify whether acquisition of identified land remains necessary and advise the Department of Planning and Environment accordingly.

4. The planning proposal should be made available for community consultation for a minimum of 28 days.
5. The planning proposal must be exhibited within 6 months from the date of the Gateway determination.
6. The planning proposal must be reported to council for a final recommendation at least 12 months from the date of the Gateway determination.

7. The timeframe for completing the LEP is to be 18 months from the date of the Gateway determination.
8. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.

Terry Doran
Manager, Metro West
23 August 2023

Adrian Hohenzollern
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24 August 2023

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