
Minutes Summary 28 April 2015

Extraordinary Meeting held at 7.00pm on Tuesday, 28 April 2015.

APOLOGIES

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

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1.1	Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition	5

Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 28 April 2015

Present His Worship the Mayor, Councillor P Lake
Councillor F Borg
Councillor G Brticevic
Councillor A Chanthivong
Councillor W Glynn
Councillor G Greiss
Councillor R Kolkman
Councillor D Lound
Councillor A Matheson
Councillor C Mead
Councillor T Rowell
Councillor R Thompson

Apologies It was **Moved** Councillor Greiss, **Seconded** Councillor Kolkman that the **APOLOGIES** from Councillors Dobson, Hawker and Oates be received and accepted.

68 The Motion on being Put was **CARRIED**.

Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson Councillor Lake.

Council Prayer

The Council Prayer was presented by the Acting General Manager.

DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following items:

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

Special Disclosure - Councillor Borg - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Borg declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Special Disclosure - Councillor Brticevic - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Brticevic declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Greiss - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Greiss declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Kolkman - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Kolkman declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Lake - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Lake declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Lound - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Lound declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Matheson - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Matheson declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Mead - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Mead declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Rowell - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Rowell declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And
Consideration Of Submissions Made To Its Public Exhibition

Special Disclosure - Councillor Thompson - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Thompson declared a Special Disclosure of a Pecuniary Interest and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Chanthivong - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Chanthivong declared that he is not a property owner and will remain in the Chamber and vote on the matter.

Special Disclosure - Councillor Glynn - Item 1.1 – Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition - in accordance with Section 451 (4 and 5) of the *Local Government Act 1993*, Councillor Glynn declared that he is not a property owner and will remain in the Chamber and vote on the matter.

EXTRAORDINARY MEETING OF THE CAMPBELLTOWN CITY COUNCIL MEETING TO BE HELD ON 28 APRIL 2015

1. BUSINESS: REPORT OF THE DIRECTOR PLANNING AND ENVIRONMENT

1.1 Finalisation of the Draft Campbelltown Local Environmental Plan 2014 and Consideration of Submissions made to its Public Exhibition

Reporting Officer

Manager Environmental Planning

Attachments

1. copy of Section 65 Certificate (contained within this report)
2. details of the public exhibition/consultation process (contained within this report)
3. copy of letter from NSW Government regarding the Smiths Creek Bypass Road Reservation (contained within this report)
4. summary of map amendments arising out of consideration of submissions (contained within this report)
5. summary of community submissions (distributed under separate cover - due to the size of the document)
6. summary of Government submissions (distributed under separate cover - due to the size of the document)
7. Draft CLEP 2014 Written Instrument and Maps (as amended) subject to recommendations contained within this report (distributed under separate cover - due to the size of the document)

A copy of attachments that are distributed under separate cover are available on Council's website via the below link:

<http://yourcityyourfuture.com.au/postexhibitiondraftCLEP2014>

Purpose

This report summarises the background to the Draft Campbelltown Local Environmental Plan 2014 (Draft CLEP 2014), the public exhibition/consultation phase, suggested minor amendments to the Draft CLEP 2014 and actions for its finalisation.

It also outlines a process for dealing with significant proposals (arising out of consideration of a number of submissions to the exhibition of the Draft CLEP 2014) that would require major amendments to the Draft CLEP 2014.

History

Council, at its meeting held 14 March 2006, resolved to prepare a Comprehensive Local Environmental Plan for the City of Campbelltown in accordance with relevant statutory requirements and direction from the then Department of Planning and Infrastructure (the Department, now the Department of Planning and Environment).

Wide-ranging investigations were undertaken which provided a framework for preparing a Local Planning Strategy, Residential Development Strategy and relevant Draft Local Environmental Plan (Draft LEP).

Given the nature of policy development and the passing of time, together with a direction from the Department to finalise the Draft CLEP 2014, a general 'best-fit' approach was adopted, except where Council had endorsed alternative policy positions.

At its meeting on 13 August 2013, Council resolved to endorse the Draft CLEP 2014 and to forward it to the Department for certification for public exhibition under Section 65 of the *Environmental Planning and Assessment Act 1979* (EPA Act 1979).

On 24 March 2014, the department issued a conditional Section 65 Certificate, certifying the Draft CLEP 2014 for public exhibition. The certificate was then supplemented with additional information on 10 April 2014 (refer to attachment 1). The department advised that a number of the conditions in the certificate were imposed in order to make the Draft CLEP 2014 not inconsistent with the Ministerial directions for the preparation of new local environmental plans issued under Section 117 of the *Environmental Planning and Assessment Act 1979*.

The relevant amendments required as per the Section 65 Certificate were made to the Draft CLEP 2014 Written Instrument and Maps. These were placed on public exhibition for eight weeks between 12 June and 8 August 2014.

The Section 65 Certificate includes a requirement for Council to strategically address the need for cemeteries, crematoria and mortuaries via a rural lands investigation. It is considered that action to address this requirement should be put on hold pending further investigation. In this regard, representations by Council officers have been made to the Department of Planning and Environment to include the cemetery issue as part of the current work relating to the Greater Macarthur Urban Investigation Area.

The public exhibition and consultation phase was undertaken in accordance with the provisions of the former Section 66 of the EPA Act and the Consultation Strategy that was endorsed by Council at its meeting on 6 May 2014. The key elements of the subject strategy are detailed in attachment 2.

The materials which were placed on public exhibition included:

- Draft Campbelltown Local Environmental Plan 2014 - Written Instrument and Maps (Draft CLEP 2014), as certified by the Department
 - land use matrix
 - general zone conversion table
 - plain english version of the Draft CLEP 2014
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1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

- a series of fact sheets
- a set of frequently asked questions
- Section 65 Certificate (and attached letter from the department – including supplementary information)
- statements of consistency with the Section 117 Directions, relevant State Environmental Planning Policies and the relevant Sub-Regional and Metropolitan Plans
- background council reports
- strategic planning documents including the Campbelltown Local Planning Strategy and the Campbelltown Residential Development Strategy
- “e” links to other background/supporting documents

The information placed on public exhibition was consistent with the requirements set out in the Section 65 Certificate and is discussed in a later section of this report.

Executive Summary

A new draft statutory planning instrument has been prepared for the whole of the City of Campbelltown, which was subject of an exhaustive community consultation phase from June until August in 2014.

The Draft Campbelltown Local Environmental Plan 2014 (Draft CLEP 2014) was in essence, prepared as a consolidation of a number of older planning instruments supplemented with provisions that sought to give effect to a limited number of strategic land use policy directions previously endorsed by Council. The Draft CLEP 2014 had to be prepared in accordance with a mandated “Standard Instrument Template” which to a significant degree restricted the format of the plan.

Notwithstanding, so long as consistency with the mandated provisions of the Template were observed, Council was allowed some discretion to include specific local provisions as part of the Draft CLEP 2014.

The community consultation process associated with the Draft CLEP 2014 exceeded the minimum requirements set down by the *Environmental Planning and Assessment Act 1979* and Environmental Planning and Assessment Regulation 2000. It included:

- an eight week public exhibition period
- the establishment of a dedicated Draft CLEP 2014 web-site
- a dedicated Draft CLEP 2014 telephone enquiry line
- six drop-in community information sessions conducted at different venues across the Campbelltown LGA.

The exhibition was notified by local newspaper advertising; local radio announcements; distribution of brochures to all households and businesses across the LGA and the inclusion of a flyer distributed with Council’s annual rate notices.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

The exhibition generated a significant level of interest and a total of 163 submissions (and four late submissions) were received from the community and government agencies. The success of the exhibition has also been reflected in the number of website visits – 8818 during the exhibition and 24,686 up until 18 April 2015 and 5245 downloads from the website during the exhibition period and 17,697 up until 18 April 2015.

It is also important to note that Council conducted nine post-exhibition Councillor forums where all persons whom made a submission to the Draft CLEP 2014 were invited to undertake an oral presentation to the attending Councillors at these forum sessions. The forums were well attended and feedback suggested that this opportunity was positively received by the community.

Significant issues raised through the submissions included the following:

- an expression of support for Council's consideration for additional (rural-residential) subdivision potential at Wedderburn
- an expression of support for Council's consideration for additional (urban) subdivision potential across the East Edge Scenic Protection Lands
- requests for additional subdivision potential in other non-urban areas
- some concern (divergent) over the maximum height limits and floor space ratio controls proposed for the Campbelltown-Macarthur Regional City Centre and Ingleburn CBD
- an expression of support for the strengthening of environmental protection controls generally and in certain areas/zones such as the Scenic Hills, the Georges River Open Space Corridor and Wedderburn
- the proposed zoning of particular government owned sites
- responsibility for the acquisition of certain land required for future proposed infrastructure
- a need to defer certain matters from the Draft CLEP 2014 due to the need for further investigations that relate to particular planning proposals, including for example the Menangle Park urban release area and the Blairmount Land Owner Nominated Site residential precinct
- the potential afforded by the Leumeah precinct for redevelopment and revitalisation
- the need to review and strengthen heritage related planning provisions.

Further, since the preparation and certification (for public exhibition) of the Draft CLEP 2014, a number of significant policy initiatives have been put into place by the Government, including most importantly "A Plan for Growing Sydney" – the new Sydney Metropolitan Planning Strategy. This recently published strategy represents a 'key' item of planning context that the Draft CLEP 2014 needs to take into account. It provides formative information that should contribute to a number of future planning controls in so far as they might relate to major items including:

- the recently announced Campbelltown-Macarthur Regional City Centre as one of only three such centres located outside of the Sydney and Parramatta CBDs
 - the Glenfield-Macarthur Corridor Strategy and the proposed revitalisation of business centres in the Campbelltown LGA located along the Southern Railway Line, to promote housing, economic investment and employment growth
 - planning for the Scenic Hills.
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1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Council officers have considered the implications of A Plan for Growing Sydney and recognised the need to recommend to Council to revisit certain provisions included in the exhibited Draft CLEP 2014, especially in light of a number of issues raised by the community as part of some of the submissions that expressed concerns over proposed controls such as for example maximum building height and floor space ratios applicable in the CBDs.

A revised and “interim” approach is recommended for inclusion in the Draft CLEP 2014, that to a greater degree, reflects existing planning controls in respect of maximum building heights and floor space ratios, until such time as a review of the outcomes of the Glenfield – Macarthur Corridor Strategy can be undertaken.

The public exhibition/consultation process did not give rise to any significant opposition to the overall Draft CLEP 2014, other than requests such as for example, those mentioned above which either sought the creation of additional development opportunities and the strengthening of certain existing development controls for environmental protection. In addition, significant concern has been recently expressed over the proposed rezoning of certain land which can be described as the residue Smiths Creek Bypass Corridor (south of Airds through to Woodland Road at St Helens Park).

Overall, there are a number of recommended changes to the exhibited Draft CLEP 2014 that are warranted in light of a range of matters raised by the submissions. Importantly, these changes are minor in nature and are considered not to warrant a decision (by the Department of Planning and Environment) to require re-exhibition of the plan. It is this amended version of the Draft CLEP 2014 that is recommended to be forwarded to the Department for consideration for final approval and making by the Minister.

However, this action should be subject to the resolution of outstanding property acquisition issues associated with parcels of land required for major infrastructure provision, where the relevant Government Authority must be nominated in the final CLEP 2014. It would be totally unacceptable that Council inadvertently inherited any unfunded major land acquisitions that are the responsibility of the NSW Government.

The adoption of the Draft CLEP 2014, as recommended by Council officers to be amended, would provide Council and the community, as well as relevant statutory agencies, a solid base from which to pursue policy driven reviews and further amendments to the CLEP 2014 over time.

Apart for adoption of the amended Draft CLEP 2014 by Council, a range of specific actions are put forward as a means to commence this policy review phase. Such reviews are presented in response to a list of critical policy issues that:

- have arisen from Draft CLEP 2014 exhibition and submission responses and/or
 - are related to recently announced metropolitan planning initiatives introduced by the NSW Government
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1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

These nominated areas for priority policy review include:

- further investigation of the potential for more comprehensive subdivision at Wedderburn, The East Edge Scenic Protection Lands located west of the proposed Georges River Parkway, and certain other specific sites
- a comprehensive review of the outcomes of the Glenfield-Macarthur Corridor Strategy when they become available, to better inform planning controls for the City's business centres located along the Main Southern Railway Line
- the need to finalise, as a matter of urgency, Council's Koala Plan of Management and the Biodiversity Strategy and to integrate the relevant recommendations of these projects with the CLEP 2014 as a future amendment, as deemed appropriate by Council
- completion of a comprehensive review of heritage provisions.

Report

This report deals with a wide range of complex issues and has therefore been divided into the following parts, largely based on common themes:

Part 1 – Introduction

Part 2 – The Section 65 Certificate

Part 3 – Overview and Outcomes of Public Exhibition/Consultation

Part 4 – Approach to Considering Submissions

4.1 Submissions Received – Number and Methodology for addressing issues raised

4.2 Post Exhibition Councillor Submission Forums

4.3 Councillor Briefing

Part 5 – Relationship of the Draft CLEP 2014 to the new Metropolitan Strategy

Part 6 – The Submissions

6.1 Main Issues Raised

6.2 Overview of Submissions

6.2.1 Government Submissions

6.2.2 Centres and Commercial/Retail Issues

6.2.2.1 The Campbelltown Macarthur Regional City Centre

6.2.2.2 The Ingleburn Central Business District

6.2.2.3 The Leumeah Centre and Surrounds

6.2.2.4 Other Local and Neighbourhood Centres

6.2.2.5 Supermarkets in Neighbourhood Centres/Kearns Shops

6.2.3 Opportunities for Economic and Employment Development

6.2.4 Medium Density Residential Development

6.2.5 Proposals for Further Subdivision and Associated Changes to Zoning and Development Controls in Non-Urban Areas

6.2.5.1 General Comment on Further Subdivision

6.2.5.2 Area 1 - Wedderburn

6.2.5.3 Area 2 – Kentlyn

6.2.5.4 Area 3 – Minto Heights

6.2.5.5 Area 4 – East Edge Scenic Protection Lands

6.2.5.6 Area 5 – Menangle Park, Glen Alpine

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- 6.2.5.7 Area 6 – Rural Land, Menangle Road, Menangle Park
 - 6.2.5.8 Area 7– Wedderburn Road, St Helens Park
 - 6.2.6 “Urban Release” Areas
 - 6.2.6.1 Area 1– Blairmount and Eagle Vale Drive (Owner Nominated Site)
 - 6.2.6.2 Area 2 – Menangle Park Urban Release Area
 - 6.2.7 The Scenic Hills
 - 6.2.8 Mining and Resources
 - 6.2.9 Agriculture and Aquaculture
 - 6.2.10 Environmental Protection
 - 6.2.11 Waste Management
 - 6.2.12 Contaminated Land Management
 - 6.2.13 Recreation Areas and Open Space
 - 6.2.14 Cemeteries, Crematoria and Mortuaries
 - 6.2.15 Heritage Matters
 - 6.2.16 Dwelling Entitlements
 - 6.2.17 Site Specific Rezoning Requests
 - 6.2.18 Social Infrastructure – Aged Care Facilities and Schools
 - 6.2.19 Road Reserves, Infrastructure and Land Acquisition
 - 6.2.20 Issues that Cross Local Government Boundaries
 - Part 7 – The Draft CLEP 2014 Written Instrument and Maps
 - 7.1 Wording and Terminology used within the Draft CLEP 2014
 - 7.2 Aims and Objectives of the Plan
 - 7.3 The Land Use Zones
 - 7.3.1 Complexity, Inflexibility and Inequality
 - 7.3.2 The Rural Zones
 - 7.3.3 The Residential Zones
 - 7.3.4 The Business Zones
 - 7.3.5 The Industrial Zones
 - 7.3.6 The Special Uses Zones
 - 7.3.7 The Recreation Zones
 - 7.3.8 The Environmental Zones
 - 7.3.9 The Waterways Zones
 - 7.4 Principal Development Standards
 - 7.5 Specific Clauses
 - 7.6 The Schedules and Dictionary
 - Part 8 – The Way Forward
 - Part 9 – Conclusion
 - Part 10 – Recommendation
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PART 1 – INTRODUCTION

Introduction

The Draft CLEP 2014 has been prepared in response to the NSW Government's requirement for all Councils in NSW to have one principal planning document, based on the Standard Instrument LEP. It aims to update and consolidate Council's eight existing principal statutory plans largely on a 'best-fit' basis, having regard to the requirements for preparing a Standard Instrument LEP. The Draft CLEP 2014 also has regard to Council policy initiatives on specific matters and changes introduced via State Environmental Planning Policies and other legislation where relevant.

PART 2 – THE SECTION 65 CERTIFICATE

Permission to undertake public exhibition – Section 65 Certificate and related matters

The Section 65 Certificate which was issued by the department to enable the Draft CLEP 2014 to be placed on public exhibition, contains a number of conditions. Council was bound to amend the Draft CLEP 2014 to address a number of these conditions prior to public exhibition. These matters included:

- **Ensuring there was no overall reduction in land zoned for employment/commercial uses**

This issue arose because in preparing the Draft CLEP 2014, Council officers were originally instructed by the department to zone most local schools as residential. As a number of existing schools are located in comprehensive centre zones under the current LEP 2002, applying a residential zoning to these schools resulted in an artificial (theoretical) reduction in the amount of land zoned for employment/commercial uses. The department then directed that equivalent business centre zones be applied to the majority of these schools prior to public exhibition in order to make the Draft CLEP 2014 more consistent with S117 Direction 1.1 - Business and Industrial Zones.

- **Re-introducing multi-dwelling housing into the R2 Low Density Residential Zone**

In preparing the Draft CLEP 2014, a decision was originally made by Council to restrict future multi-dwelling housing (town houses and villas) to land in close proximity to transport and/or some existing centres and to zone the identified areas R3 Medium Density Residential. After the department received representations from NSW Land and Housing, the department concluded that removing multi-dwelling housing from the R2 zone constituted a 'down-zoning' of the land or more particularly a potential reduction in housing supply and diversity. Council was therefore required to reintroduce multi-dwelling housing into the R2 zone, prior to placing the Draft CLEP 2014 on public exhibition to make the Draft CLEP 2014 consistent with S117 Direction 3.1 - Residential Zones.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

- **Identifying land with no confirmed acquisition authority**

When preparing LEPs, S117 Direction 6.2 - reserving land for a public purpose, requires new LEPs only to list an authority as being responsible for the acquisition of land if that authority has agreed to be the acquisition authority. As the Roads and Maritime Services (RMS) has declined to be responsible for some future road sites, the Department required Council to identify on the Draft CLEP 2014 maps, land which neither the RMS nor the Office of Strategic Lands (OSL) had confirmed or agreed to take responsibility for acquiring. The subject land was required to be shown on the maps with the annotation "RMS or alternative agency – to be confirmed". This change was made prior to public exhibition. The department also acknowledged that while this course of action would still result in an unresolved inconsistency with the S117 Direction, the Draft CLEP 2014 could proceed to public exhibition. This matter needs to be resolved prior to the Draft CLEP 2014 being finalised and is discussed in more detail later in this report.

- **Land owned by the Corporation Sole (the Minister)**

Council was required to change the zoning of some land prior to the Draft CLEP 2014 being placed on public exhibition. These changes required land in the Campbelltown City Centre that was proposed to be zoned "SP2 Car Park" to be zoned "B4 Mixed Use", and some parcels of land at Long Point proposed to be zoned "RE1 Public Recreation" to be zoned or partly zoned "E3 Environmental Management".

- **Changes agreed between the Department and Council**

The Section 65 Certificate required that a range of matters discussed between Council and the department be addressed prior to the Draft CLEP 2014 being placed on public exhibition. These matters included:

- zoning school sites within centres so that they remain part of those centres (as discussed above)
- zoning a large proportion of the land originally proposed to be zoned "SP3 Tourist" at the southern end of Queen Street, as "B4 Mixed Use"

- **Amendments to land use permissibility within certain zones**

The department required Council to prohibit "cemeteries", "crematoria" and "mortuaries" in the RU2 Rural Landscape, E3 Environmental Management and E4 Environmental Living zones, given its intent for Council to undertake further investigations concerning the use of rural lands.

The certificate also makes clear that the Draft CLEP 2014 may be amended by Parliamentary Counsel before it is made to satisfy legal drafting requirements. It also states that minor amendments to the maps may be required after exhibition to ensure consistency with the Standard Technical Requirements for LEP Maps.

PART 3 – OVERVIEW AND OUTCOMES OF PUBLIC EXHIBITION/CONSULTATION

The public exhibition and consultation phase of the LEP process was extensive and wide-ranging and undertaken over eight weeks rather than the minimum statutory requirement of 28 days. It was widely advertised via a range of means including local newspapers, local radio, distribution of a brochure to all households and businesses within the Local Government Area via Australia Post, and the inclusion of a flyer with all annual rates notices.

Information about the Draft CLEP 2014 was available for viewing at the Civic Centre, Council libraries and at six “Drop-In Information Sessions” which were held at various locations across the LGA during the exhibition period. A specialised website, telephone enquiry line and email address were also established. Council’s Senior Planning officers were available throughout the process to answer questions and provide additional information to interested persons. Further details about the consultation strategy are provided in attachment 2.

The following table provides an overview of the interest that has been shown in the Draft CLEP 2014 both during the public exhibition period and to date:

NUMBER OF PERSONS ‘ENGAGED’		
STATISTIC	DURING EXHIBITION	AT 18 APRIL 2015
visits to Draft CLEP 2014 website	8818	24686
downloads from Draft CLEP 2014 website	5245	17697
phone calls	191	2-5 daily
face to face meetings	176	2-3 week
Emails	246	5-10 week

Council has received a total of 163 submissions – 133 from community members and residents and 30 from Government authorities and agencies. Additional and supplementary information on a number of these submissions has also been provided as part of the post-exhibition consultation with persons who made submissions. A further four requests were received between 1 January and 31 March 2015, and although not formal submissions, are also recorded (these are numbered C134 to C137), given their relevance to the Draft CLEP 2014. Correspondence received after 31 March 2015 could not be considered in detail due to the timeframe for preparing this report.

Each submission has been identified with a unique submission number. Where supplementary information relating to submissions has been received, this has been included and considered as part of the original submission for ease of reference. Copies of submissions have previously been made available to Councillors.

The exhibition and consultation undertaken by Council was extensive and broadly praised by the community as being comprehensive, accessible and understandable, a situation potentially reflected in the lack of submissions criticising the process.

More recently, there has been some community criticism regarding a lack of specific consultation on zoning changes to land no longer required for the Smiths Creek Bypass Road and this issue is discussed in more detail later in this report.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Additionally, one submission (C58) believes that the matters contained in the Draft CLEP 2014, in relation to the Campbelltown-Macarthur CBD, and to one large land holding in particular, are such that a public hearing should be conducted. It is the view of Council officers that no such hearing is required. Council officers instead met with the author of submission C58 to discuss the concerns. In addition, one petition containing 148 signatures was received as part of submission C64 in support of the Draft CLEP 2014 being amended to permit further subdivision within Wedderburn.

Another submission (C125) which focussed on environmental issues, believes that the Draft CLEP 2014 should not have been placed on public exhibition prior to completion of Council's Biodiversity Strategy and Koala Plan of Management. It requests that these documents be finalised, that the Draft CLEP 2014 be amended to include provisions relating to biodiversity and koalas and that the Draft CLEP 2014 then be re-exhibited. These requests cannot be facilitated given the timeframe for completion of the LEP.

Further, submission C101 states that the LEP (and related DCP) need to comply with the recommendations of the 2012 ICAC Report "Anti-Corruption Safeguards and the NSW Planning System" and that this fact should be publicised. The ICAC report provides 16 recommendations on various aspects of the planning system aimed at improving certainty, balancing competing public interests, ensuring transparency, reducing complexity, meaningful community participation and consultation, and expanding the scope of third party merit based appeals (mainly in relation to development approvals and planning agreements). The Draft CLEP 2014 has been prepared having regard to the relevant provisions of the *Environmental Planning and Assessment Act 1979* and its associated regulation, to the relevant Ministerial directions made under Section 117 of that Act, to applicable State Environmental Planning Policies and other departmental circulars, guidelines and practice notes. It is therefore considered to be not inconsistent with ICAC's recommendations in so far as they apply to the preparation of LEPs.

PART 4 – APPROACH TO CONSIDERING SUBMISSIONS

4.1 Submissions received – number and methodology for addressing issues raised

The review of submissions has been approached using several groupings. Initially, submissions were divided into those from the community (private individuals and community groups) and those from Government (public authorities and agencies). The submissions were then reviewed by "issue", "location" and "consistency with Council policy". The issues raised in submissions were then categorised having regard to their assessed "merit" and potential to change the Draft CLEP 2014 and in particular, whether or not any suggested changes, if made, would trigger the need to re-exhibit the Draft CLEP 2014. The community submissions and the issues raised within them were thereby divided into the following categories which explain how the issues will be dealt with as part of the finalisation of the Draft CLEP 2014:

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

- **Category A1** – correct anomalies/minor change
Recommended for adoption (no re-exhibition)
- **Category A2** – noted - no further action
- **Category B1** – merit/consistent with policy (would trigger re-exhibition)
recommended for further investigation
- **Category B2** – merit/inconsistent with policy (would trigger re-exhibition)
recommended for further investigation
- **Category C** – considered to have insufficient planning merit/inconsistent with policy
no further action
- **Category D** – supports the Draft CLEP 2014
noted (no further action)
- **Category E** – supports the Draft CLEP 2014 and encourages further enhancement
noted (to be further investigated)
- **Category F1** – “deferred matters”
noted (where the subject land is deferred from the Draft CLEP 2014)
- **Category F2** – action deferred
noted (pending detailed technical investigation or similar)

The subject categorisation of submissions received is reflected in the relevant sections of this report. A number of the Government submissions raised a wide-range of issues, which made an overarching categorisation difficult and less meaningful.

The issues raised in the submissions are discussed later in this report.

4.2 Post exhibition Councillor submission forums

All community members (persons and groups) who made submissions were invited to “speak to their submissions” at a series of nine Councillor Forums conducted between 6 November and 11 December 2014. The majority of people took the opportunity and were appreciative of Council’s initiative. The Forums provided Councillors an opportunity to become more familiar with the submissions and to gain an enhanced understanding of the provisions contained within the Draft CLEP 2014.

Supplementary presentation materials, such as PowerPoint presentations, and additional hard copy written materials provided at the forums have since been distributed to all Councillors.

4.3 Councillor Briefing

On the evening of 3 February 2015, the Director Planning and Environment provided Councillors with a presentation on finalising the Draft CLEP 2014. The presentation emphasised the need for the Draft CLEP 2014 to be finalised as soon as possible given its importance in establishing a base-line statutory planning framework for the future development of the recently established Campbelltown-Macarthur Regional City Centre and other priorities set out under the new Metropolitan Strategy – A Plan for Growing Sydney.

PART 5 – RELATIONSHIP OF THE DRAFT CLEP 2014 TO THE NEW METROPOLITAN STRATEGY

“A Plan for Growing Sydney” (the Metropolitan Strategy), was released on 15 December 2014. The Metropolitan Strategy, and its implementation, will have significant impacts on the Campbelltown LGA. The main issues raised by the Metropolitan Strategy, as it relates to Campbelltown are as follows:

- the Regional City Centre status for the Campbelltown-Macarthur CBD
- investigation of the Glenfield to Macarthur Corridor for increased urban potential, revitalisation and economic/employment development
- studies to examine the urban potential of the Greater Macarthur Urban Investigation Area (including Macarthur South)
- development of a Sub-Regional Delivery Plan for the South West Subregion of Sydney
- establishment of the framework for housing and economic/employment development to support the growth of the Sydney region
- identification of the Scenic Hills as parkland/reserve with the inference of having the potential for an extension of the Western Sydney Parklands Corridor

Finalising the Draft CLEP 2014, and thereby having one standardised and consolidated LEP for the Campbelltown LGA, is an essential first step in facilitating the new Regional City Centre status and addressing the requirements of the Metropolitan Strategy. The new LEP will also provide the framework in which to place the planning controls for the new Regional City Centre, the Glenfield to Macarthur Corridor and the Greater Macarthur Urban Investigation Area (if found to be feasible), once those controls have been prepared.

It is understood that any delays in finalising the overall CLEP at this stage would not be welcomed by the NSW Government. Council may wish to note that representatives from the Department of Planning and Environment have expressed in the strongest terms that it is imperative that Council finalise the Draft CLEP 2014 as a matter of urgency. If necessary, the Minister has a statutory capacity to call in the Plan and deal with its finalisation should such action be deemed by the Minister to be appropriate.

Once the CLEP has been finalised and is in place, future amendments can be made to:

- address issues raised in submissions that have merit generally require more detailed investigation and if pursued now would require re-exhibition (and delay) of the current Draft CLEP 2014
 - introduce better informed controls for the Regional City Centre, land within the Glenfield to Macarthur Corridor and any future urban releases in the Greater Macarthur Urban Investigation Area
 - facilitate any requirements of the forthcoming Sub-Regional planning work (Sub-Regional Delivery Plan) which will aim to achieve the higher-order goals for the Sydney Region established in the Metropolitan Strategy
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- implement and achieve the opportunities for growth and revitalisation of the LGA to be outlined via:
 - the Sub-Regional Delivery Plan
 - the Glenfield to Macarthur Corridor Strategy
 - any housing and employment growth targets
 - identification of future urban releases (such as may be determined after studies into the Greater Macarthur Urban Investigation Area are finalised)

The new Metropolitan Strategy also has implications in terms of how some of the issues raised in submissions should be dealt with. In particular, the Glenfield to Macarthur Corridor Strategy, which is currently being prepared, will have significant implications for the future use of land within close proximity to railway stations (and the general corridor) within the LGA. This is discussed in the following sections of this report, where considered relevant.

PART 6 – THE SUBMISSIONS

6.1 Main issues raised

The principal issues raised in submissions are summarised as follows.

Some of these issues are discussed in further detail in later sections of this report.

Support for:

- the underlying philosophy/strategy of the Draft CLEP 2014 (based on the background studies)
- the overall balance and direction set by the Draft CLEP 2014
- the existing business centres hierarchy (with some concern about the role and status of Ingleburn)
- Ingleburn being identified as a Major Centre
- Campbelltown-Macarthur as a Regional City Centre
- revitalisation of the Campbelltown CBD
- enhanced accessibility and connectivity throughout the LGA
- protecting the Scenic Hills (and enhancing the controls in this regard)
- the proposed additional heritage protection clauses
- strategically located employment lands
- the proposed B5 Business Development Zone along Blaxland Road

Concern over:

- potential adverse impacts of high-rise living environments
 - proposed heights and FSRs in the Campbelltown-Macarthur Centre and the Ingleburn Centre (some developers and land owners believe they are too low while some community representatives believe they are too high)
 - not recognising Ingleburn as a Major Centre
 - limitations on the size of neighbourhood shops in local centres
 - not recognising the future potential of the Leumeah Centre
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- the loss of existing open spaces in urban renewal projects
- lack of subdivision/development potential in certain locations (such as the East Edge Scenic Protection Lands and Wedderburn)
- proposed zoning and controls for particular sites (mostly considered to be too restrictive)
- relationship of the Draft CLEP 2014 to current Planning Proposals (e.g. Blairmount, Mount Gilead and the Glenfield Waste Site)

Requests/advocacy for:

- expansion of planning controls to protect the Scenic Hills
- an evidence based review of the interface between the existing urban area and the Scenic Hills
- a linear park between Macarthur and Campbelltown Railway Stations
- listing of additional heritage items and a review of existing heritage curtilages (based on the recommendations of the Heritage Study)
- increased subdivision/development potential across a range of sites and localities (which are discussed in detail later in this report)
- increased environmental recognition and protection
- increased heritage protection (including support for the proposed additional local heritage clauses)
- increased development potential on particular sites and other site specific requests (such as more height and FSR, smaller lot sizes)

Major issues raised included:

- more comprehensive subdivision for lower density rural/residential development (2ha lots or smaller) at Wedderburn – strong support including a petition but not unanimous
 - requests for subdivision potential at Kentlyn and Minto Heights – some support for further subdivision including 1ha, 4000m² and 1000m²
 - support for more intensive low-density urban residential subdivision in the East Edge Scenic Protection Lands
 - other site/area specific proposals for further residential/large lot residential subdivision including Menangle Road, Glen Alpine; Wedderburn Road, St Helens Park; and various individual properties in Menangle Park and elsewhere
 - requests for increased development potential in the Campbelltown-Macarthur CBD Core and surrounding support areas (which largely provide for mixed use development and higher density residential development)
 - concern with the proposed maximum height reduction in the Campbelltown-Macarthur CBD Core support areas (e.g. King Street) and suggested increase to 12 to 14 storeys
 - divergent views over future planning for the Ingleburn CBD and its environs (matters relating to the Ingleburn CBD are to be dealt with as part of the Ingleburn Structure Plan process).
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The principal issues raised in the government submissions are as follows:

- support for amendments made in response to Section 62 consultation
- zoning of particular government owned sites and areas
- environmental issues and zoning of environmental areas
- optimisation of opportunities for safe and healthy lifestyles
- acquisition responsibilities
- facilitation of strategic management of Council assets
- particular provisions in the Draft CLEP 2014
- permissibility and location(s) of future cemeteries
- NSW Land and Housing's request for very flexible lot size, density and dwelling-type controls to maximise asset realisation
- need to conserve resource areas and facilitate extraction/mining
- need to reinforce identified agricultural and aquaculture opportunities
- site specific zones, development controls and development potential
- collaboration with adjoining councils over cross-boundary issues.

The following sections of this report discuss the main issues raised in the submissions in more detail, their implications for Draft CLEP 2014 and potential future Council actions. Without seeking to diminish the value of any submission received, the key actions to emerge from the review of the submissions can be summarised to include:

- the absolute requirement for government authorities/agencies to be nominated for final land acquisition responsibilities
 - further investigation of more comprehensive subdivision at Wedderburn, in the East Edge Scenic Protection Lands and other specific locations (to inform Council's consideration of a possible future LEP amendment)
 - adoption of interim controls with respect to the following business and commercial centres, pending the outcomes of the Glenfield to Macarthur Corridor Strategy and subsequent detailed structure planning:
 - Glenfield
 - Macquarie Fields
 - Ingleburn
 - Minto
 - Leumeah
 - Campbelltown-Macarthur
 - Deferment from the Draft CLEP 2014 of areas subject to independent Planning Proposals including:
 - the Menangle Park Urban Release Area
 - the Mt Gilead Urban Release Area (already deferred in the exhibited Draft)
 - Blairmount and Eagle Vale Drive
 - the Glenfield Waste Disposal Site (already deferred in the exhibited Draft)
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- exploration of enhanced environmental controls with particular focus on the adoption and integration of controls to deliver the Council's Koala Plan of Management and the Biodiversity Strategy (to inform a future LEP amendment).

6.2 Overview of submissions

This section of the report discusses the issues raised in the submissions in detail. An overview of the government submissions is provided first, followed by discussion of specific issues raised in both the government and community submissions.

6.2.1 Government submissions

Thirty submissions from government agencies and departments were received in response to the public exhibition of the Draft CLEP 2014. Many of the submissions dealt with the zoning of government land and/or land acquisition issues. Other submissions dealt with broader comments about the content of the Draft CLEP 2014. Many submissions raised matters beyond the scope of the Draft CLEP 2014. The submissions discussed briefly below and then under the relevant themes in the latter parts of this report.

G1 and G13 – Council internal submissions

These submissions list a number of sites identified as being required for roads, road widening, drainage or that are flood affected.

The submissions also suggest some other minor zoning amendments. These have been addressed where considered appropriate based on finalised and adopted studies, justifiable planning merit, and/or resolutions of Council. Other amendments can be made at a later stage following further detailed investigation or when policy positions become clearer.

G2 – Mine Subsidence Board

The Mine Subsidence Board raised no objections or concerns with the Draft CLEP 2014.

G3 – Department of Primary Industries – Office of Water

The Office of Water provided a comprehensive submission commenting on a range of matters as they relate to water issues and requesting that some amendments to clauses and the land use table be considered. These matters are discussed in Part 7 of this report.

G4 – Commonwealth Department of Defence

The Department of Defence concurs with the proposed zoning of the Defence lands at Holsworthy and surrounding lands, and thanks Council for its considered approach.

G5 – Department of Education and Communities (DEC)

The DEC acknowledges that Council has followed the Department of Planning and Environment's Practice Note "Zoning for Infrastructure in LEPs – PN 10-001" and has proposed to zone schools in residential areas as residential. However, the DEC's preferred position would be to have the residential height and FSR controls removed from school sites, even though the Infrastructure SEPP overrides such controls for school purposes. It also comments on high rise development in the vicinity of schools, the preferred approach for listing heritage items within schools and requests notification of increased population near schools for forward planning purposes.

G6 – Department of Primary Industries – Fisheries NSW

The submission from Fisheries NSW commends Council for including initiatives in the Draft CLEP 2014 aimed at aquatic habitat protection and provides some advice on the permissibility of aquaculture in the land use table.

G7 – Office of Environment and Heritage – Heritage Division

This submission, made on behalf of the Heritage Council of NSW, provides no further comments in addition to those raised during Council's previous Section 62 consultation with government agencies.

G8 – NSW Trade and Investment – Resources and Energy Division

The submission raises concerns about the potential of restricting access (and possible sterilisation) of mineral resource assets by introducing inappropriate zoning and consequently facilitating development that could constrain access to natural resources. It suggests that land in south Campbelltown should be zoned RU1 Primary Production rather than RU2 Rural Landscape as the RU1 zone would allow for further primary industry opportunities, including mining and extractive industries. This matter is discussed further in a latter section of this report. The submission also comments on existing mining and extractive industry operations in the Menangle Park area and on the need to comply with any requirements of the Mine Subsidence Board.

G9 – NSW Rural Fire Service

The NSW Rural Fire Service made no further comments in addition to those made earlier as part of Council's Section 62 consultations with government authorities on the Draft CLEP 2014.

G10 – Sydney Catchment Authority

The Sydney Catchment Authority advised that it generally agrees with the zones proposed to apply to its lands, but requests minor wording changes to the labelling of some sites. These changes have been made where possible.

G11 – Office of Environment and Heritage (OEH)

The OEH has provided a comprehensive submission that raises a wide range of environment based issues. These issues are discussed under the relevant themes within this report.

G12 – National Parks and Wildlife Advisory Service (NPWAS)

The NPWAS advised that it does not comment on LEPs.

G14 – NSW Urban Growth (prepared by BBC Consulting Planners)

The submission from Urban Growth comprised two letters. The first requests the rezoning of some land within the Airds Bradbury Urban Renewal Area to E2 Environmental Conservation and the second discusses a range of specific clauses in the Draft CLEP 2014. These issues are discussed in more detail in latter sections of this report.

G15 – NSW Department of Primary Industries – Agriculture NSW

The submission from Agriculture NSW discusses various aspects of the Draft CLEP 2014 and how these relate to retaining agricultural uses and potential within the Campbelltown LGA. Comments are made about land use zoning, aims and objectives and various clauses within the Draft CLEP 2014. These matters are discussed in more detail under the relevant themes in this report.

G16 – Australian Botanic Garden, Mount Annan

The submission raises no objections to the proposed zoning or provisions in the Draft CLEP 2014, as they affect the Australian Botanic Garden at Mount Annan.

G17 – Environment Protection Authority (EPA)

The EPA has provided a detailed submission that focuses on environmental matters. It includes requests for additional plan and zone objectives and suggests that reference be made to a range of other guidelines most of which are considered to be beyond the scope of the Draft CLEP 2014. The matters raised are discussed in more detail in Part 7 of this report.

G18 – Department of Planning (Office of Strategic Lands)

This submission builds on details provided previously (both via Section 62 Government Consultation and earlier) regarding the appropriate zones that should be applied to land owned by the Minister for Planning (Corporate Sole). Some comments also relate to acquisition requirements for particular parcels of land.

G19 – NSW Department of Primary Industries – Cemetery Reform Group

This submission objects to cemeteries, crematoria and mortuaries being prohibited in the majority of the Campbelltown LGA and discusses the need for such infrastructure within South West Sydney and some specific opportunities. A latter section of this report discusses cemeteries and related issues.

G20 – Health Infrastructure

Health Infrastructure agrees with the proposed zoning of the Campbelltown Hospital lands as SP2 Infrastructure and requests the removal of the proposed height and FSR controls. These controls would be overridden by the Infrastructure SEPP in any case if the land was used for infrastructure purposes. The controls were included as a 'safety net' in case the site is proposed to be used for other purposes. The requested adjustment to the Draft CLEP 2014 has been made.

G21 – NSW Health – South West Sydney Local Health District

The submission focuses on health related matters and requests a range of additional objectives and some amendments to specific clauses most of which are beyond the scope of the Draft CLEP 2014. These matters are discussed in Part 7 of this report.

G22 – Liverpool City Council

Liverpool City Council raises concerns with a range of issues covered by the Draft CLEP 2014, including the wording of some zone objectives and the proposed and future zoning of some areas that may impact on the Liverpool LGA. These matters are discussed in the sections of this report that deal with cross-boundary issues and the Draft CLEP 2014 Written Instrument. Other matters considered to be local in nature are noted.

G23 and G23A – Transport for NSW and Roads and Maritime Services (RMS)

There have been submissions received from, and an on-going dialogue with, the RMS regarding the zoning and responsible acquisition authority for various road projects and road widening requirements. Appropriate amendments to the maps have been made where required. There still remains an impasse in respect of the acquisition authority for some significant road infrastructure items and this matter is discussed in further detail later in this report.

G24 – NSW State Emergency Service (NSW SES)

The SES provides advice on zoning of land affected by risk and particularly by flooding. It notes the inclusion of a flood clause in the Draft CLEP 2014 and requests consultation on the Flood Study and during development of forthcoming flood maps to supplement the LEP. The Draft CLEP 2014 does not propose to rezone flood prone land for more intensive development than is already permitted. Any such rezoning proposals would be subject to detailed flood analysis prior to any rezoning being considered.

G25 – Sydney Water

Submission G25 from Sydney Water provided detailed guidance on the most appropriate zones to be applied to Sydney Water's land and assets within the LGA. Where required, the maps have been amended to reflect this advice. The relevant map amendments are listed in attachment 4.

G26 – Camden Council

The submission from Camden Council does not raise any major concerns with the Draft CLEP 2014 but encourages continued collaboration between Campbelltown and Camden Councils in dealing with matters that affect land in both LGAs, particularly the Scenic Hills. These matters are discussed further in the section on cross-boundary issues.

G27 and G28 – Council Internal Submissions

These submissions are a product of the internal 'road-testing' of the Draft CLEP 2014 that was undertaken during and has continued since public exhibition, and initiate the process of continual review and improvement of the proposed new planning controls. A number of possible amendments to the Draft CLEP 2014 are suggested that may improve the useability and application of the plan. These matters are discussed in Part 7 of this report.

G29 – Sydney Trains

This is a brief submission that raises no significant issues with the Draft CLEP 2014, but suggests some additional heritage items that could be considered for listing in the Draft CLEP 2014.

G30 – NSW Land and Housing

The submission from NSW Land and Housing requests that opportunities be provided for the development potential of land within its ownership to be maximised. It also requests that this land use 'uplift' be retained even if the land is sold to the private market. These issues are discussed in more detail under Part 6 of this report.

6.2.2 Centres and Commercial/Retail Issues

A number of submissions were received that relate specifically to the commercial and business centres within the Campbelltown LGA. These have been grouped into relevant themes and are discussed in the following sections of this report.

6.2.2.1 The Campbelltown Macarthur Regional City Centre

Issue 1: Proposed zoning and principal development standards

Background

A new vision and Urban Design Blueprint consistent with Council's Regional City Centre aspirations was endorsed by Council and informed the planning controls in Draft CLEP 2014 (Please refer to Council Report of 26 March 2013).

The principal development controls for development in the Campbelltown-Macarthur Regional City Centre as proposed in the Draft CLEP 2014 include:

- maximum height of buildings
- maximum floor space ratio (FSR)
- land use zoning

Overview

The general direction of the new City Centre Vision was widely supported and encouraged by the community and landowners, who clearly saw it as commencing to create a framework for a rejuvenated, enhanced and enlivened place to shop, work, live and recreate.

The detail contained in the proposed controls, was, however, broadly challenged by a number of landholders including those of some major/key sites. Concerns have been expressed that:

- development potential achievable under current planning controls had been diminished in some instances as was reflected principally in a reduction in maximum permissible building height
- proposed maximum building heights and FSRs do not reflect the true potential of identified sites and would not contribute to realisation of the Regional City Centre Vision
- the proposed introduction of the SP3 Tourist zone and related controls constrained the range of commercial land use expectations/development potential in key areas of the Regional City Centre

Concept Master Plans

The owners of some key sites submitted supplementary information (C43, A, B, C; C107, A; C114, A; C130, A) including concept master plans, that expanded on Council's vision, based on suggested revised maximum building heights and FSRs. These largely inspiring schemes reflected significant thought and projected confidence (not previously expressed) in the Campbelltown-Macarthur centre's future as an envisaged and recently declared Regional City Centre. The general vision was also supported by submissions C31, C50 and C135.

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The subject information was presented at the Councillor forums and made separately available to Councillors.

The submissions and supplementary information submitted for the key sites should initially be noted and used to help inform the work currently being undertaken as part of the Glenfield to Macarthur Corridor Strategy commissioned by the Department of Planning and Environment. Much of the subject material is noted to be of a “commercial in confidence” nature.

It is of interest to note that submission C88 believes high rise buildings in centres should be limited to a maximum of 6 storeys, and also believes the existing development density in commercial areas should not be increased.

Submission C114 is supportive of Council's approach to the centres policy which effectively protects centres by discouraging out-of-centre development of uses that are most appropriately located in centres.

Translation of Existing Controls

The translation of the Council's adopted Urban Design Blueprint into planning controls in the exhibited Draft CLEP 2014 resulted in a reduction in theoretical maximum buildings heights, in some precincts, from the 10 storey limit currently contained in the Campbelltown Sustainable City Development Control Plan (SCDCP). Councillors are asked to note that the background to this reduction in heights was depicted in the Council report of 26 March 2013, previously referenced.

It is noted that there are no FSR controls in Council's current Local Environmental Plan that applies to the Campbelltown-Macarthur CBD (being Campbelltown (Urban Area) Local Environmental Plan 2002) or the current SCDCP.

The subject reduction was strongly opposed by all those impacted persons who made a submission (some five property holdings/submissions) during the public exhibition/consultation process and via one late submission C136.

It is of some significance to note that these submissions did not acknowledge the existence of clause 4.6 Exceptions to Development Standards, which allows applicants to seek variations to development standards (including maximum building height and FSR) subject to appropriate justification. Council could utilise this clause on an application by application basis depending upon a detailed merit assessment.

Interim Strategy

As an interim measure and in order not to delay the passage and ultimate adoption/making of Draft CLEP 2014, the following strategy is proposed to address the preceding concern of a reduction in maximum building height and floor space limitations:

- all properties previously designated with a 10 storey height limit in the SCDCP should have the maximum building height “returned” to 10 storeys (approximately 32 metres)
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- all properties previously designated with a 6 storey height limit in the SCDCP should have the maximum building height “returned” to 6 storeys (approximately 19 metres)
- all properties with a proposed building height in excess of 10 storeys retain the maximum heights mapped in the Draft CLEP 2014
- all FSR maps be removed from the Campbelltown-Macarthur Centre. Furthermore, the current secondary controls (setbacks, site coverage, landscaped area requirements, privacy, overshadowing/solar access, parking requirements and the like) contained in the SCDCP and the controls in SEPP 65 – Design Quality of Residential Flat Development, and the accompanying Residential Flat Design Code, would continue to be relied upon in the interim to guide design outcomes.

The preceding interim strategy is considered to be both fair and reasonable and would not trigger the need for re-exhibition of the Draft CLEP 2014 as no enhanced development prospects which exceed previous public expectations (as exhibited in Draft CLEP 2014 or the existing SCDCP) are proposed.

In terms of the Campbelltown-Macarthur Regional City Centre, it is recommended that the Draft CLEP 2014 therefore carries forward the existing height controls from the SCDCP on a ‘best-fit’ basis and takes into account other relevant DCPs, together with some increases in height controls introduced by the Urban Design Blueprint. As there are currently no FSR controls applying to the centre, it is considered appropriate not to introduce any at this stage. The Glenfield to Macarthur Corridor Strategy, which is currently being prepared, is likely to provide revised and stronger specific evidence-based controls for the Regional City Centre. Such an evidence base will, it is understood, include development feasibility informed by the Department of Planning and Environment's own model.

Late submissions in support of the general direction of the vision and documenting desired development parameters were also received.

Opposition to high rise residential living was raised in a number of submissions and this issue is addressed later in this report.

Consistent with the preceding commentary, the relevant Draft CLEP 2014 Height of Buildings Maps should be:

- amended to “reinstate” a maximum building height of 10 storeys (32 metres) to those properties where this height was reduced under the Draft CLEP 2014
- amended to “reinstate” a maximum building height of 6 storeys (19 metres) to those properties where this height was reduced under the Draft CLEP 2014
- “retained” as exhibited for properties which exceed the previous height limits

In addition, the Draft CLEP 2014 Floor Space Ratio Maps should be removed from the Draft CLEP 2014 map atlas, for the time being.

(Category A – minor change - recommended for adoption)

Furthermore, in the light of the Glenfield to Macarthur Corridor Strategy the foreshadowed future investigations/amendments warrant categorisation of the subject submissions also as:

(Category B2 – recommended for further investigation)

Issue 2: Proposed SP3 Tourist Zone (southern end of Queen Street)

When Draft CLEP 2014 was first prepared, it was proposed to identify a large area of land on the southern end of Queen Street, extending from the Queen Street Heritage Conservation Area across Koshigaya Park and including the Campbelltown Arts Centre and associated entertainment precinct as a tourist area. The SP3 Tourist zone was then applied to the land under the Draft CLEP 2014 to achieve this aim. However, as previously raised in this report, the department required this proposed zone to be reduced by approximately two-thirds and the majority of the land zoned B4 Mixed Use, prior to the Draft CLEP 2014 being placed on public exhibition.

Submissions C114 and C128 raise concern about the potential impacts of the SP3 zone. Submission C114 stated that the SP3 zone constituted a 'down-zoning' of an important CBD site and that the entire Campbelltown Mall site (a small portion of which was proposed to be zoned SP3) should be zoned B3 Commercial Core. Submission C128 supports Council's attempts to revitalise the Campbelltown CBD but believes that a B4 Mixed Use zone would be a better mechanism for achieving it than the SP3 zone. The concerns focussed upon the perception of a significant parcel of land in the commercial centre not potentially highlighting its commercial significance, together with a perceived minor reduction in permissible commercial uses under the proposed zone.

Submissions C96, C101 and C102 support the SP3 zone and advocate it being reinstated as it was originally proposed. However, the Department of Planning and Environment will not support this change. This reduction in size effectively nullified the intended effect of the SP3 zone. Furthermore, having regard to the submissions from some property owners and the heritage provisions contained in the Draft CLEP 2014, it is recommended that the relevant Draft CLEP 2014 Land Use Zoning Maps be amended to zone land previously identified as SP3 Tourist, as B4 Mixed Use in a manner consistent with the surrounding zoning.

(Category A1 – minor change – recommended for adoption)

Issue 3: Access and linkages

Submission C51 suggests a linear park for pedestrian and cycle access be created between Campbelltown and Macarthur railway stations. This is a matter that can be addressed in future detailed master planning for the area and possibly as part of the Glenfield to Macarthur Corridor Strategy.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category E – supports the Draft CLEP 2014 and encourages further enhancement).

6.2.2.2 The Ingleburn Central Business District

The Ingleburn Central Business District is the subject of further detailed planning in the form of the Council commissioned Structure Plan initiative and the Department of Planning and Environment's Glenfield to Macarthur Corridor Strategy (currently being prepared). The Corridor Strategy will likely inform the final direction of the Structure Plan and a future amendment to Draft CLEP 2014 after its adoption.

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Submissions C77, C90, C112, and C124 relate to the Ingleburn CBD and its immediate surrounds and include both support and opposition for significant enhancement of development potential. Issues raised include:

- recognising Ingleburn as a Major Centre
- the Draft Ingleburn Structure Plan
- suggestions about the zoning and appropriate land uses and development controls (including maximum building heights and FSRs) for land within the existing CBD and also located on the western side of the railway line
- the establishment of an Ingleburn Business Park and opportunities for office and business premises on the western side of the railway line
- allowing residential flat buildings and mixed use development along Stanley Road, near the railway station
- the need to undertake a viability analysis of any proposed zoning scheme
- linkages from Ingleburn (East West Connection)
- 'Connectivity' in and around Ingleburn

In terms of the Ingleburn Centre, the Draft CLEP 2014 carries forward the existing controls from LEP 2002 on a 'best-fit' basis and takes into account existing controls in the SCDGP. The Ingleburn Town Centre Structure Plan and the Glenfield to Macarthur Corridor Strategy that are currently being prepared will provide revised and stronger specific evidence-based controls for the Ingleburn Centre. Therefore, no changes to the Draft CLEP 2014 or the background studies that inform it, are supported at this stage.

It is important to note that should any specific development application be lodged in the interim that proposes buildings of heights greater than those permitted under the Draft CLEP 2014 (once it comes into effect), Council could consider a variation to the height standard via clause 4.6 Exceptions to Development Standards, should it be satisfied that the proposal has merit.

The Draft CLEP 2014 planning provisions, as exhibited, are recommended for adoption as an interim measure, pending the outcomes of the Corridor Strategy and Structure Plan finalisation.

(Category B2 – recommended for further investigation)

6.2.2.3 The Leumeah Centre and surrounds

The broader Leumeah Centre is a highly accessible precinct with a significant sporting/hospitality focus. It has been the subject of evolving development sector/landowner interest which seeks to leverage off these distinct assets/qualities (including the presence of higher order sporting and recreation facilities), and also the introduction of a significant residential component.

The Glenfield to Macarthur Corridor Strategy will explore these subject qualities further in developing an outline Structure Plan for the Centre/precinct.

Area 1: Hollylea Road Precinct

Submissions C21 (including C21A and C21B) relate to 2A - 4 Hollylea Road, Leumeah. The submissions promote redevelopment comprising residential flat buildings (mainly 8 storeys but rising to 14 storeys) and mixed use development, and propose the broader development of Leumeah as a sports/recreation precinct linked to a redeveloped/expanded Leumeah Stadium). Reasons supporting the proposal are provided. The submission proposes a B4 Mixed Use zoning and a range of building heights from 26m (6-8 storey) to 32m (8-10 storeys) and FSR of 2:1.

The Draft CLEP 2014 proposes to zone the subject land B5 Business Development (with a bulky goods/warehouse focus). No minimum lot size is proposed. A maximum building height of 15 metres is proposed. No FSR control is proposed.

The Draft CLEP 2014 planning provisions, as exhibited, are recommended for adoption as an interim measure, pending the outcomes of the Glenfield to Macarthur Corridor Strategy.

(Category B2 – recommended for further investigation)

Area 2: Existing Leumeah Centre and surrounds (O'Sullivan Road Precinct)

Submissions C74 (including C74A and C74B) focus upon the O'Sullivan Road commercial precinct. The submissions promote mixed use development, including residential towers, typically 8 storeys in height focused on a redevelopment of the existing business centre. They also promote the opportunity to leverage off elements of the hospitality and sports focus. (Refer to Submissions C21, C21A and C21 B above). Some limited justification for the proposal is provided. The vision is supported by a proposed building height of 22.5m (it is noted that this should be 26m to align with the 8 storeys as requested).

The Draft CLEP 2014 proposes to zone the subject land B2 Local Centre. No minimum lot size is proposed. A maximum building height of 12m is proposed, whilst no FSR is proposed. The proposed zoning under the Draft CLEP 2014 is still considered to be relevant as the Centre evolves; capitalising on its locational attributes and consolidated land holdings and relationship to the Hollylea Road Precinct redevelopment vision. The outcomes of the Glenfield to Macarthur Corridor Strategy will better inform the status of the Centre and its future function and form.

The Draft CLEP 2014 provisions, as exhibited, are recommended for adoption as an interim measure, pending the outcomes of the Glenfield to Macarthur Corridor Strategy.

(Category B2 – recommended for further investigation)

Area 3: Wests Tennis Club

Submission C80 promotes a commercial zoning (B2 Local Centre) to integrate with the Wests Club and the evolving broader precinct. A development characterised by mixed uses to a maximum height limit of 12 (+) metres is envisaged as appropriate. Reasons supporting the proposal are provided.

The Draft CLEP 2014 proposes to zone the subject land RE2 Private Recreation in a manner consistent with the existing zoning.

The proposal has certain synergies with the other Leumeah Centre submissions and warrants further investigation in the context of an evolving new vision for the Leumeah precinct.

The Draft CLEP 2014 provisions are recommended for adoption as an interim measure, pending the outcomes of the Glenfield to Macarthur Corridor Strategy.

(Category B2 – recommended for further investigation)

6.2.2.4 Other Local and Neighbourhood Centres

Bradbury

The principal submission (C81) (as further clarified in the supplementary submission C 81A) seeks an increase in maximum building height to 7-8 storeys (21-24 m). The submission is not supported by a detailed justification.

The Draft CLEP 2014 proposes to zone the land B1 Neighbourhood Centre and adopts a 9m (approximately 2 storey) height limitation consistent with Council's existing controls in the SDCDP.

The submission is inconsistent with Council policy and importantly with the role and implied vision for the Bradbury Centre.

The planning provisions contained in Draft CLEP 2014 for the Bradbury Centre are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Glenfield – Uncle Leo's Roadhouse, Campbelltown Road, Glenfield

Submissions C73 (and C73A) request the subject site be zoned B2 Local Centre to facilitate localised retail services for nearby residential development and integrated small lot housing. It is requested that the proposed minimum lot size (of 450m²) be removed to facilitate smaller lots. A maximum height of buildings of 12m is proposed. The submission is supported by a range of reasons.

The Draft CLEP 2014 proposes to zone the land R2 Low Density Residential and to include the current non-residential activities in the Schedule of Additional Permitted Uses (Schedule 1). It is noted that some discussion in respect of a "convenience/general store" occurred in the planning phases of the Glenfield Road Urban Release Area. No specific site was identified for such a facility as the Master Plan evolved, and no land was zoned for retail or commercial purposes. It would appear as though there was some acknowledgement that the residents of the Glenfield Road Urban Release Area would access the Glenfield Business Centre, as well as the Glenquarie Centre for retail and other services. As the master plan evolved, no significant vehicular opportunities to potentially access a local centre on the "Uncle Leo's" site were included. To link the residential neighbourhood with a new off-site local centre would now create potential significant residential amenity and traffic concerns.

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Further, the “community uses” zone which originally applied to a small area of land in the urban release area did not permit shops or commercial premises. This zone was later removed as some community facilities were provided elsewhere within the development and also at Seddon Park Glenfield. It is also noted that the proposed RE2 Private Recreation zone in the Glenfield Urban Release Area permits the development of kiosks, restaurants and cafes to service some local convenience needs.

The land is not considered to be an appropriate site for the proposed use, particularly given its related access scenarios and lack of capacity for meaningful integration with the adjoining residential development in the Glenfield Road Urban Release Area.

The submission is inconsistent with Council policy and importantly the role and implied vision for the locality.

The planning provisions contained in Draft CLEP 2014 for the site are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit– no further action)

St Helens Park – Appin Road/Kellerman Drive

The land is the subject of an existing (non-actioned at this point in time) approval for a 24 hour service station and convenience store. Submission C92 requests that the land be zoned B1 Neighbourhood Centre so as to permit: a service station, a fast food outlet and a proposed retail outlet (greater than 1,000m²). Some reasons supporting the proposal are provided.

The Draft CLEP 2014 proposes to zone the site R2 Low Density Residential and list a service station and convenience store (neighbourhood shop) under Schedule 1 - Additional Permitted Uses.

In light of the absence of any up to date supporting retail/economic analysis justifying the need for a further commercial precinct and assessing the relationship of such a proposal on the established and proposed retail centres hierarchy, it is considered that rezoning the land to accommodate a neighbourhood centre is not warranted at this time.

This position is further strengthened given the nature and distribution of local shopping/service opportunities, particularly the ‘offer’ at the Woodlands Road shopping precinct, the Rosemeadow Centre and the opportunity for the future development of shops in St Helens Park on the commercially zoned land along Kellerman Drive.

The submission is inconsistent with Council policy, inclusive of the role and nature of local centres.

The planning provisions contained in Draft CLEP 2014 for the site are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

6.2.2.5 Supermarkets in Neighbourhood Centres/Kearns Shops

Part of submissions C103 (and C103A) relate to the potential impact of the limitation in the proposed B1 Neighbourhood Centre zone of “neighbourhood shops”. This is a potential issue which extends beyond the Kearns shops, and is also raised in Submission C127 which raises the issue in the context of the future of neighbourhood centres more generally.

Under the Draft CLEP 2014, shops in the B1 zone are limited to “neighbourhood shops”, with a proposed maximum floor space of 100m². Submission C127 (supported by specialist advice) highlights the negative impact of the proposed prohibition of shops and restriction on “neighbourhood shops” particularly when the role of small supermarkets is considered.

The limitation on large footprint retailing is considered desirable, given the neighbourhood scale and focus of the centres. It is, however, not intended to stifle the trade and modest expansion plans of small supermarkets and entry of other small supermarkets at a neighbourhood level, especially in light of the future potential for renewal and revitalisation at these centres.

The Draft CLEP 2014 proposes to zone the land B1 Neighbourhood Business and amongst other things restrict shops to “neighbourhood shops”, with a maximum floorspace of 100m², as described above.

Given the subject circumstances it is proposed to identify, as a possible future potential priority amendment, to the Draft CLEP 2014 (after its adoption), consideration of the introduction of a local clause which permits supermarkets to be established at a scale which services the convenience needs of the neighbourhood, and exceeds the 100m² standard. In the interim, Clause 4.6 Exceptions to Development Standards could be used to facilitate a variation to the maximum floorspace, if required, should Council deem a variation appropriate in the circumstances.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category B2 – recommended for further investigation)

6.2.3 Opportunities for economic and employment development

Several submissions highlighted the importance of economic development and job creation within the LGA. The main issues raised are discussed below.

Support for the B5 Business Support Zone (Blaxland Road)

Submission C82 supports the proposed B5 zone (and the associated proposed development controls for land within the zone) and believes that this is a positive initiative by Council and a key economic driver. It is noted that the proposed new zone was introduced to reflect the transformation and continuing evolution of an industrial precinct into a business support/bulky goods precinct that also permits a range of other “centre support” land uses, with development consent without impacting adversely on the major commercial centres.

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This support is noted, and the planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category D – supports the Draft CLEP 2014 - noted - no further action)

Future Business Park in Campbelltown - Macarthur

Submission C51 supports the future development of a medical technology business park on land near the railway line linked to UWS and the hospitals as outlined in Councils Employment Lands Review 2011. Much of this land is currently deferred from the Draft CLEP 2014 as it is the subject of an Urban Activation Precinct nomination. It is also noted that this land is in close proximity to the land subject to the planning proposal for the Maryfields site.

The issue is also likely to be dealt with as part of the Glenfield to Macarthur Corridor Strategy.

The planning provisions in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category B2 – recommended for further investigation)

Future Business Park in Ingleburn

Submissions C77 and C124 support the future development of a business park on the western side of the railway line at Ingleburn, as identified in Council's Employment Lands Review 2011. This matter is not currently included in the Draft CLEP 2014 but could form the basis of a future amendment. The issue will also be likely to be dealt with as part of the Glenfield to Macarthur Corridor Strategy and as part of the Ingleburn Structure Plan.

The planning provisions of Draft CLEP 2014 are recommended to be retained as exhibited.

(Category B2 – recommended for further investigation)

Future Business Park in Glenfield

Submission C51 supports the future development of an agricultural/food technology business park in the vicinity of Hurlstone Agricultural High School, as outlined in Council's Employment Lands Review 2011. This matter is not currently included in the Draft CLEP 2014 but could form the basis of a future amendment, should Council deem it appropriate.

The planning provisions of the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category B2 – recommended for further investigation)

6.2.4 Medium density residential development

Multi-dwelling housing in the R2 Low Density Residential Zone

Several submissions raised concerns about the permissibility of multi-dwelling housing in the R2 zone. Councillors are reminded that multi-dwelling housing incorporates villa homes and town houses but not residential flat buildings. Submissions C101 and C102 supported Council's original position of not allowing multi-dwellings in the R2 zone, while submissions G14 and G30 supported the land use being added. In more general terms, submission C88 objects to increasing densities in residential areas over existing low density residential.

It is noted that multi-dwelling housing is already permitted in the 2(b) Residential Zone under LEP 2002. The 2(b) zone is the main residential zone in the Campbelltown LGA. The Department of Planning and Environment (the department) required Council to include this land use in the R2 zone, which is the closest equivalent zone to the current 2(b) zone. No change to the Draft CLEP 2014 as exhibited, would likely be supported by the department in such context.

(Category C – considered to have insufficient planning merit – no further action)

Development controls for multi-dwelling housing in the R2 Medium Density Zone

Submissions C83 and C97, together with verbal comment during exhibition and internal review, raised issue with the "compatibility" of the building height limitation of two storeys (clause 4.3A) and attainment of the maximum FSR. Specifically, a view is expressed that the two storey limitation would stifle the ability to achieve the maximum FSR of 0.75:1 and that potentially a three storey height limit would be more appropriate.

Additional limited investigations were commissioned by Council into the viability of medium density residential development including three storey, lift-serviced, basement (naturally ventilated) parking. The investigations generally concluded that three storey medium density residential development is not economically viable at the present time, and adjusting the maximum building height and FSR controls would not improve this current lack of viability.

Accordingly, it is recommended that the development standards contained in Draft CLEP 2014 in respect of medium density residential development not be varied.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Flexibility requested by NSW Land and Housing

Submission G30, from NSW Land and Housing, states that there are no plans to increase social housing provision in the LGA. It requests flexibility and in effect 'up-zoning' of its assets, largely located within the R2 Low Density Residential zone, "to de-concentrate its estates and renew its housing, spreading the same number of dwellings throughout the wider LGA". Council officers understand that the returns realised via this process would then be used to offset the cost of new public housing both locally and potentially elsewhere. The submission acknowledges Council's reinstatement of multi-dwelling housing in the R2, but proceeds to challenge the transfer of the existing development controls, particularly for FSR and controls currently contained in the SDCDP.

The "Exceptions to Minimum Lot Size" for certain residential development (clause 4.1A) provision in the Draft CLEP 2014 is considered by NSW Land and Housing to add little value and is requested to be deleted. This clause provides an opportunity for smaller lots than ordinarily permitted to qualify for development so long as that development occurs in a controlled "master plan" context. This clause would also be available to be taken up by NSW Land and Housing, together with Clause 4.4A "Exceptions to maximum floor space ratio for certain residential development" to achieve some of its desired outcomes.

A full inventory of local assets held by Land and Housing NSW and sample redevelopment schemes were provided to assist in support of the submission. It should be noted that NSW Land and Housing has access to SEPP (Affordable Rental Housing), and SEPP (Housing for Seniors or People with a Disability) to achieve its reasonable social housing objectives and a "master plan" approach to identified local precincts. These mechanisms are considered sufficient for its purposes. Further, they will ensure that existing neighbourhoods are not transformed under planning provisions (particularly through increased densities) that are not accessible to the broader development industry and that extensive public consultation procedures are observed.

In such context it is recommended that the planning provisions contained in Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

6.2.5 Proposals for further Subdivision and associated changes to zoning and development controls in non-urban areas

6.2.5.1 General comment on further subdivision

The purpose of the Draft CLEP 2014 is largely to consolidate and update the controls contained within Council's eight existing principal planning instruments, generally on a 'best-fit' basis, into one new principal LEP that is based on the Standard Instrument LEP. It was never intended as a mechanism to allow significant additional subdivision potential and the associated increase in development intensity and settlement density in rural, scenic and environmental protection areas, as such significant changes to land use intensity require comprehensive justification and a detailed assessment of the environmental and infrastructure (both physical and social) impacts of such change.

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It is important to recognise that Ministerial Direction 2.1 Environmental Protection Zones requires that a new LEP shall not reduce the environmental protection standards that apply to land within an environmental protection zone or otherwise identified for environmental protection purposes in an LEP (including by modifying development standards that apply to the land) unless such change can be justified by a strategy, an environmental study, is consistent with the relevant Regional Strategy or Sub-Regional Strategy, or is of minor significance.

However, a large number of submissions have been received as part of the consultation and public exhibition process which are supportive of further subdivision and increased development potential in areas located at the urban interface and in environmentally sensitive areas (as reflected by their current environmental zoning). These requests for further subdivision are discussed in additional detail in the following sections of this report.

It is important to note that while some of these requests may have some merit and warrant investigation to further explore their potential for possible future subdivision and associated development, doing so as part of the finalisation of the Draft CLEP 2014 would substantially extend the timeframe for finalising the LEP. This is due to the fact that further extensive investigations would be required and any such proposals for change would require the Draft CLEP 2014 to be re-exhibited. Therefore, where considered to have potential merit, it is recommended that such requests for further subdivision be further investigated at a later stage.

Additionally, it should be noted that support for further subdivision was, however, not unanimous with strong environmentally based opposition in some instances (and particularly for land within Wedderburn). Submission C125's objection to reducing the minimum lot size on any land within the E3 Environmental Management zone is also noted.

6.2.5.2 Area 1: Wedderburn

Submissions in support of subdivision

Submissions C6, C20, C44, C64 (and C64A), C115 and C133, request that 2 hectare subdivision (or similar subdivision of a rural-residential nature) be allowed in Wedderburn. C64 includes a petition with 148 signatures. Submission C76 requests more intensive subdivision. The current minimum lot sizes for subdivision in Wedderburn are 10ha for land covered by LEP 1 and 4ha for land covered by LEP 32. Many residents are seeking opportunities for subdivision and a range of reasons are provided in support of their views and the subdivision request. A change of zoning to E4 Environmental Living or R5 Large Lot Residential is also advocated by some of the submissions.

The Draft CLEP 2014 proposes to zone the land at Wedderburn largely E3 Environmental Management, RE1 Public Recreation and E1-National Parks and Nature Reserves. The minimum area of subdivision proposed is 4ha and 10ha in accordance with existing minimum standards. Submission C120 supports the proposed E3 zone at Wedderburn, while some environmentally focussed submissions (including C17, C46 and C132) are concerned that the proposed zone will not deliver the desired environmental outcomes.

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In addition, submissions C64, C76 and C115 request that detached dual occupancy/and or granny flats (with subdivision) be allowed and C44 also requests that both attached and detached dual occupancies that can be subdivided onto separate parcels, be allowed.

The controls included in the Draft CLEP 2014, representing a “best fit”, did not propose any deliberate change to facilitate subdivision. The proposal for further subdivision is inconsistent with prevailing Council policy and also opposed by part of the Wedderburn community as referenced above and highlighted below.

It is noted, however, that Wedderburn has been the subject of on-going subdivisional aspirations for decades and in such light, together with the weight of current support, the area should be nominated as a priority area for further investigation, after adoption of Draft CLEP 2014.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the Wedderburn area should be identified as a priority area for review upon finalisation of Draft CLEP 2014.

It is further noted that the key matters to be addressed in any future investigation are likely to include, but are not necessarily limited to:

- ecological/threatened species investigations and potential impacts
- bushfire hazard
- total water cycle management including effluent disposal
- geotechnical issues
- service provisions and utilities
- road access
- emergency services issues
- heritage (European and Indigenous)
- rural land capability
- visual impact

(Category B2 – recommended for further investigation)

Submissions opposed to further subdivision

Submissions C15, C17, C38, C46, C48, C122 and C132 expressed strong opposition to further subdivision in Wedderburn. The principal reasons for objection are focussed on adverse environmental impacts, bushfire hazard, limited access and general adverse amenity impacts. Some enhanced environmental protection measures are promoted.

The planning provisions contained within the Draft CLEP 2014, which do not promote further subdivision, are recommended to be retained as exhibited in the finalisation of the Draft CLEP 2014. However, it should be noted that this report also recommends that the Wedderburn area should be identified as an area for review as discussed above.

(Category E – supports the Draft CLEP 2014 and encourages further enhancement)

6.2.5.3 Area 2: Kentlyn

Two submissions were received (C1 and C9) requesting that residents in Kentlyn, where a 2 hectare subdivision standard currently applies, be allowed to subdivide their properties. C1 requested 4000m² (1 acre) lots, while C9 requested at least halving the current subdivision standard but would be satisfied by any further potential granted by Council. The submissions provide reasons in support of this proposal and state that many other residents would likely be supportive of this change.

The Draft CLEP 2014 proposes to zone the subject land E3 Environmental Management with a minimum lot size of 2ha, generally consistent with Council's existing controls.

The proposals for more comprehensive subdivision at Kentlyn are contrary to existing Council policy for this particularly environmentally sensitive and bushfire prone precinct that is surrounded by the equally environmentally sensitive Georges River Regional Open Space Corridor.

Furthermore, such form of subdivision in the subject locality is not a priority matter for further investigation.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

6.2.5.4 Area 3: Minto Heights

Submissions C34, C35, C36, C67, C68A, B, C, D, E, C69, A, C70 and C105 request that land in Minto Heights be zoned E4 Environmental Living or R5 Large Lot Residential and subdivision be permitted into either 1ha, 4000m² (1 acre), 2000m² or residential lots (1000m²). The requests covered the preceding spectrum of minimum lot sizes. Some reasons in support of this request are provided.

The Draft CLEP 2014 proposes to zone the subject land E3 Environmental Management with a minimum lot size of 2ha, generally consistent with Council's existing controls.

The proposal for further subdivision promoted in the submissions is inconsistent with Council policy. Furthermore, such form of subdivision in the subject locality is not a priority matter for further investigation. The precinct is clearly located on the eastern side of the proposed Georges River Parkway Road, in the limited access, sensitive Georges River environs, and is surrounded by the biologically diverse and bushfire prone Georges River Regional Open Space Corridor.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

6.2.5.5 Area 4: East Edge Scenic Protection Lands

Submissions C77 and C90 provide general support for further subdivision within the Edge Lands area and C77 suggests that the Georges River Parkway Road Reservation may be the appropriate edge to separate urban and non-urban land on the eastern side of the LGA.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the precinct be identified as a priority area for further investigation.

(Category B2 – recommended for further investigation)

Oxford, Bensley and Mercedes Roads, Ingleburn

Submissions C23, C32, C49, C54, C77 and C90 acknowledge the 1ha lot averaging provision contained in the Draft CLEP 2014, however, sought and/or offered support for comprehensive subdivision of allotments of generally 500m² and a relevant low density residential zoning. Some of the submissions did seek permission to create lots of other sizes below 1ha but larger than 500m². Some justification for the reduced minimum lot size is provided.

The Draft CLEP 2014 proposes to zone the subject land E4 Environmental Living with a 2ha minimum area of subdivision and to facilitate 1ha subdivision in accordance with Council's proposed lot averaging provision in certain circumstances.

The proposal for more comprehensive and dense subdivision detailed in the submissions is inconsistent with Council policy. It is noted, however, that some of the subject lands have been promoted for subdivision for over a decade and have certain qualities that potentially warrant their further investigation.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the area should be identified as a priority area for further investigation.

(Category B2 – recommended for further investigation)

Evelyn Street and Oakley Road, Macquarie Fields

Submission C98 was received on behalf of six property owners in the subject locality. The submission sought more comprehensive urban subdivision of allotments of 450m² for that part of the precinct fronting Evelyn Street and a relevant low density residential zoning. The balance of the land was proposed to retain the E4 Environmental Living zone (as applied under the Draft CLEP 2014), but with a 4,000m² minimum area of subdivision. Some justification for the subdivision proposal is provided.

The Draft CLEP 2014 proposes to zone the subject land E4 Environmental Living with a 2 ha minimum area of subdivision and to facilitate 1ha subdivision in accordance with Council's proposed lot averaging provision in certain circumstances.

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The proposal for more intensive subdivision of the Macquarie Fields urban interface outlined in the submission is inconsistent with current Council policy. The unique interface location, however, potentially warrants the further investigation of the precinct.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the precinct be identified as a priority area for further investigation.

(Category B2 – recommended for further investigation)

Eagleview Road, Minto (a)

Submissions C59, C63, C95 and C123 objected to the proposed E4 Environmental Living zone and more particularly the 2ha minimum area of subdivision and 1ha lot averaging provision. An alternative subdivision minimum of 4,000m² was promoted as appropriate and at the Councillor forum a 1,000m² minimum was introduced as part of a subdivision approach considered to be appropriate by the proponents. Some justification for the proposal is provided.

The subject land is zoned 7(d4) Environmental Protection 2ha minimum under LEP 2002. The Draft CLEP 2014 provisions that apply to the land are summarised above.

The proposal for more intensive subdivision in the subject locality is inconsistent with Council policy. The setting, however, potentially warrants further investigation for the purposes of further subdivision.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the precinct should be identified as a priority area for further investigation.

(Category B2 – recommended for further investigation)

Corner Eagleview and Ben Lomond Roads, Minto (b)

Submissions C110 and C119 represent the aspirations of six property owners for more intensive subdivision beyond the 1ha lot averaging provision. Low density residential lots zoned R2 with a minimum lot size of 450m², and 4,000m² lots zoned E4 Environmental Living, are sought. Some reasons in support of the proposal are provided.

The subject lands are currently zoned 7(d4) Environmental Protection 2ha minimum under LEP 2002. The Draft CLEP 2014 proposes to zone the locality E4 Environmental Living with a 2 hectare minimum area of subdivision and facilitate 1 ha subdivision in accordance with Council's proposed lot averaging provision.

The proposal for more intensive subdivision in the subject locality is inconsistent with Council policy. The setting, however, potentially warrants the further investigation for subdivisional purposes.

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The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the precinct should be identified as a priority area for further investigation.

(Category B2 – recommended for further investigation)

Eagleview Road, Minto (c)

Submissions C12 and C22 request that land at Nos. 223 and 225 Eagleview Road be zoned R2 Low Density Residential, with the ability to subdivide the frontages of the two properties into residential lots. The rear of the properties would retain the existing dwellings on large allotments. Some reasons supporting the request are provided.

The subject land is currently zoned 7(d6) Environmental Protection 0.4ha minimum under LEP 2002. The Draft CLEP 2014 proposes to zone the subject land E4 Environmental Living and to maintain the current minimum area of subdivision.

The proposal for further subdivision is inconsistent with Council policy. The unique interface location, however, potentially warrants the further investigation of the parcels as a priority matter.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the subject land should be identified as a priority for further investigation.

(Category B2 – recommended for further investigation)

Botany Place, Ruse

The submissions C86 (and 86A) seek to have the minimum area of subdivision reduced from 2ha (or 1 ha subject to the requirements of Council's proposed lot averaging provision) under the Draft CLEP 2014 to 4,000m² and to adopt a more relevant zoning, given the unique circumstances of surrounding subdivisions.

The subject lands are currently zoned 7(d4) Environmental Protection 2ha minimum under LEP 2002. The Draft CLEP 2014 proposes to zone the land E4 Environmental Living with a 2ha minimum area of subdivision and provision for 1ha subdivision, pursuant to Council's proposed lot averaging provisions. The proposal is inconsistent with Council policy. However, the size and location of the site warrant its inclusion for further investigation.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. Furthermore, the site should be identified as a priority for future investigation.

(Category B2 – recommended for further investigation)

Concern regarding environmental impacts of further subdivision beyond 1ha

Submission C51 raises concerns that any further subdivision of land that drains to the Georges River would have serious environmental impacts.

The concerns are initially noted. Any further subdivision of the East Edge Scenic Protection Lands would need to satisfy total catchment management principles in a holistic and sustainable manner.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited although it is further recommended that investigations be undertaken to review those provisions in light of the extent of community interest in further subdivision, together with the differing character and circumstances that appear to exist across these areas.

(Category D – supports the Draft CLEP 2014 - no further action)

6.2.5.6 Area 5: Menangle Road, Glen Alpine

Submissions C79 and C108 seek rezoning and further subdivision (to facilitate residential development) of the “fringing” non-urban lands, located along Menangle Road at Glen Alpine. A particular minimum area of subdivision or zoning has not been put forward in the submissions.

Some reasons in support of the proposal have been presented. It is also requested that a review be undertaken to determine a more appropriate zoning and/or subdivision standard for these properties.

The land is currently zoned 7(d4) Environmental Protection with a 2ha minimum area of subdivision under LEP 2002. The Draft CLEP 2014 proposes to zone the land E4 Environmental living with a 2 hectare minimum area of subdivision.

Land in this precinct is significantly constrained by a range of factors including:

- drainage and flooding
- close proximity of the railway and M31 Freeway
- the presence of significant service corridors including high voltage transmission lines

Notwithstanding, the land does comprise a residual precinct and may be capable of accommodating limited additional residential development in accordance with a highly refined development template.

The subject proposal is inconsistent with Council policy, however given the location of the land, potential suitability for further subdivision warrant investigation.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited. However, further future investigations are foreshadowed as being appropriate.

(Category B2 – recommended for further investigation)

6.2.5.7 Area 6: Rural Land, Menangle Road, Menangle Park

Submission C106 outlines a strategy for the future development of the 200 ha property situated at No. 33 Medhurst Road, Menangle Park, including limited 1ha large lot R5 Residential development. The strategy is accompanied by supporting preliminary analysis.

The author of the submission in the Councillor Forum presentation suggested that the land potentially be deferred and addressed as a future Planning Proposal.

The land is currently zoned 1 Non-Urban under IDO 15 with a 100ha minimum lot size for subdivision. The Draft CLEP 2014 proposes to zone the subject land and nearby land RU2 Rural Landscape with a 100 ha minimum area of subdivision.

The proposal is inconsistent with current Council policy. The land, however, falls within the Greater Macarthur Urban Investigation Area as identified by the Metropolitan Strategy, and is likely to be the subject of further investigation in a broader context.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

Furthermore, it is recommended that the land be included for assessment as part of, or following the completion of a development assessment framework likely to arise from the Investigation Area project.

The submission also makes reference to a number of uses that already exist on the site and that should be reflected in the Draft CLEP 2014. This is a matter for further consideration. The authors of the submission need to provide Council with a comprehensive list of all uses that are currently being undertaken on the site and these can be examined. In the interim, the existing lawful land uses will retain 'existing use rights'.

Submission C131 requests that land at No. 101 Menangle Road (and also referred to as No. 6 Medhurst Road in the submission) Menangle Park be allowed to be subdivided – no further details are provided.

The land is currently zoned 1 Non-Urban under IDO 15 with a 100ha minimum lot size for subdivision. The Draft CLEP 2014 proposes to zone the subject land and nearby land RU2 Rural Landscape with a 100 ha minimum area of subdivision.

As per the recommendation for Submission C106, it is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

Furthermore, it is recommended that the land be included for assessment as part of the Macarthur South Investigation project, or in accordance with any development assessment framework arising from that project.

(Category F2 – action deferred - pending detailed technical investigation or similar)

6.2.5.8 Area 7: Wedderburn Road, St Helens Park

Submission C60 requests that the land at No. 25 Wedderburn Road be able to be subdivided into two 1 ha lots. Some reasons in support of the request are provided.

The land is currently zoned 7(d4) Environmental Protection with a 2ha minimum area of subdivision under LEP 2002. The Draft CLEP 2014 proposes to zone the land E4 Environmental Living and retain the existing 2 ha minimum area for allotments.

The proposal is inconsistent with Council policy however, as the land is located to the west of the proposed Georges River Parkway, it should be further investigated. It is noted that any change to the proposed minimum area of subdivision is likely to give rise to a precedent to consider other land in the precinct and this cannot be achieved without further investigation/justification.

The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category B2 – recommended for further investigation)

6.2.6 “Urban Release” areas

6.2.6.1 Area 1: Blairmount and Eagle Vale Drive – owner nominated site

Submission C93 initially provides a detailed commentary on the location and attributes of the subject land and the evolution of local planning controls, particularly those relating to protection of the Scenic Hills and steep lands, and the difference in the controls that applied to the land identified as being part of the “Scenic Hills” and land considered to be part of the adjoining urban area.

The submission requests that land at Blairmount and Eagle Vale Drive, which has been identified for future residential development (partly via the existing planning controls and also as an acknowledged owner nominated site declared by the former NSW Department of Planning), to be deferred from the Draft CLEP 2014.

The land is also the subject of a separate planning proposal that has been lodged with Council. Deferral from the Draft CLEP 2014 is the approach adopted for other land subject to current planning proposals. It should be noted that the subject land was not originally deferred from the Draft CLEP 2014 as the Planning Proposal had not been received before the Draft CLEP 2014 was lodged with the Department for certification for public exhibition.

It is recommended that the planning provisions contained in the Draft CLEP 2014, as exhibited, be amended to refer to the subject holding as a “Deferred Matter”. The relevant land zoning map sheets, and other relevant map layers, need to include an expanded deferred area consistent with the planning proposal currently before Council.

Council should also be aware that at the time of writing this report significant supplementary information is still awaited from the proponent in order to progress the independent planning proposal.

It is also noted that submission C102 believes that the proposed extension of the residential development at Blairmount will ultimately open the Scenic Hills up for residential development, despite previous Council resolutions to protect the Scenic Hills area.

(Category F1 – deferred matter – defer the subject land from the Draft CLEP 2014)

6.2.6.2 Area 2: Menangle Park – Urban Release Area

A number of submissions were received relating to land within the proposed Menangle Park Urban Release Area and also to other land within the Menangle Park locality but located outside the boundaries of the urban release area.

The proposed zoning changes associated with the Menangle Park urban release area were incorporated into the Draft CLEP 2014 for the purposes of public exhibition, given that the proposed statutory plan for Menangle Park had already been exhibited and the two processes were potentially likely to merge. However, delays are now being experienced with planning for the urban release area, particularly in regards to securing appropriate arrangements for transport infrastructure.

It is therefore recommended that the Menangle Park urban release area be deferred from the Draft CLEP 2014 and that submissions relating to land within that area be considered as part of the separate statutory rezoning/planning process being undertaken for this project. The submissions are summarised as follows:

Harness Racing Club

Submissions C62 and C62A raise three principal concerns with the Draft CLEP 2014. These concerns include, in summary:

- the proposed RE2 Private Recreation zoning of the Racing Club land (alternative R2 Low Density Residential and RE1 Public Recreation is proposed by the submission)
- use of land in the Northern Precinct as a Vegetation Offset for the Club
- potential stormwater impacts from off-site

The proposed alternate zoning raises issues of appropriate and easily accessible flood free access for the land subject to the residential rezoning request and the potential to create additional open space on the flood affected land that would ultimately be dedicated to Council with possible financial implications for Council.

Additionally, it is noted that the issue of vegetation offsetting on-site has never been considered by Council. Finally, drainage issues will be addressed in the detailed and comprehensive release area planning for the precinct before such planning is finalised.

The submissions also request that Schedule 1 – Additional Permitted Uses be amended to include uses that have recently been approved on the site. As it is proposed to defer land subject to the Menangle Park urban release area from the Draft CLEP 2014, these uses should be scheduled as part of the progress of the separate statutory planning exercise for the Menangle Park urban release area, subject to additional details being provided by the land owner.

It is noted that it is proposed to defer the proposed Menangle Park urban release area from the Draft CLEP 2014.

(Category F1 – deferred matter – defer the subject land from the Draft CLEP 2014)

Corner Racecourse Avenue and Menangle Road

Submissions C66 and C66A refer to land within the Menangle Park urban release area. They request the proposed RU2 Rural Landscape zone be amended to Part R2 Low Density Residential (on the flood-free land) and RE1 Public Recreation (on the flood prone land).

The “existing use” nature of the current stables is highlighted.

The proposed amendment is not supported.

Additional urban land supply in the subject release is not required. Furthermore, the access to a limited flood-free refuge is not considered appropriate in the context of contemporary urban release area planning.

Sufficient open space is already proposed as part of the planning for the release area. Any additional provision would trigger additional acquisition responsibilities. The matter should be investigated as part of the further planning for Menangle Park.

Again, it is proposed that this matter be deferred from the Draft CLEP 2014 and be considered as part of the separate statutory planning process.

(Category F1 – deferred matter – defer the subject land from the Draft CLEP 2014)

Glenlee House

Submissions C75 and C75A represent the evolution of a proposed urban development concept for the Glenlee House site, on the residue lands that lie beyond a revised heritage curtilage. Specifically, in the supplementary submission C75A, a draft concept plan depicting R3 Medium Density Residential and R2 Low Density Residential, beyond a hedgerow planting buffering the Glenlee House (homestead), has been presented.

The draft concept plan is supported by a Heritage Assessment.

Upon initial consideration, the submitted material is not considered to fully reflect the sensitivities of the site. Notwithstanding, the proposal should be considered further as part of Council’s future assessment of the Menangle Park urban release area which is subject to the separate statutory planning process mentioned above.

In such context, it is proposed the site be deferred from Draft CLEP 2014.

(Category F1 – deferred matter – defer the subject land from the Draft CLEP 2014)

Cummins Road

Submission C109 requests that the proposed R3 Medium Density Residential zone be changed to an R4 High Density Residential zone and thereby permit residential flat buildings and commensurate increases in maximum building height and maximum floor space ratio controls. Some supporting arguments for the desired amendment are advanced in the submission.

Development of the proposed scale is inconsistent with the Menangle Park urban release area planning strategy. Additionally, the Mine Subsidence Board has raised concern with development at Menangle Park of the scale proposed in the submission.

The issue will be considered in further detail as part of the future Council assessment of the separate planning process for the Menangle Park urban release area.

In such context, it is proposed that the site be deferred from the Draft CLEP 2014.

(Category F1 – deferred matter – defer the subject land from the Draft CLEP 2014)

6.2.7 The Scenic Hills

A number of submissions were received relating to the Scenic Hills area. The main issues raised in the submissions are summarised in the following sections of this report.

Retain the Scenic Hills

Submissions C39, C41, C42, C88, C89, C100, C101, C102 request that the Scenic Hills remain protected and unspoilt. These submissions are noted. Submission C89 believes housing development should not be allowed as this would have a significant impact on the heritage values of the area. C88 also requests the Scenic Hills be zoned as regional parkland.

Rezoning the Scenic Hills for open space purposes is not possible at this time as such rezoning would likely trigger the need for land acquisition and maintenance responsibilities. However, the future possibility of this land having the potential to become an extension to the Western Sydney Parklands Corridor as possibly inferred in the Metropolitan Strategy, should not be overlooked.

Submissions C89 and C120 support the proposed E3 Environmental Management zone being applied to land within the Scenic Hills. Submission C89 compliments Council for its foresight over the last 40 years in maintaining the environmental protection status and 100 ha minimum standard for subdivision in the Scenic Hills which have largely protected this area from intensive development. It also suggests that Council clearly defines the boundary of the Hills to prevent development encroachment in future.

Conversely submission C102 believes the proposed E3 zoning could allow some uses that could fragment the current rural landscape nature of the Scenic Hills and that therefore it would be more appropriate to apply the E2 Environmental Living zone to the area. Submissions C101 and C102 also suggest that land of high biodiversity value within the Scenic Hills should be zoned E2 rather than E3. This is not supported as the E2 zone is restrictive, is not considered to be the 'best-fit' translation of the existing 7(d1) Environmental Protection - Scenic zone under LEP D8, and could arguably, possibly trigger the need for land acquisition.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category E – supports the Draft CLEP 2014 and encourages further enhancement)

Interface between the Scenic Hills and Urban Development

Several submissions focus upon a clearer "evidence based" definition of the rural/urban interface. In doing so, there is an inference that further limited opportunities for urban development may be able to be identified.

Submission C47 states that the E3 zone that has been applied to the Scenic Hills Riding Ranch site and other land in Varroville is not underpinned by a baseline study to justify the proposed zoning. It is submitted that the site has potential for residential and employment development in conjunction with scenic and environmental protection functions. It requests the land be deferred until a rural lands study is undertaken.

The E3 zone has been applied as it is standard zone which most closely equates to the existing 7(d1) Environmental Protection – scenic zone that currently applies to the land under LEP D8. The reference to a rural lands study in the context of the submission is by implication a reference to an "urban capability" study. The commissioning of such a study is not a priority Council action, particularly in light of the Metropolitan Strategy's identification of certain lands located within the Scenic Hills as parks and reserves.

In a similar manner, Submission C111 (which relates to No.176 and No. 278 St Andrews Road, Varroville) also promotes the need for a rural lands study so as to identify quality rural lands and establish a strategy for their retention and possible sensitive development on the residual lands.

Submissions C47, C104, C116 adopt a slightly different approach with potentially a similar intended outcome confirming that slope and visual analysis work had been commissioned for two properties comprising part of the current rural/urban interface. Council should communicate its firm commitment to the recognition of the existing boundary and conservation of the Scenic Hills generally.

Submission C93 in respect of Blairmount, and the Eagle Vale Drive lands, as discussed previously, raises the scenic protection boundary. In concluding, it should be noted that the general Scenic Hills landscape unit has been subject to environmental protection planning provisions for many decades, with the visual sensitivities being generally further acknowledged more recently with the visual and landscape analysis commissioned by Council. The Blairmount and Eagle Vale Drive Planning Proposal investigation will address that issue in more detail. The planning provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Extent of Escarpment Preservation Area - Environmental Constraints Clause and Map

Submissions C93, C104 and C116 raised concern with the extent of the Scenic Hills Escarpment Preservation Area as it is shown in the Draft CLEP 2014. The escarpment preservation area that currently applies to land covered by LEP D8 – Central Hills Lands was extended to cover land under LEP 2002 with the same zoning as adjoining land under LEP D8. The intent of this change was to ensure that the same controls applied to contiguous land. However, due to the objections, the application of this control to land currently zoned under LEP 2002 has been removed.

(Category A – minor change - recommended for adoption)

Importance of Equine and Recreation Facilities

Submissions C2, C3, C7, C8, C13, C14, C41 and C42 discuss the importance of not allowing further development (mostly urban type development) within the Scenic Hills and retaining this area as green/recreation space, while C5, C7, C13, C14 support the E3 Environmental Management zoning and controls in the Draft CLEP 2014. Submissions C3, C13 and C27 also highlight the important use of this area for equestrian based activities and agistment and C13 for adventure sports. Some reasons for maintaining the area in its current form are also provided. Many of these submissions focussed particularly on land located between Denham Court Road and Raby Road.

It is important to note that the Metropolitan Strategy also recognises the importance of land within the Scenic Hills and identifies certain lands as parks and reserves.

It is also important to note that the existing equestrian facilities are undertaken on privately owned land and that while the significance of such facilities to the local and broader community is recognised, Council cannot ensure that the facilities will continue to operate. Furthermore, rezoning the Scenic Hills for open space purposes is not possible at this time as such rezoning would trigger the need for land acquisition. These matters need to be the subject of further investigation in collaboration with the Department of Planning and Environment. However, as stated previously in this report, the future possibility of this land having the potential to become a possible extension to the Western Sydney Parklands Corridor, as inferred in the Metropolitan Strategy, cannot be discounted.

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It is recommended that the planning provisions contained in contained in the Draft CLEP 2014 be retained as exhibited.

(Category D – supports the Draft CLEP 2014 - no further action)

Permissible land uses within the Scenic Hills (E3 Zone)

Submission C88 requests that development within the Scenic Hills should be further restricted. It supports the current minimum lot sizes and calls for more protection and development controls (including height restrictions and FSRs) and restricting/prohibiting certain uses such as childcare centres and service stations.

It is noted that childcare centres, community facilities and similar land uses are proposed to be permissible in the E4 Environmental Living zone but not in the E3 Environmental Management zone in the Draft CLEP 2014 as exhibited.

It is also noted that the proposal for service station use at No.194 Campbelltown Road is the subject of a separate planning proposal, that has been publicly exhibited and supported by Council, and the change to land use permissibility approved via this proposal will need to be reflected in the principal LEP (CLEP).

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited, except for the inclusion of the service station use as an additional permitted use for No. 194 Campbelltown Road (as a subsequent amendment once the separate amending LEP is made by the Minister).

(Category A2 – noted – no further action)

Varroville Cemetery Planning Proposal

Submissions C89 and C101 object to the proposal for a large cemetery at Varroville, whilst submissions C10 and C113 express support. This matter is being dealt with via a separate planning proposal that was the subject of a pre-gateway review, with the Joint Regional Planning Panel recently appointed as the relevant planning authority to progress the Proposal. This cemetery proposal is not part of the Draft CLEP 2014, but if it were to proceed it would eventually be reflected in the principal LEP (CLEP 2014).

The planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

6.2.8 Mining and Resources

Submission G8 (from Resources and Energy) highlights a Mineral Resources Audit compiled by the Mineral Resources Branch and expresses an objective of ensuring resources are protected from access restrictions (and as such sterilisation). Additionally, the audit aims to optimise access to land for exploration purposes.

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The broad provisions of the Mining SEPP are highlighted, it being noted that the SEPP permits underground mining, with consent and open cut mining, petroleum production and extractive industry, with consent, but only where pre-existing approvals/licenses exist or where agriculture or industry is permissible.

The translation of the existing 1(a) Rural zone is questioned, it is being suggested that the RU1 Primary Production zone is potentially more relevant than, the RU2 Rural Landscape zone, given its provisions for future primary industry opportunities.

The known nature and extent of extractive resources and coal and petroleum resources are discussed and concern in respect of optimising the resources in areas of increasing urban pressure is documented.

The existence of additional permitted uses and need for consultation with the Mine Subsidence Board are documented, as is the nature of Geoscience Information Services.

The compilation of the Draft CLEP 2014 has had regard to the nature and extent of available resource information and has sought to reasonably accommodate Resource and Energy's desires, whilst balancing these against broader community and environmental objectives. The overarching nature of the Mining SEPP in this context is importantly noted. It is also noted that many of the resource related comments made in the submission relate to land in the Menangle Park urban release area which is being investigated for future urban development via a separate statutory planning process.

In addition, the changing locational context of the existing rural lands within the Campbelltown LGA were considered in determining the most appropriate 'best-fit' zoning. The RU2 Rural Landscape zone was considered to be more appropriate than the RU1 Primary Production zone given the proximity of existing and proposed future urban development and the potential for further urban land releases as additional studies (such as that for the Greater Macarthur Urban Investigation Area) are undertaken.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

6.2.9 Agriculture and Aquaculture

Agriculture

Submission G15 from the NSW Department of Primary Industries expresses a general concern that the Draft CLEP 2014 Plan does not provide a planning framework which is consistent with the overarching LEP aims of compact settlement and minimal land use conflict any by inference, support sustainable agriculture.

This is considered to be reflected particularly in the nature of the RU2 Rural Landscape Zone and provision for non-rural development and the lack of a more agriculturally focussed RU1 Primary Production Zone anywhere in the Campbelltown LGA.

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Concerns are also held in respect of the applicability of an E3 Environmental Management zone for lands with demonstrated and inherent rural potential.

The range of zones and supporting planning provisions included in the Draft CLEP 2014 are a product of the application of the “best-fit” principle. Further, opportunities for non-agricultural/rural living within the proposed zones are particularly limited and would need to satisfy rigorous merit based assessment.

Specific instances of potential rural land use constraint are raised but are not considered to be valid concerns having regard to the broader need to balance a range of objectives in the non-urban lands of the LGA.

It is also noted that the NSW Department of Primary Industries supports the retention of the existing 10ha and 4ha minimum lot sizes within the Wedderburn area, as the Department seeks to protect the rural nature and potential agricultural use of the land. In addition, the restrictions on the number of dwellings permitted on any one lot, together with the retention of relatively large minimum lot sizes, assist in protecting the productive capacity of the land. The existing controls will be further considered, together with agricultural productivity in any future Wedderburn and/or non-urban lands review. Similarly, the Menangle Biophysical Agricultural mapped land has been considered in planning for the Menangle Park urban release area.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

Aquaculture

Submission G6, in focusing on aquatic habitat protection, commends inclusion of the W1 Natural Waterways zone and clauses 7.7 and 7.5 in respect of earthworks and riparian land and waterways and groundwater systems respectively.

The need to apply 7.7 Earthworks to all waterways mapped by Fisheries NSW is reinforced in the submission.

It is suggested that aquaculture be included as a permissible use in suitable waterway zones. Such a position has not previously been supported by the Department of Planning and Environment and it is understood that no change in the department’s position is likely. This land use could be added to the Land Use Table for the W1 Natural Waterways zone as a future amendment subject to agreement from the Department of Planning and Environment.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 – action deferred – subject to agreement from the Department of Planning and Environment)

6.2.10 Environmental Protection

A number of comprehensive submissions focussing on environmental issues and environmental protection were received. The main issues raised are discussed below.

General environmental concerns

Submissions G17 (from the Environment Protection Authority), C71 and C78, C125 and C126 raise concerns relating to a range of environmental issues. These matters include:

- protection of streams and waterways
- protection of the Upper Canal and its environs
- zoning of riparian land
- water quality
- waterways and flood treatment of waterways
- air quality
- mining and fracking activities
- protection of native fauna and habitat
- sewage management
- noise
- waste management
- earthworks
- contaminated land management
- the impacts of the proposed extensions of Badgally and Denham Court Roads on the existing environment and environmental amenity.

Submission C71 also supports the proposed zoning of the Eschol Park area, maintaining existing parks and protecting the Scenic Hills.

Submission C89 requests that Council strongly endorse the principles of ecologically sustainable development in its planning, and that this extend to recognising the human and spiritual benefits associated with maintaining scenic heritage landscapes (particularly in relation to the Scenic Hills).

Submission C122 generally supports the environmental protection measures in the Draft CLEP 2014 but raises concerns about the implementation of the proposed controls and the management of environmentally sensitive areas. It is also concerned that climate change and global warming are not specifically addressed in the Draft CLEP 2014.

It is recommended that minor changes be made to the Draft CLEP 2014 Written Instrument to further address environmental considerations.

(Category A – minor change - recommended for adoption)

Wedderburn and surrounding regional open space

As discussed briefly in an earlier part of this report, Submissions C15, C17, C38, C46, C48, C87, C122 and C132 express opposition to further subdivision in Wedderburn, principally for environmental, hazard management and infrastructure/servicing reasons.

Additionally, a number of the concerned residents also expressed reservations that the proposed E3 Environmental Management zone would deliver the required conservation outcomes for the highly sensitive Wedderburn area. Further, several of the above submissions and submission C102 also expressed concern with the proposed RE1 Public Recreation zone (principally as it applies to the nearby Georges River Regional Open Space Corridor and other environmental 'green space' corridors) and a perceived lowering of conservation controls.

Environmental, hazard management and infrastructure considerations would need to be central to any investigation of the suitability of Wedderburn for further subdivision. Furthermore, the RE1 zone represents the 'best-fit' translation of the current regional open space zone that applies to the land.

It is recommended that the planning provisions contained in Draft CLEP 2014 not be changed at this stage, but that further investigations of the Wedderburn area be undertaken with the view of establishing whether or not there is merit in amending the zoning/planning controls deemed worthy of Council's consideration. The subject investigations should importantly be informed by the draft Koala Plan of Management and Biodiversity Strategy outcomes.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 – action deferred – pending detailed technical investigation)

Requests for land to be zoned E2 Environmental Conservation

A number of submissions (including G11 from the Office of Environment and Heritage, C16, C118, C120, C125, C126) request that the Draft CLEP 2014 be revised to meet Council's commitments and obligations under the Cumberland Plain Recovery Plan. Specific requests for the rezoning of certain sites to E2 are also made including:

- the Nepean Priority Conservation Lands
 - along the Nepean River south of the Menangle Bridge incorporating Leafs Gully in the south west corner of the LGA
 - Noorumba Reserve
 - the Gilead Biodiversity Offset Site
 - the Beulah Forest Bio Bank site
 - Simmos Beach Recreation Reserve and land north and south along the Georges River adjoining Holsworthy Military Reserve
 - land centred around Peter Meadows Creek including Boronia Reserve, bounded by Hansens Road and Peter Meadows Road
 - land within the Mount Annan Botanic Garden
-

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Other areas suggested for E2 zoning include the Georges River Regional Open Space Corridor and areas of koala habitat (both of these matters are discussed in more detail in later sections of this report).

Submission G11 also suggests that in cases where it is not appropriate to apply the E2 zone to 'whole' lots, dual or split zonings should be used to protect areas of high biodiversity value.

It is not considered appropriate at this stage to rezone certain sites to E2. A more holistic approach, subject to finalisation and adoption of Council's Koala Plan of Management and Biodiversity Strategy, is considered more appropriate. It is also noted that agreed bio-banking sites are already protected by being recognised as such via means other than zoning.

The proposed Biodiversity Strategy will address Council's commitments to the Cumberland Plain Recovery Plan. The draft strategy is scheduled to be presented to Council by July 2015. It is likely that Council's consideration of the Biodiversity Strategy will have implications for a potential future amendment to the CLEP 2014.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 – action deferred – pending detailed technical investigation)

Zoning of land within the Airds Bradbury Urban Renewal Project (ABRP)

Submission G14 (from Urban Growth) relates to land within the ABRP. The project was approved under a major project concept plan and the zoning of land was amended via an Order under Section 75R(3A) of the *Environmental Planning and Assessment Act 1979*.

The submission advises that a biodiversity offset strategy has been undertaken for the area and requests that the on-site conservation lands (at Smiths Creek, Kevin Wheatley Reserve, Peppin Park North and South, Georges River Reserve and Hagan Reserve) and off site lands at Gilead and St Helens Park, be zoned E2 Environmental Conservation. Urban Growth submits that the identified lands need to be zoned either E1 or E2 in order for the project to proceed, and that this is a requirement of the *Environmental Protection and Biodiversity Conservation Act 1999*.

Further, Urban Growth requests that if the land cannot be zoned E2 under the Draft CLEP 2014, a special provision be included in the draft plan that prohibits any development being approved on the land that would impact on the conservation values of the identified lands. Whilst understandable and having merit in terms of ensuring appropriate biodiversity outcomes, this is not considered an appropriate approach as the proposed special provision would conflict with the provisions of the land use table. It is also unlikely that this type of approach would be supported by the department and/or Parliamentary Counsel.

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It is important to note that the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* require restrictions to be placed on the title(s) of the affected land(s). In this respect it should be noted that Council has entered into a Deed of Agreement in relation to vegetation management as a condition of the Voluntary Planning Agreement. This deed obligates Council to maintain the land (once dedicated) which is considered appropriate to ensure that the long term conservation objectives are achieved.

It is also not considered appropriate for Council to use the Draft CLEP 2014 to amend the zones as approved under Section 75R(3A). It would be more appropriate for the Department of Planning and Environment to facilitate any required zoning changes via an amendment to the original order. This matter requires further discussion with the department.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

Defence Land – Holsworthy

Some of the environmentally focussed submissions (including C125) state that the defence land at Holsworthy should be zoned E2 Environmental Conservation rather than SP2 Defence, as proposed. The proposed E2 zoning is not supported by the Department of Defence (submission G4) and as the primary use of the land is for defence purposes, no change to the zoning is proposed. The environmental qualities of the land will be addressed via the future biodiversity strategy and any associated proposed LEP amendments deemed appropriate by Council.

Submission G11 (from the Office of Environment and Heritage) recommends that an environmental layer be applied to the land, as part of the Environmental Constraints Layer, with an associated clause to protect the land.

It is recommended that the provisions of Draft CLEP 2014, as exhibited, not be amended at this time.

(Category F2 – action deferred – pending detailed technical investigation)

Protection of Koala Habitat

Submission G11 (from the Office of Environment and Heritage) believes that Council already has enough information available to address Koala Habitat in the Draft CLEP 2014 without waiting for a future amendment. It requests that Council create a Koala Habitat Layer on the Environmental Constraints Map with an associated clause for protecting these areas. If Council was to accede to this request, the Draft CLEP 2014 would need to be re-exhibited and delayed.

Council is currently in the process of finalising a draft Koala Plan of Management (KPOM) and it is expected that it will be presented to Council in July 2015. The KPOM will provide an evidence-based LGA wide response to Koala planning and management issues.

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It will result in the preparation of habitat mapping and a related local clause that can be inserted into the principal LEP as a future amendment.

It is recommended that the provisions of Draft CLEP 2014 not be amended at this time, but these matters be addressed as a priority following Council's adoption of the Koala Plan of Management and Biodiversity Strategy.

(Category F2 – action deferred – pending detailed technical investigation)

6.2.11 Waste Management

Submission G17 provides an overview of waste minimisation and management objectives and strategies. It encourages, in particular, provision for emerging recycling activities in appropriate settings, raising the concept of precincts or hubs, suggesting opportunities be explored at the Glenfield Waste Disposal Facility and Glenlee Coal Facility.

The suggested candidate areas are the subject of current and independent planning proposals. It is noted also that the Infrastructure SEPP provides for waste recycling in appropriate zones.

Many other suggestions in respect of waste management (including in relation to earthworks) are appropriate matters for consideration in a future review of the SCDCP and Council's Community Strategic Plan.

Waste minimisation and management is inferred in the Draft CLEP 2014 aim (h) in respect of appropriate infrastructure.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

6.2.12 Contaminated Land Management

Submission G17 raised contaminated land management issues. Of principal concern is that Council adhere to the requirements of SEPP 55 in rezoning land from less sensitive to more sensitive land uses. The Draft CLEP 2014 adopts a "best-fit" philosophy which should not trigger an inappropriate zoning change.

Procedural details for investigation, remediation and validation are documented and noted. The need for a contamination focussed objective is not supported, it being noted that aim (o), as set out in the Draft CLEP 2014, includes circumstances such as contaminated land.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C - considered to have insufficient planning merit - no further action)

6.2.13 Recreation Areas and Open Space

Dharawal National Park

Submission G11 (from the Office of Environment and Heritage - OEH) requests that minor amendments be made to the land proposed to be zoned E1 National Parks and Nature Reserves under the Draft CLEP 2014. Submission C125 also believes Lot 24 DP12665 located off Victoria Road at Wedderburn is part of the Dharawal National Park, and this has been confirmed to be the case by the OEH. The requested changes to the National Park boundary have been made to ensure the proposed zoning better aligns with the most up to date boundary for the Dharawal National Park that has been provided to Council.

These lots have been zoned in accordance with advice from the relevant government agencies.

(Category A1 – minor change - recommended for adoption)

The Georges River Regional Open Space Corridor (the Corridor) and the RE1 Zone

Submissions C15, C17, C48, C125 and C126 are concerned with the proposed zoning of this corridor area as RE1 and believe that it should instead be zoned E2 Environmental Conservation. It is noted that a number of the Wedderburn focussed environmental submissions also raised concern (as discussed earlier in this report). Submission C15 believes that the proposed zoning lowers the importance and protection of these lands.

However, the RE1 zone is the 'best-fit' translation of the current regional open space zone that applies to the land. Submission C17 comments on the limitations to the objectives of the RE1 zone. Some of the submissions are also concerned that the objectives of the RE1 zone are not conducive to conservation outcomes. Some of the submissions request the Corridor be zoned E2.

Submissions C125 and C126 believe that the Draft CLEP 2014 does not give adequate protection to natural areas. The submissions state that it is inappropriate for significant natural areas such as the Georges River Regional Open Space, Nepean River Riparian Land, and stands of Cumberland Plain Woodland including Noorumba Reserve to have the same zoning as intensive recreational facilities. They also state that the Biodiversity Strategy and vegetation layer should have been completed and made available to the public prior to the Draft CLEP 2014 being prepared, and that the Draft CLEP 2014 does not make reference to koalas.

Submissions C125 and C126 also believe that the zone objectives and some of the permitted land uses for the RE1 Public Recreation zone are not suitable for bushland areas and that such areas should be zoned differently.

The submission of the proposed Koala Plan of Management and Biodiversity Strategy to Council for consideration in the near future will further strengthen the conservation of the corridor through a relevant future LEP amendment deemed appropriate by Council. It is anticipated that the Koala Plan of Management and the Biodiversity Strategy will be presented to Council in July this year.

In light of the above, it is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted - no further action)

Loss of Open Spaces in Urban Renewal Precincts

Submissions C24 and C89 highlight the importance of protecting green ‘open’ spaces as more urban development occurs.

A number of submissions, including C24 and C94 raise concerns about the loss of open space (and the associated amenity and environmental benefits) to redevelopment as part of various developments including Urban Renewal Projects. Land within these areas has already been rezoned via a separate statutory process administered by the Department of Planning and Environment; with these new zones consolidated into the Draft CLEP 2014.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

Protection of trees and vegetation

Submissions C24 and C102 support balancing development with the retention of natural areas and the protection of trees and habitat, particularly koala habitat, while submissions C102 and C125 raise concerns about bushland character and rural landscapes being affected by new urban development. The submissions raise issues about the loss of vegetation when land is urbanised or redeveloped. A number of other submissions including C78 and C85 discuss the importance of preserving trees and Cumberland Plain Woodland. Submissions C85 and C122 particularly note the need to enforce environmental protection controls.

Clause 5.9 Preservation of Trees and Vegetation, in the Draft CLEP 2014, details the requirements for the removal of trees and other vegetation should it be deemed appropriate by Council. Additional clauses relating to Biodiversity and Koala Habitat will be added once specific strategies relating to those matters have been finalised and adopted by Council.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action)

6.2.14 Cemeteries, Crematoria and Mortuaries

Submissions G19 (from the Department of Primary Industries – Cemetery Reform Group), C61 and C113 object to cemeteries, crematoria and mortuaries being prohibited in the Campbelltown LGA.

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Submission G19 notes that the Cemetery Reform Group is currently undertaking a study to estimate cemetery capacity and demand in South Western Sydney, and it is likely to support the need for a substantial cemetery within the subregion. It notes the proposal for a cemetery at Varroville and the possibility of two sites at Gilead/Appin with possible long-term future potential as burial sites. It notes that cemeteries need to be made permissible on these sites if the proposals proceed. It also suggests that Council may wish to prepare a DCP for cemeteries.

Submission C61 raises concern that there is currently no cemetery in the LGA providing at-need and pre-need burial sites. The submission requests Council revisit its position on the planning proposal request at Varroville.

Submission C113 objects to the proposed zoning of land at Varroville as E3 Environmental Management under the Draft CLEP 2014, as cemeteries are prohibited in this zone. The land is currently zoned 7(d1) Environmental Protection – Scenic (100 ha minimum) under LEP D8, and the E3 zone is the nearest equivalent zone. The submission states that as cemeteries are not separately defined under LEP D8, they are not prohibited and therefore the Draft CLEP 2014 should make provision for them in the E3 zone as it is a ‘best-fit’ translation. It states that prohibiting cemeteries in the zone is a ‘down-zoning’ of the land and that Council should recognise that cemeteries are critical social infrastructure that needs to be addressed now and not via a later study. It further states that a parkland style cemetery would not be inconsistent with the objectives of the E3 zone.

It needs to be noted that there is legal advice to the effect that questions the permissibility of cemeteries in the 7(d1) zone under LEP D8 and that is why a separate planning proposal has been lodged for certain land at St Andrews Road, Varroville seeking that cemeteries be permitted as an additional permitted use on the land (subject to that proposal).

Conversely, submissions C89 and C101 raise concern about cemeteries being allowed in the Scenic Hills and particularly on part of the original Varro Ville estate – stating this would result in the irreversible loss of the area’s heritage. The submissions believe that cemeteries should not be allowed in this area. Council has maintained a policy position consistent with the prohibition of cemeteries and related uses in the Scenic Hills.

Submission C101 raises concern about Council being required to undertake further investigations into the use of rural lands (including E3 lands) with a view to establishing appropriate areas for cemeteries, crematoria and mortuaries within 12 months of the Section 65 certificate being issued. It believes that such facilities should be catered for within the South West Growth Centre rather than having an unfair burden placed on land within Campbelltown LGA.

It is recommended that the planning provisions contained in the Draft CLEP 2014, as exhibited be retained, and that the position be reviewed following the completion of the Greater Macarthur Urban Investigation project and future subregional planning.

(Category F2 - action deferred - pending detailed technical investigation)

6.2.15 Heritage Matters

A number of submissions raised matters relating to heritage. The matters raised included discussion of Council's Heritage Study 2011, support and requested amendments to the proposed additional local heritage clauses, and the zoning, land use permissibility and formal descriptions of particular heritage items (including significance levels and curtilage issues). Some submissions also requested consideration of the listing of additional heritage items.

Except where otherwise noted in the following paragraphs, all heritage related matters have been included in (Category B - recommended for further investigation) This will set a framework to allow Council to revisit all heritage matters that have been raised and that cannot be dealt with immediately as part of a comprehensive heritage review for the Campbelltown LGA. This review will also build on the recommendations of the Heritage Study 2011.

The Campbelltown Heritage Study 2011

Submissions C25 and C96, and C101 request that the recommendations of the heritage study be addressed in the Draft CLEP 2014. Submission C96 supports all 23 recommendations and specifically notes the importance of extending the curtilage of Varro Ville, the identification of archaeological sites, and Council employing a heritage advisor and establishing a heritage advisory service. Submission C101 believes that the heritage clauses will have little impact because schedule 5 does not include the recommendations of the heritage study.

These matters could potentially be addressed at a later stage, subject to further community consultation, and the above mentioned heritage review.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation)

Proposed heritage provisions – standard and local

Submissions C25 and C57 express a view that the Draft CLEP 2014 should ensure that heritage buildings are not 'dwarfed' or overshadowed by high density development, particularly in the Campbelltown CBD, and that the curtilages of items should be protected. The proposed local heritage clauses 5.10A and 5.10B are also supported. These clauses carry forward the existing controls from LEP 2002 that relate to development in the vicinity of a heritage item and development in heritage conservation areas respectively.

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Submission C101 believes that the two proposed additional heritage clauses should be amended. The submission suggests that clause 5.10A(4) needs to be reworded to ensure that heritage provisions are strengthened to prevent 'creeping loss of significance from ongoing impacts' 'and to prevent or remove the impact'. It suggests that in clause 5.10A(5), the last sentence should be reworded to prevent or remove impacts on heritage significance. While the intent behind the proposed wording change is acknowledged, it is not clear how such provisions could be practically implemented as part of the development assessment process. It is therefore recommended that no change be made unless a workable implementation strategy can be established as part of the recommended comprehensive Heritage Review.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - Recommended for Further Investigation).

Specific Heritage Items

Varro Ville

Submissions C96 and C100 request that the curtilage of Varro Ville at St Andrews Road be extended and that additional original components of the historic property (including all early buildings on the site, and the five Charles Sturt Dams) be listed as local heritage items. The submissions believe this should be done to better protect Varro Ville House's heritage significance. Submission C100 states that the curtilage should be extended to reflect the findings of the Heritage Study 2011 (which would include the outbuildings and other significant features of the site), regardless of whether or not the curtilage relating to the State Heritage Listing of the item is increased. According to the submission, this would reverse the impact of Council's 1973 decision to allow the house to be subdivided from the rest of the estate, and prevent developers from continuing to put forward proposals for rezoning and development of the land with inappropriate curtilages. The submission also notes that the land proposed to be zoned RE1 in the vicinity of Varro Ville House was part of the original Varro Ville estate and is likely to have archaeological value.

No new or additional heritage items have been included in the Draft CLEP 2014. This is a matter that could be addressed via a future amendment if considered appropriate by Council, as part of the above-mentioned heritage review.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation).

Redfern's Cottage/Campbellfield

Submission C18 requests that the site, proposed to be zoned R5 Large Lot Residential under the Draft CLEP 2014, be zoned R3 Medium Density Residential as this zone permits medical centres and the land has been purchased to facilitate this use while restoring and enhancing its heritage significance.

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The proposed R5 zone has been imposed to seek to ensure that the site is not subject to pressure for further subdivision. Uses not permitted within the zone can be allowed under the heritage incentive provisions if Council considers the proposed use of the land is required to support the conservation of the heritage item. However, as there is a current development application under consideration by Council for a medical centre and associated uses on the site, the land use could be scheduled as an Additional Permitted Use.

Submission C96 requests that Council investigate and reapply to have Campbellfield listed on the State Heritage Register (with the increased level of significance then reflected in the LEP listing). It is noted that Council's previous attempts to have Campbellfield listed on the State Heritage Register were not successful. This matter can be reassessed in future, as part of the above-mentioned comprehensive heritage review.

Scheduling the additional permitted use is:

(Category A1 - minor change - recommended for adoption).

In terms of other matters relating to the site, it is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation).

No. 11 Shiel Place, St Andrews

Submission C11 objects to the proposed E4 zone being applied to the land as it is considered to be too restrictive. This is a 'best-fit' translation of the current environmental protection zone that applies to the land. Concern was expressed over losing existing heavy vehicle access to the land but this is not a matter relating directly to the LEP.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action).

St James Church, Minto

Submission C96 requests that St James Church, Minto, be considered for heritage listing. This is not considered appropriate given both the condition of the building and the fact that it is no longer located on its original site. The Church was first built in Ingleburn but was then dismantled and moved to Minto. In addition, there are trees on the site dating to WWI, and the fence is original. Any potential listing would need to be subject to the findings of a full heritage assessment of the property.

It is also noted that at its meeting on 12 February 2015, Council's Heritage Protection Sub Committee was advised that the building has been vacated due to significant structural and safety issues and the owners (the Anglican Property Trust, Diocese of Sydney) intend to lodge a development application seeking Council's consent to demolish the building.

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It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 - action deferred - pending detailed technical investigation).

Epping Forest House

Epping Forest House is an item of State Heritage Significance. The land is currently deferred from LEP 2002. Submissions C103 (and C103A) object to the proposed E4 Environmental Living zone that has been applied to the site, as an earlier planning instrument once identified part of the land as having the potential for residential development.

The E4 Environmental Living zone was applied to ensure that the heritage significance of the property is maintained and not threatened by subdivision, without a detailed conservation approach being in place beforehand. It is recommended not to alter the proposed zoning at this stage. However, this is not to say that the zoning could not be amended at a future time if a Conservation Management Plan (CMP) for the site is prepared and Council subsequently deems an amendment be appropriate. The CMP could potentially identify a conservation strategy for the item and curtilage; whilst part of the site could potentially be identified as having future development potential. If a future CMP, and any proposed development in accordance with that plan is supported by the NSW Heritage Office, the zoning of the site could then be reconsidered.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation).

Meadowvale

A very late submission (C137) has been received regarding the extent of the listing of "Meadowvale" as a heritage item in the Draft CLEP 2014. The submission states that the item includes only the 'homestead' and not any other aspect of the property and that the mapped area that defines the heritage item in the Draft CLEP 2014 is too extensive and should be scaled back.

"Meadowvale" was listed as a heritage item in 1987 via an amendment to Interim Development Order (IDO) No.15. In the IDO, the heritage item is listed as "Meadowvale", homestead, situated on Lot 1, DP 602888, Appin Road, Gilead". No map was prepared at the time to identify the extent of the heritage affectation of the site.

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The Draft CLEP 2014 carries over the existing listing, but under the requirements of the Standard Instrument, heritage items need to be both listed and mapped. The Draft CLEP 2014 lists "Meadowvale" as an item of local heritage and describes the item as "Meadowvale" on Part of Lot 1, DP 602888, as the property is 70.19 hectares in total area and it is considered inappropriate to identify the entire property as being the heritage item. This is consistent with the Standard LEP Mapping Guidelines which state that in most cases the entire property should be mapped but this can be varied in the case of large rural properties. The area that has been mapped as the item reflects the homestead area (as it was defined by aerial photography dated 2005 – which was the latest version available at the time) and the size of the area shown on the Heritage Map is 2.63 hectares.

The owner has provided some preliminary heritage assessment of the site which indicates that two buildings, in addition to the homestead, may also have heritage significance. It is also noted that this preliminary work does not address the issue of curtilage. A curtilage assessment is also required in order to review the proposed area on the land identified as the heritage item in the Draft CLEP 2014.

Given the ongoing investigations on this matter by the owner it is recommended that the heritage listing of Meadowvale be deferred from the Draft CLEP 2014 until such time as the owner has had reasonable opportunity to prepare the recommended curtilage study for Council's review.

In the interim the heritage provisions of the existing IDO 15 would remain in place and be available as the primary means to control development.

It is recommended that the matter be deferred from the Draft CLEP 2014 until a curtilage agreed to by Council, can be defined for the heritage item.

(Category F1 - deferred matter - defer the subject land from the Draft CLEP 2014).

Denham Court Road and Campbelltown Road

Submission C88 believes that Denham Court Road and Campbelltown Road should be preserved as scenic drives due to their links to Australia's Colonial heritage and that the Draft CLEP 2014 should protect these roads.

This matter would require further investigation and could, subject to further studies being undertaken, be considered as a future amendment to the LEP.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation).

Possible additional heritage items

Submission C96 requests that Council add all the homes of Hamilton Hume, and areas around these homes, to the relevant heritage lists. It also requests that access to the Hume Monument on Appin Road be improved. Submission G29 from Sydney Trains also suggests that Council may wish to list other items that are identified on the agency's Section 170 Heritage Register to the list of items in the LEP.

Any additions to the heritage listings in the Draft CLEP 2014 would require further investigation, consultation, public exhibition and could be considered as a future amendment to the Draft CLEP 2014.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category B2 - recommended for further investigation).

6.2.16 Dwelling entitlements

Submissions C29 and C121 relate to properties on Appin Road at Gilead (Nos. 420 and 490) that do not currently have dwelling entitlements due to the lots being undersized. Both submissions request an entitlement to build a dwelling house on the land. C29 also requests that the land be rezoned residential, consistent with other proposed rezoning along Appin Road. This reference is most likely one that relates to the development of land at Appin and/or the Mount Gilead Urban Release Area Planning Proposal that is currently under consideration by Council.

Council has consistently provided advice to persons with undersized lots on which there is no current dwelling entitlement, that such entitlements will not be granted. Supporting the request would also likely set a precedent for all other undersized lots in rural and environmental protection areas, thereby potentially adding significant development potential to such areas and undermining the intent of the zones. The two lots referred to in the submissions are also considered to be located within the Greater Macarthur Urban Investigation Area as identified in the Metropolitan Strategy.

No change to the Draft CLEP 2014 is supported.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C - considered to have insufficient planning merit - no further action).

6.2.17 Site Specific Zoning Requests

No. 2 College Road, Campbelltown

Submission C83 specifically requests the rezoning of a residential allotment located at No. 2 College Road, Campbelltown, from R2 Low Density Residential to R3 Medium Density Residential. It suggests that the land at Nos. 31 and 33 Lodden Crescent could also be added to the R3 zone. It has supporting arguments with some merit, however, the nominated site (precinct) is not considered to fulfil broader siting criteria and is not a priority precinct for medium density housing.

It should be noted that multi-dwelling housing is permissible under the proposed R2 Low Density Residential zone, but at a lower density than that permitted in the R3 Medium Density Residential zone.

The Planning Provisions contained in the Draft CLEP 2014 are recommended to be retained as exhibited.

(Category C - considered to have insufficient planning merit - no further action).

No. 37 College Road, Bradbury

Submission C4 relates to the land currently zoned 5(a) Special Uses – Bus Depot under LEP 2002 and that is proposed to be zoned SP2 Bus Depot under the Draft CLEP 2014. It seeks clarification of definitions and requests that as a ‘bus depot’ is not separately defined, the site should be identified as a ‘transport depot’ instead. Further information about the future intended uses of the land was sought from the author of the submission but no information has been received to date. It is considered that allowing the broader use of a transport depot on the land is not appropriate, given the proximity of the site to residential development.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C - considered to have insufficient planning merit - no further action).

No. 366 St Andrews Road, Varroville

Submission C10 as originally received sought reassurance that the E3 zone would not extinguish the existing entitlement for a dwelling-house that exists on the property. This existing entitlement has been carried forward in the Draft CLEP 2014. The submission also objected to residential development in the South West Growth Centre.

A supplementary submission was made on behalf of the owners. This submission requests a review of the planning provisions contained in the Draft CLEP 2014 so as to permit residential development on the land, whilst still conserving some environmentally sensitive areas on the site.

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It is noted that the site was previously inspected by Councillors in 2014 in response to a similar request for subdivision by the owners. The request was not supported by relevant documentation and remains the subject of the most recent submission to Council, despite requests for additional information from the owner/applicant. It is considered that the owners are essentially seeking guidance from Council in respect of the likelihood of support for the proposal, before investing more resources in documenting their urban development aspirations.

The land is situated adjacent to major proposed urban land releases in the South West Growth Centre and proximate to major proposed transport infrastructure. It is, however, particularly environmentally sensitive in an ecological and visual context.

In the interim, no changes should be made to the planning provisions contained in Draft CLEP 2014 as exhibited.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited, until such time as additional information is available to enable further assessment.

(Category C - considered to have insufficient planning merit - no further action).

Atchison Reserve, Glenfield and nearby road reserve

Submission C26 requests the opportunity to purchase Atchison Reserve for the use as part of the adjoining school, subject to the proposed zoning and classification being altered to allow the land to be used for school purposes. The school may also wish to purchase the land originally reserved for the extension of Edward Street. The submission requests that the rezoning and reclassification of the land be considered as part of the Draft CLEP 2014 process.

The request for rezoning, reclassification and land purchase is beyond the scope of the current Draft CLEP 2014 as it does not propose to reclassify any land. If this land were to be rezoned and reclassified in the future, a public hearing would need to be held to reclassify the reserve and such change would also require public exhibition. It is recommended that no further action be taken at this stage.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C - considered to have insufficient planning merit - no further action).

Campbelltown Golf Course, Glen Alpine

Submissions C45 and C94 request that the golf course be given a recreation zoning to preserve the environmental attributes and bush regeneration works being undertaken on this land. As the golf course is currently zoned 2(b) Residential under LEP 2002, it is proposed to zone the land R2 Low Density Residential under the Draft CLEP 2014. It is noted that 'recreation facility (outdoor)', which includes golf courses, are permissible with consent in the R2 zone and therefore changing the zone to RE1 Public Recreation is not required.

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It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action).

Land at Macquarie Links

Submission C13 requests that certain land located between Macquarie Links and the M5 should not be zoned RE2 Private Recreation but E3 Environmental Living or to another zone that would allow horse agistment. This is not supported as the keeping of horses in close proximity to urban residential development could create potential land use conflicts.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action).

Glenfield Waste Disposal Site

Submissions C72 and G18 refer to a strip of land located within the Glenfield Waste Disposal Site that is currently zoned as regional open space and that is proposed to be zoned RE1 Public Recreation under the Draft CLEP 2014. Both submissions request that the amount of land to be zoned open space be reduced, as the Office of Strategic Lands will now only be acquiring part of the land. Submission C72 also requests that the land no longer required for acquisition be zoned industrial to complement the zoning being sought for the greater Waste Disposal Site under a separate planning proposal that is currently being considered by Council. As the planning proposal has not yet been determined and the width of the strip to be acquired as regional open space has not been finally determined, no change is recommended. Any changes to the zoning and acquisition requirements can be made via the subject planning proposal.

It is important to note that submission G22 from Liverpool City Council raises concern about what the future zoning of this site will be as it is a 'deferred matter' under the Draft CLEP 2014. It is also requested that Liverpool be consulted when the future zoning of this land is being considered, given the close proximity of the site to the LGA boundaries. This referral will occur following Council's endorsement of the planning proposal for public exhibition.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 - action deferred - pending detailed technical investigation).

Glenfield Road, Urban Release Area

Submission C99 relates to the Glenfield Road Urban Release Area. It requests changes to land use zonings applied to certain sites resulting from the revised drainage strategy for the release area. It requests that one site be zoned R2 Low Density Residential instead of RE1 Public Recreation and also that six sites be rezoned from R2 to RE1 Public Recreation. Submission G28 also notes that some zoning amendments will be required in this area to reflect changes over time and the location of infrastructure.

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Submission C99 also raises concern that the RE1 zone (that has been applied to most of the open space land in the release area) does not recognise the conservation values, relating to vegetation and environmental constraints, in some locations. It is likely that this matter will be addressed via Council's Biodiversity Strategy and related LEP amendments.

The proposed rationalisation of the zones is supported in principle, as it would reflect the final intended use of the land, but such rationalisation needs to have regard to reconciliation of the Section 94 (Developer Contributions) Plan for the Release Area. However, it should be noted that Council would ordinarily be responsible for acquiring and/or managing any land that is zoned RE1.

It has therefore been decided to only change the zonings where requested on land that has already been transferred into Council's ownership.

(Category A1 - minor change - recommended for adoption)

The zones applying to the other sites can be changed once the Section 94 issues have been addressed. The changes that have been made are listed in attachment 4.

(Category F2 - action deferred - pending detailed technical investigation)

Land adjoining the Woodland Road Centre, St Helens Park

Submission C28 relates to land within this business centre. It requests that the land on which the church is situated be rezoned to R2 Low Density Residential (from the proposed B1 Neighbourhood Business zone), consistent with the proposed zoning of the properties to the rear, to allow a 'place of public worship', rationalisation of the church car park and some residential development. The submission also notes that the church is seeking to purchase part of the land that adjoins the site at the rear.

The Department of Planning and Environment is not supportive of any reduction in employment lands (commercial or industrial lands) and therefore the request for rezoning cannot be supported. It is noted that this matter also affects land in the surplus road reserve for the Smith's Creek Bypass.

(Category C - considered to have insufficient planning merit - no further action)

However, the existing 'place of public worship' (church) should be scheduled as an additional permitted use on the land it currently occupies.

It is recommended that the Draft CLEP 2014 be amended by scheduling a 'place of public worship' as an additional permitted use on the subject land.

(Category A1 – minor change - recommended for adoption)

Crown Reserves

Submission C125 believes that Lot 35 DP 752066 and Lot 7010 DP 1028262 are Crown reserves and suggests they should be zoned as public land. These lots are owned by the NSW Department of Lands. Lot 35 is currently zoned 1(c) Rural under LEP 1 and is proposed to be zoned E3 Environmental Management which is considered the closest 'best fit' translation for this lot and the surrounding land. Lot 7010 is currently zoned part 5(c) Sub Arterial Road and part 7(d4) Environmental Protection 2ha minimum under LEP 2002 and is proposed to be zoned part SP2 Road and part E3 Environmental Management under the Draft CLEP 2014, these being the 'best fit' translation zones. Further, the NSW Department of Lands has not provided any advice regarding preferred alternative zonings. That being the case, no further change is recommended .

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted - no further action)

Land near Macarthur Gardens

Submissions C58 (and C58A) and G28 believe that Lot 3 DP 1150348, which is a narrow sliver of land owned by Stocklands and located next to the Macarthur Gardens Retirement Village, should be zoned B3 Commercial Core rather than the proposed R3 Medium Density Residential as this would better reflect the current development approval on the land (DA1057/2014).

This is a minor change and is supported.

(Category A1 - minor change - recommended for adoption)

Minor Zoning Adjustments/Map Amendments

A number of submissions, mainly from Government, raised matters relating to minor zoning changes on particular parcels of land. Many of these changes have been requested to reflect approved or existing developments or works or consolidation of smaller lots into the same development or purpose on adjoining land. Other minor zoning anomalies arising from lot consolidation and minor adjustments to cadastral boundaries have also been made.

The changes that have been supported are listed in attachment 4 which records all of the mapping changes proposed to be made to the Draft CLEP before it is finalised.

(Category A1 - minor change - recommended for adoption)

6.2.18 Social Infrastructure – Aged Care Facilities and Schools

Aged Care Facilities

Two submissions (C84 and C91) raise issues relating to the provision of aged care accommodation on two separate and unique sites being the Frank Whiddon Masonic Homes Complex at Glenfield, and the St Johns Catholic Church site (George, Broughton and Sturt Streets) at Campbelltown.

It is initially noted that State Environmental Planning Policy – Housing for Seniors or Persons with a Disability (the Seniors SEPP) facilitates delivery of the reasonable expectations contained in both submissions.

Both submissions express concern in respect of the proposed development standards contained in the Draft CLEP 2014 for each respective site.

Frank Whiddon Masonic Homes at Glenfield

In terms of the Frank Whiddon Aged Care Complex (C84), the subject land is currently zoned 5(a) Special Uses – Retirement Village, with no specific development standards (other than those included in the relevant Seniors SEPP) constraining development.

Development has occurred incrementally over time and Council understands that a master plan is currently being prepared for the site.

The submission objects to the proposal to zone the subject land R2 Low Density Residential, under which seniors housing is prohibited. The R2 zone was applied as it was consistent with the approach advocated by the Department of Planning and Environment of absorbing 'special use' sites into the adjoining zones wherever practicable. As noted elsewhere in this report, the omission of seniors housing from the zone was a consequence of attempting to only allow low-density built forms within the R2 zone. The R2 zone also imposes a minimum lot size of 500m², a maximum building height of 8.5m and a maximum FSR of 0.55:1 for residential development in the zone. Notwithstanding, it should be noted that the Seniors SEPP would override these controls for aged care development on the site.

A number of alternative planning approaches are discussed in the submission to enable the on-going use and future expansion of the site as an aged care facility incorporating a wide range of associated uses, whilst respecting its relationship and impact on adjoining sites.

The subject Complex has evolved to provide aged care services in an environmental context and is understood to be generally supported by the broader community. It is appropriate that the current use be reinforced by a zoning that expressly provides for the continuation of specialised aged care services, yet has regard to the overwhelming low density residential nature of the neighbourhood.

Given the scale of the site and future development aspirations it is considered that the site is potentially best zoned with clear intent SP2 Seniors Housing. In accordance with the relevant zoning table, development that is ordinarily incidental or ancillary to development for the purposes of seniors housing would be permissible with consent, in addition to seniors housing.

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Additionally, no development standards would be documented, as requested in the submission. The provisions detailed in the Seniors SEPP would apply. Any specific and justifiable departure would need to follow the merit based relevant planning assessment procedure.

The revised approach is considered to be valid in light of information contained in the submission, and would deliver the Whiddon Group's preferred outcome, without any significant risk to community amenity nor environmental character.

It is therefore recommended that the subject land be zoned SP2 – Seniors Housing and that no height or FSR restrictions be applied to the site.

(Category A1 – minor change – recommended for adoption)

St Johns Catholic Church (George, Broughton and Sturt Streets, Campbelltown)

The subject land accommodates the former St Johns Catholic Church and the related heritage cemetery. A large vacant residue parcel comprises the balance of the site.

The land is currently zoned 5(a) Special Uses Church and Cemetery and part 2(b) Residential under LEP 2002.

Development for the purposes of seniors housing or people with a disability is currently permissible via the application of the Seniors SEPP, via a site compatibility certificate process. Council has been advised that an application has been made for such a certificate.

The Draft CLEP 2014 currently proposes to zone the site part SP2 Cemetery and Place of Public Worship and part R2 Low Density Residential, which reflects the current controls under LEP 2002.

The current and proposed planning controls both facilitate the development aspirations contained in the submission.

It is considered important that the SP2 zone be retained to flag the undeniable importance of the conservation of the church and cemetery. Such zoning will not preclude development as proposed if the relevant heritage sensitivities are respected. The Seniors SEPP applies to such zoning. Further, it applies to the proposed R2 Low Density Residential zone.

Additionally, as noted above, an application has been made, pursuant to the prevailing controls (for a site compatibility certificate) to permit a comprehensive aged persons facility. It is therefore recommended that the subject land be zoned SP2 – Seniors Housing and that no height or FSR restrictions be applied to the site.

(Category A1 – minor change – recommended for adoption)

School Sites (in general)

When the Draft CLEP 2014 was being prepared, the Department of Planning and Environment advised Council to merge land currently zoned for 'special uses' into the most appropriate adjoining zone wherever possible. Practice note PN 10-001 also provides this advice. Schools that were zoned 'special uses' were therefore incorporated into the surrounding (usually residential) zones. Submissions G5 and C56 have raised concerns about residential development standards (particularly heights and FSRs) in residential zones being applicable to school sites, by default. This is not a significant issue in planning terms given that the Infrastructure SEPP applies in these circumstances and overrides residential development controls. However, this has caused confusion, particularly given that schools in recent Urban Renewal Projects (subject to concept plan approvals) have been zoned 'special uses'.

It is therefore recommended that all schools zoned special uses under LEP 2002 have their special uses status reinstated under the Draft CLEP 2014 and that no height and FSR restrictions be applied to these sites.

(Category A1 – minor change – recommended for adoption)

St Patricks College

Submission C56 raises concern about the height and FSR controls that have been applied to the St Patricks College site, as a consequence of it being included in the R2 zone. However, it does not object to the proposed zone, given that both schools and churches (places of public worship) are permitted in the zone. The Infrastructure SEPP overrides LEP controls to allow development for school purposes. As with the recommendation for school sites in general, it is recommended that the St Patricks College site retain its existing special use zoning (and be zoned SP2 – School in Draft CLEP 2014) and that the height and FSR controls proposed under the Draft CLEP 2014 be removed (as the SEPP would override these controls as they apply to educational uses on the site).

(Category A1 – minor change – recommended for adoption)

6.2.19 Road Reserves, Infrastructure and Land Acquisition**Infrastructure and further development**

Submission C101 believes that future development should seek to capitalise on existing facilities and transport and should discourage the development of more roads and further road widening. The Draft CLEP 2014 aims to facilitate this outcome, by encouraging increased residential and employment densities closer to existing centres and transport.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Georges River Parkway Road Reservation

Submission C102 is concerned about the retention and impact of the proposed road corridor. Council has been advised by the NSW Office of Strategic Lands that this future road corridor needs to be shown in the Draft CLEP 2014. At this stage, it is planned to remain as an important future transport corridor and is likely to be considered as part of the upcoming Greater Macarthur Urban Investigation Area Project. Furthermore, it should also be noted that the majority of the land within this corridor is already held in government ownership.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Land within the Smiths Creek Bypass Road Reserve

The land that was originally set aside for the Smiths Creek Road Bypass is no longer required for that purpose. The road reservation was zoned 5(e) Special Uses Public Purposes Corridor under LEP 2002. The reservation can generally be divided into three tracts, with the middle tract having been rezoned part residential and part open space under the Concept Plan Approval and associated ministerial order for the Airds Bradbury Urban Renewal Project. The top and bottom tracts currently retain the special uses zoning and are proposed to be rezoned under the Draft CLEP 2014 – the top or northern-most part of the corridor as open space (to form part of the Smiths Creek Reserve as the land is contiguous with the reserve and has an established bushland character) and the bottom or southern-most part of the corridor, which extends south from Greengate Road to Woodland Road, as residential. Some residents have more recently raised concern about the proposed rezoning of the southern-most portion of the land to R2 Low Density Residential as part of the Draft CLEP 2014.

The proposed residential zoning is based on a request from the NSW Government and a subsequent resolution of Council made at its meeting on 24 October 2006 in which it resolved to assess the proposal as part of the comprehensive LEP, hence the inclusion of the change of zone in the Draft CLEP 2014. It should also be noted that in 2007, the Infrastructure SEPP was introduced. It currently allows land that is zoned for special purposes and that has become surplus to government requirements to be developed for a purpose permitted in an adjoining zone, subject to a site compatibility certificate being issued. This means that currently any uses permissible in the adjoining 2(b) Residential zone, 10(c) Local Comprehensive Centre or 6(a) Local Open Space zones could potentially be permitted on the land without it being rezoned. In effect, when the SEPP already applies, rezoning land as residential simply reflects land uses that could already be approved on the land (subject to certification) rather than changing land use permissibility directly.

Opposition to the proposed zoning of the southern-most component has more recently been raised by members of the neighbouring community, notwithstanding the wide-ranging community consultation undertaken in respect of Draft CLEP 2014.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

The residents feel that they have not been adequately consulted and they believe that the land is an important open space area that is well-used and highly valued by locals. The land is also said to contain biodiversity/habitat areas for local fauna (including koalas) and this is provided as a reason why it should be retained as an 'open landscape' area.

It is important to note that the southern-end tract of land currently zoned for the purposes of the Smiths Creek Bypass Road Reserve has an area of approximately nine hectares. It generally has an open character dominated by grasslands with some remnant eucalypt cover and with no recreation facility improvements. Nearby parks include Flynn Reserve, Woodlands Road Baseball Complex and Quirk Reserve.

Given the history summarised above and the applicability of the Infrastructure SEPP it is recommended that the provisions of Draft CLEP 2014 not be changed.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Campbelltown Road, Denham Court

Submission C30 requests that the SP2 road widening along Campbelltown Road be reviewed, in light of the reduction in width of the corridor as detailed in the RMS design for the road. The RMS has not provided Council with any revised details about changes to the amount of land required for acquisition and no consideration of further changes should be made until such time as formal advice is received from the RMS.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Campbelltown Catholic Club

Submission C129 raises concerns regarding road widening along Narellan Road adjacent to the Campbelltown Catholic Club. This road widening is currently shown in LEP 2002 and was carried across having regard to the 'best-fit' translation approach and no advice from the RMS to remove the proposed acquisition. The RMS has since advised that it no longer requires this land.

The acquisition has been removed from the Draft CLEP 2014. No further action is required.

(Category A1 – minor change – recommended for adoption)

Responsible Acquisition Authority

The majority of land within the reservation for the proposed Georges River Parkway is already in NSW Government ownership. There are a number of parcels, however, that have not yet been acquired. In order to identify the land for acquisition in an LEP, a specific acquisition authority must be identified and this can only be done with the agreement of the relevant authority. Until recently, the body responsible for acquiring land within this road reservation was the corporate sole of the EPA (the Minister for Planning), facilitated via the Department of Planning and Environment's Office of Strategic Lands. In recent years, the responsibility has been transferred to Roads and Maritime Services (the RMS). However, the RMS will not agree to being identified as the acquisition authority as development of the road is not contained within its five year plan.

The RMS (in Submission G23A) has advised that it is not the relevant acquisition authority for the future Spring Farm Parkway, works associated with Raby Road nor for the proposed Georges River Parkway.

Submission C65 is from a land owner, part of whose property is identified for acquisition as part of the land required for the Georges River Parkway. The owner is justifiably concerned about no acquisition authority being identified and the impacts of the proposed acquisition on the future development potential of the land.

The appropriate acquisition authority must be identified prior to the CLEP being made by the Minister. It is therefore recommended that Council request the department to resolve this matter prior to the Draft CLEP 2014 being finalised.

The matter of responsibility for land acquisition to secure provision of corridors for roads, infrastructure and the like is of major significance to Council. Historically authorities such as Roads and Maritime Services (RMS), Transport for NSW and the Office of Strategic Lands (OSL, which secures land on behalf of the Minister for Planning), have taken responsibility for the acquisition of land reserved or required for such purposes. Unfortunately, the RMS and Transport for NSW have refused to accept responsibility as the nominated acquisition authority for some outstanding strategic infrastructure land requirements including the Georges River Parkway, the Spring Farm Arterial and Raby Road. This is unacceptable to Council insofar as both the community and the Council deserve to have a level of certainty over acquisition commitments that may otherwise fall directly to the Council on a 'default' basis.

In light of the above, Council is urged to demand the Department of Planning and Environment not to present the Draft CLEP 2014 to the Minister for making until such time as acquisition commitments, that currently or ordinarily would fall upon the RMS and Transport for NSW are secured.

The process of listing the relevant authorities in the Draft CLEP 2014 Written Instrument is considered to be a minor amendment:

(Category A1 – minor change - recommended for adoption)

6.2.20 Issues that Cross Local Government Boundaries

Submission G26 from Camden Council supports Council's initiative in preparing the Draft CLEP 2014 and promotes the need for continued collaboration between Camden and Campbelltown Councils when dealing with issues that cross local government boundaries. It notes three particular current issues, being development on Camden's side of the Scenic Hills, the joint planning proposal for Glenlee and the urban development at East Leppington.

In terms of development in the Scenic Hills, Camden Council notes the need for collaborative planning to ensure the impact on the scenic qualities of Campbelltown are minimised.

In terms of the Glenlee site, Camden Council notes the joint planning proposal to facilitate industrial uses on the land is underway and the collaboration between the two councils on this project.

In terms of East Leppington, the possible local government boundary adjustment is raised and it is requested that this be dealt with as part of the Draft CLEP 2014 to avoid an amending LEP needing to be prepared. It should be noted that although there is agreement between Campbelltown and Camden Councils about the proposed boundary adjustment there are logistical issues with the relevant government authorities/agencies in preparing the documentation required to publicly exhibit the proposal. Unfortunately, the delay in timing of the related procedural matters will not allow the issue to be addressed in the Draft CLEP 2014. A future concurrent LEP amendment, undertaken in association with Camden Council, will therefore be required.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Submission G22 from Liverpool City Council raises a number of issues about specific sites and controls within the Draft CLEP 2014 and these are addressed in other sections of this report that deal with those specific matters.

PART 7 – THE DRAFT CLEP 2014 WRITTEN INSTRUMENT

7.1 Wording and terminology used within the Draft CLEP 2014

Several submissions, including C101, C125 and C126 have commented and/or made requests relating to the meaning, clarity and interpretation of particular words and terms used within the Draft CLEP 2014. Submission C101 in particular, has also requested that additional words or statements be added to particular plan and zone objectives and to particular clauses. Requested amendments to aims, objectives and clauses are discussed in the following sections of this report and where agreed are reflected in the proposed amendments to the Draft CLEP 2014 Written Instrument (provided at attachment 7).

Matters relating to the interpretation of particular words and statements are matters for legal review. The final wording of the LEP is still subject to review via the Department of Planning and Environment's Legal Branch and Parliamentary Counsel when determining whether or not the LEP can be legally made.

7.2 Aims and objectives of the plan

A number of the submissions, and particularly the Government agency submissions and the environmentally focussed submissions have requested that additional issue specific aims and objectives be added to both the general aims and objectives of the plan and to the objectives of particular zones and clauses in the Draft CLEP 2014. These suggested additions are discussed in more detail in the following sections of this report and in the summary spreadsheets provided at attachments 5 and 6. Subsequently, some suggested changes have been made to the Draft CLEP 2014 Written Instrument (see attachment 7).

Heritage objective

Submission C101 believes that objective 1.2(2)(j) should 'prevent' rather than 'minimise' any adverse impacts of development on heritage items and conservation areas, as compromise leads to more compromise.

While the high regard expressed by this submission in relation to heritage is acknowledged, the word "prevent" is considered to be overly restrictive and does not facilitate justifiable minor impacts. Further, such terminology could become onerous and in some cases may impede the adaptive reuse of heritage items as part of appropriate redevelopment proposals where the genuine intent is to conserve the heritage item and its value.

Submission C125 believes the use of the term 'conservation area' in aim 1.2(j) is not defined and is confusing. This is not considered to be the case as the aim relates to heritage matters and it is clear from the context of the wording that it relates to heritage conservation areas. No change is recommended.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Environmental objectives

Submissions C125 and C126 believe that the term 'water resources' in aim 1.2(m) is not defined as is confusing. This is not considered to be the case as the term is collective and refers to all water resources, as advocated by the Office of Water, including groundwater/aquifers, streams, dams, lakes and the like. No change is considered necessary.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Health objectives

Submission G21 from the South Western Sydney Local Health District raised a series of suggested health and healthy lifestyle enhanced objectives and plan aims in the context of land use and transport and in particular their integration. Some of the suggested enhancements can be achieved as minor amendments to the Draft CLEP 2014. Others are more appropriately dealt with in Council's Community Strategic Plan and/or policy development.

It is recommended that limited minor changes to the Draft CLEP 2014 aims and objectives be made, as referenced in attachment 7.

(Category A1 – minor change - recommended for adoption)

Waterways objectives

Submissions G3 and G17 from the Office of Water and Environmental Protection Authority respectively, together with some of the environmentally focussed submissions sought to enhance the water quality provisions. Submission G3 in particular requested a series of enhanced objectives and provisions in respect of riparian lands, waterways and groundwater.

Submission G17 details the need for enhanced objectives and provisions to achieve community use and environmental outcomes. The minor amendments made in response to submission G3 are considered to be sufficient, whilst other more detailed matters could be pursued through more appropriate plans, particularly Council's SCDCP in this instance.

It is recommended that limited minor changes to the Draft CLEP 2014 aims and objectives be made, as referenced in attachment 7.

(Category A1 – minor change - recommended for adoption)

7.3 The Land Use zones

This section of the report deals with issues relating to specific zones within the Land Use Table and specific controls associated with those zones.

7.3.1 Complexity, inflexibility and inequity

Submission C40 (from a local resident) is critical of the approach to zoning that has been applied under the Draft CLEP 2014. It states that the Draft CLEP 2014 encourages large detached houses and promotes the strict separation of land uses via zoning. It supports more consolidation rather than additional urban spread. It does not support the fact that different controls apply to existing areas and to new release and redevelopment areas. It request more flexible zoning that would permit more mixed use developments and a wider variety of uses within zones. This is also supported by submission C58 (and C58A). It advocates that dual occupancies in existing residential areas be permitted on lots smaller than 700m². It also requests that development standards (controls) be left in the development control plan as this is more flexible.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

The Draft CLEP 2014 has been prepared in accordance with the drafting requirements provided by the Department, and is largely a 'best-fit' transition plan. In most cases, it does not introduce new controls but rather consolidates the existing controls that are already applied across various parts of the Campbelltown LGA into one planning instrument.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

7.3.2 The Rural Zones

No RU1 Primary Production or RU4 Primary Production Small Lots

Submission G15 from the Department of Primary Industries (NSW Agriculture) raises concern that the two standard primary production zones have not been used in the Draft CLEP 2014. It also raises concern about extensive residential development being allowed in the RU2 Rural Landscape zone.

The primary production zones were not used as they did not fit with the 'best-fit' translation approach that was adopted in preparing the Draft CLEP 2014. However, it is noted that provisions have been made in the Draft CLEP 2014 for agricultural uses in the RU2 Rural Landscape Zone and the E3 Environmental Management Zone with some agricultural related uses also allowed in the E4 Environmental Living zone. The E3 zone has been applied to the existing dairy farm within the Scenic Hills as the land is currently zoned for environmental protection purposes and the E3 zone is the nearest standard equivalent. It has also been applied to land within Wedderburn (that is currently zoned non-urban) as the area has high environmental significance and is located in close proximity to the Dharawal National Park.

The Draft CLEP 2014 does not allow for extensive residential development within the rural or environmental protection zones. The minimum lot size requirements for the erection of a dwelling house or dual occupancy (attached) prevent significant increases in the density of residential type accommodation in these zones, and generally only reflects existing planning controls with the exception of dual occupancies (attached) being proposed to now be permissible with consent in all areas to which these zones have been applied.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Suitability of various uses in the RU2 Rural Landscape Zone

Submission C125 believes that particular land uses including 'child care centres', 'community facilities' and 'educational establishments' are not consistent with the objectives of the RU2 Rural Landscape zone. Submission G15 from NSW Agriculture also raises concerns about allowing non-agricultural uses within the zone. It is not considered that such uses are problematic or inconsistent with the zone objectives as they provide support services to rural areas and can be designed to complement the existing character of the area. These uses are currently not listed as 'prohibited uses' on non-urban land under IDO 15, which covers the majority of the land where the RU2 zone is proposed to apply.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

The RU5 Rural Village Zone in Wedderburn

Submissions C64 (and 64A), which include a 148 signature petition, are largely focussed on further subdivision, and also support the proposed RU5 zone in Wedderburn. This zone has been applied to the relatively small area of land currently zoned as a neighbourhood centre and special uses area under LEP 1.

The support for the proposed RU5 zone is noted, and no further action is required.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category D – supports the draft CLEP 2014 - no further action)

Signage in the RU6 Transition Zone

Submission G28 states that the references to signage within the Land Use Table, as it applies to the RU6 zone, is confusing and should be fixed.

This is a minor wording change that can be easily rectified. However, it should be noted that the RU6 Transition Zone will be deferred from the Draft CLEP 2014 as it only relates to land within the Menangle Park urban release area, and this release area is being deferred for action under a separate statutory planning process.

(Category A2 – noted – no further action)

7.3.3 The Residential Zones

Objectives of the R2 Low Density Residential Zone

Submission G22 (from Liverpool Council) believes in Council's objective three which states "To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale", is unclear and does not correlate with the uses in the Land Use Table. The purpose of this objective is to ensure that uses permitted with consent in the R2 zone, such as community facilities and childcare centres 'fit-in' and are compatible with the local character, and is similar to objectives for the 2(b) Residential zone under LEP 2002.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Permitted uses in the R2 Low Density Residential Zone

It is noted that the permissibility of multi- dwelling housing in the R2 zone is discussed in an earlier section of this report.

Seniors housing in the R2 Low Density Residential Zone

Submission G28 sought clarification of why 'seniors housing' was not permitted in the R2 zone and Submission G14 (from Urban Growth) believes that seniors housing should be allowed in the R2 zone.

Seniors housing (except for residential care facilities) was originally excluded from the R2 Low Density Residential zone as it was considered likely to have a similar built form to multi-dwelling housing which was also excluded from the zone. Since the Department of Planning and Environment has required Council to include the latter use in R2 zone, it is now considered appropriate to also allow 'seniors housing'. It is recommended that this amendment be made. It should also be noted that seniors housing is permitted in the zone under the Seniors SEPP.

(Category A1 – minor change - recommended for adoption)

Attached dwellings in the R2 Low Density Residential Zone

Submission G14 (from Urban Growth) believes that attached dwellings should be permitted in the R2 zone consistent with the intentions of the approved concept plans for Urban Renewal Areas and in order to provide a choice of housing forms. The submission also requests that the exceptions to minimum lot size provision for certain residential development (which currently applies to dwelling houses and semi-detached dwellings in certain identified areas), also be extended to include attached dwellings.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Given the Department of Planning and Environment's requirement for multi-dwelling housing to be included in the R2 Low Density Residential Zone, it is not considered inappropriate to also include 'attached dwellings' (or row/terrace housing) as a land use permissible with consent in the zone, as it has a similar built form. It is also considered appropriate to include 'attached dwellings' in the exceptions provisions for minimum lot sizes. These exceptions only apply to specific areas listed in the Draft CLEP 2014 which are already subject to site specific development control plans, master plans or the like.

It is recommended that 'attached dwellings' be added as a land use permissible with consent in the R2 zone, and that exceptions to minimum lot size provisions be extended to include this land use.

(Category A1 – minor change - recommended for adoption)

Residential flat buildings in parts of the R2 Low Density Residential Zone

Submission G14 (from Urban Growth) requests that Council give consideration to allowing residential flat buildings in Areas 4, 5, and 6 (being the Claymore, Minto and Airds-Bradbury respectively) as identified in the Draft CLEP 2014.

It is not considered appropriate to allow typical 'residential flat buildings' within the zone as the built form and density are ordinarily and typically different to the other forms of housing already permitted in the R2 zone. Allowing 'residential flat buildings' in areas not in close proximity to the Regional City Centre could also potentially undermine efforts to increase residential densities close to centres, facilities and the Main Southern Railway Line.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Maximum building heights in the R2 Low Density Residential Zone

Submission C103 requests that the maximum building height in the R2 zone be increased from 8.5m to 9.5m. The submission makes particular reference to residential land at Kearns (in the vicinity of Colorado Street, Columbia Street and Yangtze Place).

The 8.5m height limit is consistent with the height in the NSW Housing Code, and no change is supported. Clause 4.6 – Exceptions to Development Standards can be used to seek height variations for development applications on particular sites if justified.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – Considered to have Insufficient Planning Merit – No further action)

Church offices in the R3 Medium Density Residential Zone

Submission C37 raises concern that church offices providing 'community style' type services would not be permitted in the R3 zone. Such offices are not separately defined under the standard definitions and therefore fall under the definition of a 'community facility' which is permissible within the zone. By definition, a 'community facility' can be owned or controlled by either a public authority or a non-profit community organisation. Therefore, no change is required.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted - no further action)

7.3.4 The Business zones**Land uses within the B2 Local Centre Zone**

Submission G22 (from Liverpool Council) is concerned with the flexibility of the B2 zone as it allows bulky goods premises, supermarkets and landscaping material supplies. It raises concerns about the impact this zoning may have on the planned local centres at Edmondson Park, North Leppington and other centres within the Liverpool LGA. It also suggests a maximum floor area (MFA) for retail premises of 1,600m².

It should be noted that all commercial premises (including bulky goods premises, shops (including supermarkets) and landscaping material supplies) are mandatory permitted uses in the B2 Local Centre zone and Council does not have the ability to remove these uses. In addition, no maximum floor area control is supported at this stage. No change is considered necessary.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted - no further action)

More land use flexibility in the B3 Commercial Core Zone

Submissions C58 (and C58A), C114 (and C114A) request land use flexibility and that the B3 Commercial Core zone be made an 'open zone' rather than a 'closed zone' (as is currently proposed under the Draft CLEP 2014). Submission C58 puts forward the view that there is no logic in restricting the range of land uses within the Regional Centre – an area where land use flexibility should be maximised. Submission C114 believes an open format would provide more flexibility and minimise the need to rely on existing use rights.

The Draft CLEP 2014 was deliberately designed with closed zones in an effort to increase land use certainty. Adopting an open zone approach could result in inappropriate land uses being proposed in particular zones and is not supported. This may lead to an inadvertent utilisation of land within say the commercial core of the Campbelltown-Macarthur Regional Centre for a purpose that would be an inefficient and uneconomic use of such land, and where such land uses would be more appropriately located elsewhere. A good example might be a warehouse or distribution centre, which would be better located in another zone and away from the commercial core.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Residential flat buildings in the B3 Commercial Core Zone

When the Draft CLEP 2014 was prepared, a decision was made to exclude 'residential flat buildings' from being a permissible land use within the B3 Commercial Core zone and to permit 'shop-top housing' as the only form of residential accommodation within this zone. This was done to specifically set aside areas in the Regional City Centre where commercial uses would predominate. The Department of Planning and Environment concurred with this approach.

In further considering the Metropolitan Strategy's formal recognition of Campbelltown-Macarthur as a Regional City Centre and the on-going discussions over the preparation of the Glenfield to Macarthur Corridor Strategy, it has become apparent that including additional higher density forms of residential accommodation within the commercial core could help provide economic and lifestyle benefits by providing a resident population to help sustain certain 'core' commercial and retail uses. In this regard it is now proposed to add 'residential flat buildings' as a permissible land use in the B3 zone, but only where they are constructed as part of a mixed-use development and have retail and commercial uses (not residential) on the ground and first floors respectively. This would help retain the 'integrity of higher order use intent' of the core.

It is also interesting to note that Liverpool City Council is currently reviewing the zoning controls that apply to its Regional City Centre to potentially reflect a similar outcome.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be amended to permit 'residential flat buildings' in the B3 Commercial Core zone but only where they are constructed as part of a mixed use development and incorporate retail, commercial uses or other non-residential uses on the ground and first floors.

(Category A1 – minor change - recommended for adoption)

7.3.5 The Industrial zones

Bulky Goods Retailing

Submission G27 objects to 'bulky goods premises' being permitted in the industrial zones as the LGA has a limited amount of industrial land. Such premises are currently permitted in the 4(b) and 4(c) industrial zones within the LGA under LEP 2002 and a 'best-fit' approach has been adopted in preparing the Draft CLEP 2014 by allowing these uses in the IN2 Light Industrial zone. No change is recommended.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Hardware and Building Supplies

Submission C19 requests that 'hardware and building supplies' be added as a land use permissible with consent in the IN1 General Industrial and IN2 Light Industrial zones. Detailed reasons to support this request are provided. It is also requested that the land use be included in any future B7 Business Park zone.

Land zoned IN1 should be focussed on providing for traditional industrial type land uses and allowing "hardware and building supplies" in this zone is not supported. However, it is considered reasonable to allow the land use in the IN2 zone which caters for lighter types of industry. Additionally, the definition of 'bulky goods retailing' in LEP 2002 accommodates 'hardware and building supplies' as a land use in the current 4(b) and 4(c) Industry zones. It is recommended that the zoning table be amended accordingly.

It is noted that the Draft CLEP 2014 does not contain a B7 Business Park zone as no specific areas or sites have been identified to accommodate business parks at this stage as part of this LEP. A B7 zone could be added at a later stage to support separate planning proposals such as that for Maryfields. However, it is not considered appropriate at this time to include 'hardware and building supplies' in any future B7 zone as it would not be unreasonable to expect that this zone should be reserved for 'office park' and 'research' type related and ancillary uses rather than large scale retail based activities which would generally be suited to other business type zones. Further investigation would need to be undertaken to justify the inclusion of such 'hardware and building supplies' activities when land is allocated for a business park, given the specific aims for such a zone, distinct to those aims for other zones where such activities would ordinarily be permissible.

In respect of adding the land use to the IN2 zone:

(Category A1 – minor change - recommended for adoption)

In respect of including the land use to the IN1 zone or any future B7 zone:

(Category C – considered to have insufficient planning merit – no further action)

Waste and Resource Recovery Facilities

Submission G28 believes that waste and resource recovery facilities should be added to the permissible uses in the industrial zones, as resource recovery facilities, which reprocess building waste, and sort and transfer other solid wastes are becoming an increasingly important means of reusing scarce materials, reusing other materials and providing employment.

‘Waste or resource management facilities’ including ‘resource recovery facilities’, ‘waste disposal facilities’ and ‘waste or resource transfer stations’ are permitted in the IN1 zone under the Infrastructure SEPP, while the SEPP allows ‘waste or resource transfer stations’ in the IN2 zone. As these uses are permitted under the Infrastructure SEPP, the advice from the Department of Planning and Environment is that they do not need to be included in the zoning table at this stage. If over time, it is found that it would be more appropriate to have such uses listed in the Land Use Table, an LEP amendment to make this adjustment could be prepared.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

7.3.6 The Special Uses Zones

Environmental Protection Works in the SP1, SP2 (and RE1) Zones

Submissions C125 and C126 believe that ‘environmental protection works’ should be permitted without consent in the SP1 Special Activities zone that has been applied to the Australian Botanic Garden site at Mount Annan, and in other zones as appropriate (including the SP2 Infrastructure and RE1 Public Recreation zones), especially as the term encompasses bush regeneration works. The rationale for this request is that the requirement for consent is likely to deter the work of community volunteers. However, submission G16 from the Botanic Garden supports the proposed zoning and did not raise any concerns about the permissible uses.

It is not considered appropriate to allow ‘environmental protection works’ without consent as these works can include large-scale projects with the potential for environmental impact. A cautious approach is considered appropriate at this stage, due to the extensive nature of the definition.

However, if the Department of Planning and Environment and Parliamentary Counsel allow Council to list ‘environmental protection works (carried out in accordance with an approved Plan of Management for the land)’, as a land use permissible without consent in the SP1, SP2 and RE1 zones, this could be done as a minor amendment.

If the use of the term can be clarified in the Land Use Table:

(Category A1 – minor change - recommended for adoption)

Office Premises in the SP3 Tourist Zone

Submission C55 requests that office premises be included as a use permissible with consent within the SP3 zone. This is a minor amendment that could be made if Council was to decide to retain the SP3 zone. Such amendment would not alter the broad planning intent of the zone.

It is noted, however, that a separate section of this report discusses the recommendation to remove the SP3 Tourist zone and replacing it with the B4 Mixed Use zone in which 'offices' are permitted with consent. The proposed B4 zone already applies to surrounding land.

If Council resolves to retain the SP3 Tourist Zone, adding 'offices' as a land use permitted with consent to the zone would be:

(Category A1 – minor change - recommended for adoption)

7.3.7 The Recreation zones

The RE1 Public Recreation Zone

A number of environmentally based submissions raised concerns about the fact that both areas of natural bushland and formal parks and sporting facilities have been zoned RE1 Public Recreation. Concerns about the broad range of recreational land uses that are permitted within the zone, subject to development consent, are also noted. This outcome is a consequence of the Standard Instrument only containing two open space zones, being RE1 Public Recreation and RE2 Private Recreation. Additionally, the 'best-fit' translation approach to preparing the Draft CLEP 2014 has been used.

It is important to reinforce the fact that the suitability of particular land uses allowed within a zone, on specific sites, would be considered as part of a merit based assessment if and when development applications are received by Council.

It is noted that the Draft CLEP 2014 already contains specific local clauses addressing environmental issues that need to be considered when proposed developments are being assessed. In addition, the biodiversity and koala provisions, which are proposed to be introduced as a future amendment to the LEP, will provide further criteria against which to assess development applications.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 - noted - no further action).

As discussed above in the section of this report dealing with the 'special use' zones, it is also intended to list 'environmental protection works (carried out in accordance with an approved Plan of Management for the land)', as a land use permissible without consent in the SP1, SP2 and RE1 zones. This could be done as a minor amendment, subject to agreement from the Department of Planning and Environment and Parliamentary Counsel.

7.3.8 The Environmental zones

Land uses in the E2 Environmental Conservation Zone

Submissions G11, C125 and C126 believe that a number of land uses permitted with consent in the E2 zone should not be allowed in the zone. The submissions believe that uses such as 'building identification signs', 'business identification signs', 'drainage', 'earthworks', 'eco tourist facilities', 'environmental facilities', flood mitigation works, 'information and education facilities' and 'roads' should not be allowed in the E2 zone as they are inconsistent with the objectives.

If all of the suggested land uses were prohibited within the zone, the only proposed uses remaining in the Land Use Table for the zone would be 'environmental protection works'. The land uses are all subject to development consent and their appropriateness can be assessed on merit on a case by case basis. Further, it is considered that the proposed uses, developed at an appropriate scale and in an environmentally sensitive manner would not be inconsistent with the zone objectives.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Objectives of the E3 Environmental Management zone

Submissions C101 and C102 support the E3 Environmental Management zone but are concerned that it may not be strong enough to protect the environmental qualities of land within the zone. Submission 101 believes that the non-mandatory objectives of the E3 zone (particularly objectives 3 and 5) should be reviewed, and also suggests some additional objectives.

In the Draft CLEP 2014 as exhibited, objectives 3 and 5 of the E3 zone are stated as follows:

"To enable development for purposes other than rural-residential only if that development is compatible and complementary in terms of design, size and scale, with the character of the surrounding area."

"To protect, and maintain the environmental and visual amenity of, the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the vicinity of the Georges River from inappropriate development".

It is not considered that the non-mandatory objectives are contradictory as suggested. Accordingly, they should remain unaltered. The request that land use focussed cultural objectives (samples of which are provided in the submission) should be included for the Scenic Hills is initially acknowledged. However, given the breadth and diversity of land covered by the E3 Environmental Management zone, it is recommended that a more generic cultural landscape/land use objective be adopted.

It is recommended that limited minor changes to the Draft CLEP 2014 aims and objectives be made, as referenced in attachment 7.

(Category A1 – minor change - recommended for adoption)

Land uses in the E3 Environmental Management zone

Submissions C85 and C125 raise concern that ‘places of public worship’ will be permissible in some areas proposed to be zoned E3 where such uses are not currently permissible. This outcome is a consequence of having to merge numerous environmental zones into a standardised LEP with a limited number of environmental zones. The concern in Submission C85 relates mainly to the management of effluent associated with a large-scale land uses and the impacts of inappropriate disposal on the Georges River, while C125 believes such land uses do not protect existing scenic protection areas and have the potential to reduce the landscape values of the area.

Submissions C125 and C126 also believe that ‘schools’ and ‘commercial premises’ are not appropriate in the E3 zone. Schools are already permitted on much of the land to which the E3 zone has been applied. The only ‘commercial uses’ permitted in the E3 zone are ‘cellar door premises’ and ‘restaurants and cafes’ undertaken in conjunction with agricultural uses of the land, and are therefore considered to be appropriate uses within the zone.

Given the general environmental sensitivities of the landscape and the typical scale and nature of these and similar types of developments in the E3 zone, it is proposed to insert the accompanying minimum site area requirements for the following range of land uses:

- animal boarding and training establishments – 5ha
- places of public worship – 10ha
- educational establishments (including schools) – 10ha

It is considered that these specified site requirements will assist in protecting environmental and scenic character, allow for the retention of vegetation and provide adequate land area and opportunities for on-site effluent and waste-water management where required. The larger land requirements will also assist with access, vehicle manoeuvring and parking in relation to the specified land uses.

No change to the land uses permitted with consent in the E3 zone is recommended, however, minimum site area requirements for certain land uses should be included for land in the E3 and E4 zones.

In respect of permissible land uses in the E3 zone:

(Category C – considered to have insufficient planning merit – no further action)

In respect of including minimum site areas for particular land uses in the E3 and E4 zones:

(Category A1 – minor change - recommended for adoption).

Places of public worship and indoor recreation in the E4 Environmental Living Zone

Submission C65 requests that 'places of public worship' and 'recreation facilities (indoor)' be permitted in the E4 zone. 'Places of public worship' are places used for religious worship and associated uses, while 'recreation facilities (indoor)' can include uses such as squash courts, indoor swimming pools, gymnasiums and other indoor uses of a similar nature.

This request is not supported as such uses are not considered to be compatible with the transitional 'urban-rural edge' nature of land within the zone, or with the proposed 1ha environmental lifestyle living proposal for land in the East Edge Scenic Protection Lands. The core objectives of the E4 zone are 'to provide for low-impact residential development in areas with special ecological, scientific or aesthetic values' and 'to ensure that residential development does not have an adverse effect on those values'. The requested additional land uses are not considered to be consistent with those objectives.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

Community facilities in the E4 zone

Submission C123 requests that the land use 'community facility' be permitted within the E4 zone. This land use is already permitted in the zone, therefore no change is required.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

7.3.9 The Waterways zone**Land uses within the W1 Natural Waterways zone**

Submission C125 (from the National Parks Association, Macarthur Branch) believes that a number of the uses proposed to be permitted within the zone are not consistent with the zone objectives. These land uses include boat launching ramps, building identification signs, charter and tourism boating facilities, drainage, earthworks, environmental facilities, flood mitigation works, jetties, recreation areas, recreation facilities (outdoor), roads, water recreation structures and water supply systems (including water reticulation systems, water storage facilities and water treatment facilities). It is noted that some of these uses (being environmental facilities and environmental protection works) are mandated and other uses (not listed in LEPs) are permitted under SEPPs. Further, if all these land uses were removed from being permissible within the zone, virtually nothing would be permitted in these areas.

The issue of including 'aquaculture' as a land use permitted with consent is discussed earlier in this report.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

All land uses within the zone require consent and assessing the suitability of particular proposals against the objectives is part of the development assessment process. The submission also raises concern that the Draft CLEP 2014 would allow the Georges River to be dammed without consent but no reasons or explanations are provided to support this claim, and the Land Use Table does not provide for any land uses to be carried out without consent on land within the zone.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category C – considered to have insufficient planning merit – no further action)

7.4 Requests for Amendments and Additions to Principal Development Standards

Minimum lot size or site area for Boarding Houses

Submission G27 requests that Council introduce a minimum lot size/minimum qualifying site area for boarding houses as part of finalising the Draft CLEP 2014. It suggests that 1000m² may be appropriate as this is the same minimum site area required for multi-dwelling housing. This is a matter that requires research and consultation and therefore should be considered at a later stage if deemed appropriate by Council.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category F2 – action deferred – pending detailed technical investigation)

Floor Space Ratio

Submission C40 (from a local resident) believes the floor space ratio controls are too complex being represented by both a table and a map layer.

Given the decision to remove FSR controls for the Campbelltown-Macarthur CBD from the Draft CLEP 2014 until such time as the Glenfield to Macarthur Corridor Strategy and subsequent planning controls are finalised, it is considered appropriate to depict FSRs in a table format only at this stage.

(Category A1 – minor change - recommended for adoption)

Industrial Setbacks

Submissions G28 raises concern that the provisions for setbacks in industrial areas, that are currently contained within LEP 2002, are not included in the Draft CLEP 2014.

Advice from the Department of Planning and Environment to date has been that setbacks are matters that should be dealt with in the development control plan and not in the LEP. It should also be noted that this provision is already included in the SCDP 2014.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

7.5 Specific clauses within the Draft CLEP 2014

A number of submissions have suggested that changes be made to various clauses within the Draft CLEP 2014. The main suggested changes are discussed in the following sections of this report. Other minor changes that are proposed to be made are set out in the Draft CLEP 2014 Written Instrument (as revised) which is provided as attachment 7.

Where it is recommended below that particular clauses ‘be retained as exhibited’, this does not mean that minor changes to improve clarity cannot be made.

Clause 1.3(1A) – Land to which Plan applies (deferred matters)

Clause 1.3(1A) is an agreed model clause that describes how land that is deferred from the Draft CLEP 2014 is dealt with. Submission G28 suggests that wording be added to the clause to clarify that the existing planning instrument applies to matters that have been deferred.

This proposed amendment is agreed in principle and is supported. However, it must be noted that the Department of Planning and Environment's Legal Branch or Parliamentary Counsel may not accept changes to a settled model clause.

(Category A1 – minor change - recommended for adoption)

Clause 2.8 – Temporary Use of Land

This clause provides for the temporary use of land if the use does not compromise the future use of the land or have detrimental economic, social, amenity or environmental effects on the land, or adversely impact on adjoining land.

Submissions C125 believes the clause should be amended to require Council to consider the requirements of other users of the land and any potential conflict between land uses. It is considered that these concerns are already addressed by the clause, but a minor amendment is recommended to improve clarity.

Submission G21 from NSW Health South West District suggests that the clause be amended to ensure that a safe and adequate water supply is available/provided to service any temporary use. A minor amendment can be made to the clause to address this matter.

(Category A1 – minor change - recommended for adoption)

Clause 5.1 and 5.1A Acquisition

Submission G28 relates to clause 5.1 Relevant Acquisition Authority and clause 5.1A Development on Land intended to be acquired for Public Purposes. Clause 5.1 lists the relevant authority responsible for acquiring certain land while clause 5.1A outlines any limitations on the use of land identified for acquisition prior to it being acquired. The submission G28 notes that land within the B4 Mixed Use zone that has been identified for acquisition has not had any limitations placed on its use.

Not placing restrictions on land within the B4 zone was intentional so as not to restrict the use of that land prior to it being acquired. A minor wording amendment to the Draft CLEP 2014 can be made for purposes of clarification.

(Category A1 – minor change - recommended for adoption)

Clause 5.3 – Flexible Zone Boundaries

Submission C117 raises concern about the differences between the flexible zone boundary clauses in the current LEP 2002 and the Draft CLEP 2014. Both clauses allow flexibility where the investigation of a site and surrounding land establish that if uses allowed on one side of the boundary were also allowed on the other side, a more logical and appropriate development outcome could be achieved. However, the clause in LEP 2002 applies to land in the 7(d1) Environmental Protection zone and the 6(a) Local Open Space Zone but the clause in Draft CLEP 2014 does not apply to land in the E3 Environmental Management zone (which is the equivalent 'best-fit' zone to 7(d1)) or the RE1 Public Recreation zone. The submission also notes that this clause could prevent subdivision due to minimum lot size provisions. This difference is not an intentional change by Council but is a consequence of the standard wording of the new clause. It is unlikely the department would agree to Council amending the standard parts of the clause.

Further, submission G14 (from Urban Growth) believes that there should be a flexible zone boundary for the RE1 Public Recreation zone where parks are not yet developed and enclosing roads are not yet designed (such as exists for a number of parks in Airds and Claymore), as the precise boundary of these parks would ultimately be defined by the detailed subdivision design. While Urban Growth's concern is recognised, the mandatory provision cannot be altered. It is also noted that recreation areas (i.e. open space) are permitted in both the RE1 zone and the residential zones, but that residential land uses are not permitted in the RE1 zone.

It is recommended that Clause 5.3 be retained as exhibited.

(Category A2 – noted – no further action)

Clause 4.2 Rural Subdivision

Submission C101 raises concern about this clause in that it appears to contradict aim (c) of the Draft CLEP 2014 which is 'to protect rural land, its agricultural potential and prevent its fragmentation'. It requests that the clause be modified or limited in its application (if possible) and would like to see the clause amended so that it does not result in the creation of any additional lots.

The intention of the clause is only to create lots for agricultural purposes and not for any other purposes. Further, lots created under the clause do not have dwelling entitlements. It is a standard clause that Council has attempted to extend to the E3 Environmental Management zone which applies to land on which some existing agricultural activities are carried out so as to not technically inhibit the continuation and possible future expansion of those uses. Given the limited extent of agricultural uses within the LGA at present and the fact that there is unlikely to be considerable expansion in the number of agricultural uses in the LGA over time, the impact of the clause is unlikely to be significant.

It is recommended that Clause 4.2 be retained as exhibited.

(Category A2 – noted – no further action)

Clauses 4.2A, B and C – Historic Dwelling and Subdivision entitlements

Clauses 4.2A and B deal with the erection of dwelling houses, dual occupancies and rural workers dwellings in non-urban areas. The clauses carry forward existing dwelling entitlements, to allow attached dual occupancies (that cannot be subdivided) and to allow for legitimate rural workers dwellings. Submission C101 believes that Council needs to ensure that this clause will not result in more dwelling houses being allowed than are currently permitted in the area, and that the definition of existing holding does not create opportunities for additional dwelling entitlements that do not currently exist.

As the Draft CLEP 2014 does not intend to create additional dwelling entitlements (except to allow attached dual occupancies in non-urban areas that cannot be subdivided), no further action is required.

Clause 4.2C carries forward some historic subdivision entitlements from the current LEPs and IDOs that apply across the Campbelltown LGA.

Submission G28 suggests that clauses 4.2A, B and C should not include cross-references to the current LEPs and IDOs. It also suggests that a 'dwelling entitlement map' could be used instead of referring to the existing plans.

The comments and suggestions are noted. However, creating such a map requires extensive and detailed research, which is not possible at this time. No further action is considered appropriate nor practicable.

It is recommended that clause 4.2A, B and C be retained as exhibited.

(Category A2 – noted – no further action)

Clause 4.2D – Edge Lands

Submission G28 refers to clause 4.2D Exceptions to Minimum Subdivision Standard for E4 Environmental Living zone in the East Edge Scenic Protection Lands. This clause sets out the 'lot averaging' provisions that if followed would allow further subdivision in this area with the lots created via such subdivision having an average size of 1ha. The submission suggests that a minimum width for any battle axe access handles (created as part further subdivision proposals) should be established and included in either the Draft CLEP 2014 or the SCDCP.

This is a minor amendment that can be easily accommodated via an amendment to the SCDCP.

It should be noted, however, that the intention of the 'lot averaging' provision is to encourage adjoining land owners to work in collaboration to create an integrated subdivision pattern rather than a proliferation of battle-axe lots.

(Category A2 – noted – no further action), as part of the Draft CLEP 2014.

Clauses 4.4(3) and (4) - Floor Space Ratio

Submission G28 provides comments on parts of Clause 4.4 Floor Space Ratio. Subclause (3) sets out specific FSR requirements for different land use types, while subclause (4) defines outbuildings. It suggests that outbuildings should not be included in the calculation of floor space ratio, as they don't affect the bulk and scale of the building, but that they could be controlled via a site coverage control in the SCDCP.

The existing controls in the SCDCP have been translated into the Draft CLEP 2014. If change is recommended, then both documents would need to be amended concurrently. Notwithstanding, there is an argument that suggests that outbuildings can have an influence over the overall bulk and scale of development on an allotment in certain circumstances.

Submission G28 also comments on the proposed FSR of 0.75:1 for multi-dwelling housing in the R3 Medium Density Residential zone and suggests that complementary controls in the SCDCP need to be provided to ensure that the proposed increased density of development envisaged by the FSR control can actually be achieved. This is a matter for consideration in revising and aligning the SCDCP with the Draft CLEP 2014.

(Category A1 – minor change - recommended for adoption), as part of the alignment of the Draft CLEP 2014 with the SCDCP.

Clause 4.4A – Exceptions to Maximum Floor Space Ratio for Certain Residential Development

This clause aims to allow for higher FSRs in certain areas that are specifically listed in the clause, in accordance with existing or future approved plans that apply to those areas. Submission G14 from Urban Growth requests that the clause be amended to remove the FSR control from land within Urban Renewal Precincts or alternatively that if the FSR controls are to be retained that the clause also be extended to cover attached dwellings, multi-dwelling housing and residential flat buildings in the same way it applies to dwelling houses and semi-detached dwellings.

It is considered that the wording of the clause can be amended to facilitate some of the requests from Urban Growth to ensure that the clause better reflects existing residential development types and controls contained within site specific precinct plans and the reinstatement of multi-dwelling housing (and housing of similar built forms) in the R2 Low Density Residential zone. This is considered to be a reasonable outcome.

(Category A1 – minor change - recommended for adoption)

Clause 7.3(3) – Mixed Use Buildings

One submission was received in regards to proposed clause 7.3 which currently requires all buildings within the B4 Mixed Use zone to have retail, business or commercial uses on the ground floor predominantly in order to create an active street frontage. Submission G28 requests that the clause be clarified to ensure that the entire ground floor is used for non-residential purposes.

Further, in testing the Draft CLEP 2014 against current development applications and considering the proposal to add 'residential flat buildings' to the uses permitted with consent in the B3 Commercial Core zone, it is considered appropriate to rewrite clause 7.3 so that it:

- applies to both the B3 Commercial Core and the B4 Mixed Use zones
- requires all buildings within the B3 and B4 zones that have a residential component to have an active street frontage on the ground floor and for that floor to only accommodate non-residential land uses (excluding car parking). Such land uses could include business, commercial and retail uses, medical centres, recreation facilities (indoor) and the like.
- requires all buildings within the B3 Commercial Core zone that have a residential component to also have at least one additional level of floor space (immediately above the required ground level non-residential land uses) to be set aside for non-residential land uses (excluding car parking) as well.

This works towards protecting the integrity of the commercial core but also allows some residential uses to help sustain those businesses and add vitality to the 'core'.

It is recommended that the proposed changes to clause 7.3 be made.

(Category A1 – minor change - recommended for adoption)

Clause 7.5 Earthworks

Several submissions (including G17 from the EPA, G21 from NSW Health South West District, and G3 from the NSW Office of Water) provided comments on the proposed earthworks clause. The clause aims to ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or other features of the surrounding land.

Suggestions were made about modifying the wording of the clause so that it takes into consideration the source of the fill materials and regulations relating to the management of contaminated fill. It was also suggested that the effects of earthworks on riparian land, waterways and natural systems should be considered.

It recommended that some minor changes to the wording of the clause be made. The suggested amendments are provided at attachment 7.

(Category A1 – minor change - recommended for adoption)

Clause 7.7 Riparian Land, Waterways and Groundwater Systems

This clause aims to protect and maintain waterways. Submission G6 from Fisheries NSW suggests that the application of the clause be extended to include all waterways that have been mapped by Fisheries NSW as being of important key fish habitat value.

A minor wording amendment is proposed to accommodate this request.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A1 – minor change – recommended for adoption)

Clause 7.9 Preservation of the Natural Environment

This clause prohibits the removal of soil or bush rock from land within rural and environmental protection zones and the RE1 Public Recreation zone. Submission G14 from Urban Growth believes that the current wording of this clause may hinder the creation of parks as part of subdivision works.

Minor wording amendments can be made to the clause to ensure that approved subdivision and associated works on land within zone RE1 are not adversely affected. It is therefore proposed to reword the clause to read as follows:

“Despite any other provision of this Plan, consent must not be granted to the removal, but not including the relocation, of soil or bush rock from any land” within the specified zones.

It is considered that this rewording will overcome the limitations observed by the submission.

This is a minor amendment and is supported.

(Category A1 – minor change - recommended for adoption)

Clause 7.11 Scenic Protection and Escarpment Preservation

Clause 7.11 aims to protect the scenic qualities of land within the Scenic Hills. Submission C101 agrees with the objectives of the clause that aim to preserve scenic qualities and protect views to and from the land, but raises concerns that the desired outcomes will not be achieved unless land in surrounding zones is also subject to provisions that screen the impact of development. The submission believes that trees should be required to screen housing developments from the Scenic Hills and this should be mandated, and the requirements to use prescribed building materials (which applies to the Scenic Hills under this clause) should also apply to those housing areas.

The requested control on surrounding development would be very difficult to achieve and seems to take little account of the scale, extent and location of existing residential development in proximity to the Scenic Hills where enforcement of such a control on new housing areas would have little relative impact. In this context, the author of the submission could raise the matter with Camden Council. Further, Campbelltown City Council could potentially raise the matter in its cross-boundary (local government boundary) liaison forums with Camden Council.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Clause 7.18(2) – Design Excellence

Submissions G28 and C58 (and C58A) discuss proposed clause 7.18 Design Excellence. The clause applies to a number of zones (as specified in the clause) and aims to promote better urban design and built form outcomes. Submission G28 suggests that the clause be extended to also apply to the R3 Medium Density Residential zone. This suggestion is considered to have merit and is supported via a minor amendment to the clause.

Submission C58 is concerned that the clause will apply to both development applications for new buildings and those proposing alterations and additions to existing buildings. The application of the clause is considered to be appropriate where Council is seeking to ensure quality design outcomes. No change is recommended in this regard.

(Category A1 – minor change - recommended for adoption)

7.6 The Schedules and the Dictionary**Schedule 1 – Additional Permitted Uses**

Submissions C125 and C126 are concerned that the listing of No. 126 Georges River Road, Kentlyn should be removed from Schedule 1 as the use of the site for a service station and general store ceased many years ago, and the 'existing use rights' have therefore been extinguished.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

The submissions have misinterpreted the difference between scheduling additional permitted uses and existing use rights. The purpose of listing 'additional permitted uses' in a Schedule is to prevent the creation of 'existing use rights'. Therefore, existing use rights do not apply in this case. Regardless of whether or not the use is still operating on the land, it is still a permitted use on that land.

However, it should be noted that this scheduled use could be removed in the future if appropriate and after further investigation including consultation with the landowner.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Schedule 2 – Exempt Development (Signage)

Advertising by Council

During the internal 'road-testing' of the Draft CLEP 2014, it was suggested that a provision needs to be inserted to enable Council to erect certain types of signage without consent. The types of signage would include 'welcome' signs, 'location' signs, 'event notification' signs and other signage of an informational, educational or directional nature. It is considered appropriate that such Council signage and/or this type of signage (particularly for events) under Council's control and guidance, should be able to be displayed both permanently and temporarily as the case may warrant, in accordance with a simplified statutory process.

Schedule 2 – Exempt Development within the Draft CLEP 2014 provides for some types of signage to be carried out without the need for development consent. Accordingly, it is considered appropriate that 'exempt development' provisions in the Draft CLEP 2014 be amended to accommodate this specific form of signage.

Consistent with this desire, a relevant minor amendment to the Draft CLEP 2014 is recommended.

(Category A1 – minor change - recommended for adoption)

Schedule 5 – Heritage

Minor amendments are proposed to be made to the Schedule to amend anomalies and to list "Meadowvale" as a 'deferred matter' (as discussed earlier in this report).

(Category A1 – minor change - recommended for adoption)

Dictionary

Submission G21 has requested that a number of the standard definitions contained within the Dictionary be amended. This is not possible as the definitions are standardised across the whole of the State and Council does not have the statutory ability to alter them.

It is recommended that the planning provisions contained in the Draft CLEP 2014 be retained as exhibited.

(Category A2 – noted – no further action)

Additional Local Schedule 6 – Lots at Macquarie Links subject to specific height limitations

During the process of aligning the Draft CLEP 2014 with the SCDCP, it was noted that some allotments located in the Macquarie Links Estate are subject to site specific height limits imposed via a covenant over those lots. The covenant (a restriction on the use of the land) identifies specific maximum height restrictions, expressed as reduced levels (RLs), for approximately 33 individual properties within the Macquarie Links Estate. These RLs restrict the height of all forms of development on these lots, including developments deemed to be 'exempt' or 'complying'.

These RLs are currently enforceable, and prevent private certifiers inadvertently approving complying developments on these lots that breach the maximum height limits as imposed by the covenant. Additionally, clause 1.9A of the Draft CLEP 2014 suspends the operation of covenants. To ensure that the important role of the subject building height limitations in the local landscape is achieved, it is proposed to include a provision in the Draft CLEP 2014 that identifies these 'exceptions to maximum building heights' as shown on the Building Heights Map, and to list the affected lots in an additional local Schedule that will form part of the LEP.

Under the Standard Instrument LEP, if maximum height controls are going to be placed on certain land, these controls need to be reflected in Council's LEP. In most cases, heights need to be expressed in metres and mapped, but in some specific circumstances heights can be expressed as reduced levels (RLs) for particular land. Adding these RLs to the Draft CLEP 2014 does not change the height restrictions that apply to the sites so affected, but merely includes the controls in the LEP rather than only within covenants on the land.

(Category A1 – minor change - recommended for adoption)

PART 8 – THE WAY FORWARD

Should Council support the proposed amendments to the Draft CLEP 2014 and the strategy for addressing submissions, it is recommended that:

- the written instrument and maps comprising Draft CLEP 2014 be amended accordingly (as presented in attachment 7)
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

- the amended Draft CLEP 2014 be forwarded to the Department of Planning and Environment, accompanied by a report pursuant to the former Section 68 of the EPA Act
- pending receipt of a satisfactory opinion from Parliamentary Counsel, Council request the Department provide a report to the Minister to make the Plan, subject to resolution of the outstanding acquisition authority issue
- Council delegate authority to the Acting General Manager to make amendments to the Draft CLEP 2014 as identified by Council officers in preparing the Section 68 Report, as required by Parliamentary Counsel, or as directed by the Minister for Planning and Environment, and that Council be advised of such amendments
- Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014
- all persons/parties who made submissions be advised of Council's actions to progress the Draft Plan.
- Council note the need to consider future reports in respect of the related strategic planning policy review and the prioritisation, timing and resourcing of potential future LEP amendments, noted in this report.

PART 9 – CONCLUSION

Council has progressed the Standard Instrument format Draft CLEP 2014 to the point where, subject to minor amendments identified, it should be forwarded to the department of Planning and Environment for final review and making. This action should be subject to resolution of the outstanding acquisition authority issue. In this latter regard it is imperative that a relevant Government Acquisition Authority be nominated for land acquisition associated with major infrastructure provision. It is totally unacceptable that Council may “inherit” unfunded major land acquisition responsibilities by NSW Government by default.

Finalisation of the Draft CLEP 2014 represents the final actions in a lengthy process commenced a number of years ago. It will importantly, despite adopting a somewhat limiting “best-fit” approach with only minor policy change, provide a single balanced planning instrument replacing numerous dated and limited Local Environmental Plans and Interim Development Orders.

It is important to note that the public exhibition/consultation process did not produce significant submissions opposed to the overall Draft CLEP 2014. In fact, numerous people complemented Council on the balance that underpinned the Draft Plan. That said, significant concern was recently received in respect of the proposed rezoning of the residue Smiths Creek Bypass land and the community engagement process undertaken as part of the public exhibition of the Draft CLEP 2014.

The adoption of the Draft CLEP 2014, as amended, will importantly provide Council and statutory agencies and the community with a solid base from which to pursue policy driven reviews and further amendments over time.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

The principal issues and actions/foreshadowed actions to emerge from the Draft CLEP 2014 and concurrent release of the new Metropolitan Strategy process include, in summary:

- the absolute requirement for government authorities/agencies to be nominated for final land acquisition responsibilities
 - further investigation of the potential for more comprehensive subdivision at:
 - Wedderburn
 - The East Edge Scenic Protection Lands (west of the Georges River Parkway)
 - adoption of interim controls on the following business and commercial centres, pending the outcomes of the Glenfield to Macarthur Corridor Strategy and subsequent detailed structure planning:
 - Glenfield
 - Macquarie Fields
 - Ingleburn
 - Minto
 - Leumeah
 - Campbelltown-Macarthur
 - the need to finalise and integrate the Koala Plan of Management and Biodiversity Strategy as a matter of urgency and as key elements in a commitment to a sustainable natural environment, expressing any key recommendations as part of a future amendment to CLEP 2014 to be considered by Council
 - deferment from the Draft CLEP 2014 of areas subject to independent Planning proposals including:
 - The Menangle Park Urban Release Area
 - Mt Gilead Urban Release Area (already deferred in the exhibited Draft)
 - Blairmount and Eagle Vale Drive
 - The Glenfield Waste Disposal Site (already deferred in the exhibited Draft)
 - the need to finalise other studies/strategies and policy initiatives which are critical to the evolution of a sustainable Regional City including:
 - The Campbelltown Flood Study
 - The Campbelltown CBD Traffic Study
 - A Campbelltown City Centre Parking Strategy
 - The Ingleburn Structure Plan, Traffic and Parking Strategies
 - The Open Space Strategy
 - The Campbelltown Heritage Review
 - the NSW Government commissioning of the Glenfield to Macarthur Corridor Strategy and the foreshadowed Greater Macarthur Urban Investigation Area
 - reinforcement of the commitment to qualified flexibility in the application of development standards to promote housing diversity and high quality residential outcomes and development generally
 - prospects for reviewing appropriate provision for cemeteries, crematoria and mortuaries as part of the consideration of the Greater Macarthur Urban Investigation Area and South West Subregional Delivery Plan
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

- the need to be proactive in addressing valid non LEP matters through review of the Campbelltown Sustainable City Development Control Plan, the Campbelltown Community Strategic Plan, revised compliance initiatives and policy development and implementation generally
- acknowledgement of the NSW Government's commitment to completing Sub Regional Delivery Strategies and the implications for future review of the Draft CLEP's foundation strategies, being the Campbelltown Local Planning Strategy and the Residential Development Strategy

Officer's Recommendation

1. That Council adopt Draft Campbelltown Local Environmental Plan 2014 pursuant to Section 68 (4) of the *Environmental Planning Assessment Act 1979*, in the form set out in attachment 7 for submission to the Department of Planning and Environment, together with other documents and information set out in Section 68 (4) of the *Environmental Planning and Assessment Act 1979*.
 2. That pending receipt of an opinion from Parliamentary Council, Council requests the Department furnish a report to the Minister under Section 69 of the *Environmental Planning and Assessment Act 1979*, advising the Minister that the Plan is capable of being made, however, Council strenuously objects to its making until all relevant Government Departments/Agencies have accepted their acquisition responsibilities and these responsibilities are reflected in the Plan.
 3. That Council delegate authority to the Acting General Manager to make minor amendments and any other amendments to Draft Campbelltown Local Environmental Plan 2014 as identified in the preparation of Council's Section 68 Report to the Department of Planning and Environment, as required by Parliamentary Counsel, or as directed by the Minister for Planning and Environment, and that Council be advised of such amendments.
 4. That Council include a statement in its Section 68 documentation to the Department of Planning and Environment demanding that it not forward the final Draft CLEP 2014 to the Minister for making until such time as all outstanding issues relating to the acquisition of land by the relevant NSW Government agencies and departments have been resolved.
 5. That Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014 (as amended by the recommendations contained in this report).
 6. That Council note the principal matters and areas of foreshadowed action to emerge from the Draft CLEP 2014 process and the release of the new Metropolitan Strategy.
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Council Meeting 28 April 2015 (Kolkman/Lound)

That the Officer's Recommendation be adopted.

Amendment (Kolkman/Greiss)

1. That Council adopt Draft Campbelltown Local Environmental Plan 2014 pursuant to Section 68 (4) of the *Environmental Planning Assessment Act 1979*, in the form set out in attachment 7 for submission to the Department of Planning and Environment, together with other documents and information set out in Section 68 (4) of the *Environmental Planning and Assessment Act 1979*.
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4. That Council include a statement in its Section 68 documentation to the Department of Planning and Environment demanding that it not forward the final Draft CLEP 2014 to the Minister for making until such time as all outstanding issues relating to the acquisition of land by the relevant NSW Government agencies and departments have been resolved.
5. That Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014 (as amended by the recommendations contained in this report).
6. That Council note the principal matters and areas of foreshadowed action to emerge from the Draft CLEP 2014 process and the release of the new Metropolitan Strategy.
7. That the matter of the southern tract of the Smiths Creek Bypass Corridor be listed in the CLEP 2014 as a deferred matter.

WON and became the Motion.

Voting for the Amendment were Councillors: Borg, Bricevic, Chanthivong, Glynn, Greiss, Kolkman, Lake, Lound, Matheson, Mead, Rowell and Thompson.

Voting against the Amendment: Nil.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Further Amendment (Greiss/Kolkman)

1. That Council adopt Draft Campbelltown Local Environmental Plan 2014 pursuant to Section 68 (4) of the *Environmental Planning Assessment Act 1979*, in the form set out in attachment 7 for submission to the Department of Planning and Environment, together with other documents and information set out in Section 68 (4) of the *Environmental Planning and Assessment Act 1979*.
2. That pending receipt of an opinion from Parliamentary Council, Council requests the Department furnish a report to the Minister under Section 69 of the *Environmental Planning and Assessment Act 1979*, advising the Minister that the Plan is capable of being made, however, Council strenuously objects to its making until all relevant Government Departments/Agencies have accepted their acquisition responsibilities and these responsibilities are reflected in the Plan.
3. That Council delegate authority to the Acting General Manager to make minor amendments and any other amendments to Draft Campbelltown Local Environmental Plan 2014 as identified in the preparation of Council's Section 68 Report to the Department of Planning and Environment, as required by Parliamentary Counsel, or as directed by the Minister for Planning and Environment, and that Council be advised of such amendments.
4. That Council include a statement in its Section 68 documentation to the Department of Planning and Environment demanding that it not forward the final Draft CLEP 2014 to the Minister for making until such time as all outstanding issues relating to the acquisition of land by the relevant NSW Government agencies and departments have been resolved.
5. That Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014 (as amended by the recommendations contained in this report).
6. That Council note the principal matters and areas of foreshadowed action to emerge from the Draft CLEP 2014 process and the release of the new Metropolitan Strategy.
7. That the matter of the southern tract of the Smiths Creek Bypass Corridor be listed in the CLEP 2014 as a deferred matter.
8. That the matter of item 6.2.2.3 in the draft CLEP 2014 for Areas 1, 2 and 3 be listed as a deferred matter and referred back to Council as a matter of urgency.

LOST

Voting for the Amendment were Councillors: Greiss, Kolkman, Matheson, Mead, Rowell and Thompson.

Voting against the Amendment were Councillors: Borg, Brticevic, Chanthivong, Glynn, Lake and Lound.

The **Amendment** was **LOST** on the casting vote of the Mayor.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Further Amendment (Greiss/Mead)

1. That Council adopt Draft Campbelltown Local Environmental Plan 2014 pursuant to Section 68 (4) of the *Environmental Planning Assessment Act 1979*, in the form set out in attachment 7 for submission to the Department of Planning and Environment, together with other documents and information set out in Section 68 (4) of the *Environmental Planning and Assessment Act 1979*.
2. That pending receipt of an opinion from Parliamentary Council, Council requests the Department furnish a report to the Minister under Section 69 of the *Environmental Planning and Assessment Act 1979*, advising the Minister that the Plan is capable of being made, however, Council strenuously objects to its making until all relevant Government Departments/Agencies have accepted their acquisition responsibilities and these responsibilities are reflected in the Plan.
3. That Council delegate authority to the General Manager to make minor amendments and any other amendments to Draft Campbelltown Local Environmental Plan 2014 as identified in the preparation of Council's Section 68 Report to the Department of Planning and Environment, as required by Parliamentary Counsel, or as directed by the Minister for Planning and Environment, and that Council be advised of such amendments.
4. That Council include a statement in its Section 68 documentation to the Department of Planning and Environment demanding that it not forward the final Draft CLEP 2014 to the Minister for making until such time as all outstanding issues relating to the acquisition of land by the relevant NSW Government agencies and departments have been resolved.
5. That Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014 (as amended by the recommendations contained in this report).
6. That Council note the principal matters and areas of foreshadowed action to emerge from the Draft CLEP 2014 process and the release of the new Metropolitan Strategy.
7. That the matter of the southern tract of the Smiths Creek Bypass Corridor be listed in the CLEP 2014 as a deferred matter.
8. That the St Helens Park – Appin Road/Kellerman Drive item be included in the Draft Campbelltown Local Environmental Plan 2014 as exhibited, but that the matter be further investigated and reported back to Council.

WON and became the Motion.

Voting for the Amendment were Councillors: Greiss, Kolkman, Lake, Matheson, Mead, Rowell and Thompson.

Voting against the Amendment were Councillors: Borg, Brticevic, Chanthivong, Glynn and Lound.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Council Resolution Minute Number 69

1. That Council adopt Draft Campbelltown Local Environmental Plan 2014 pursuant to Section 68 (4) of the *Environmental Planning Assessment Act 1979*, in the form set out in attachment 7 for submission to the Department of Planning and Environment, together with other documents and information set out in Section 68 (4) of the *Environmental Planning and Assessment Act 1979*.
2. That pending receipt of an opinion from Parliamentary Council, Council requests the Department furnish a report to the Minister under Section 69 of the *Environmental Planning and Assessment Act 1979*, advising the Minister that the Plan is capable of being made, however, Council strenuously objects to its making until all relevant Government Departments/Agencies have accepted their acquisition responsibilities and these responsibilities are reflected in the Plan.
3. That Council delegate authority to the General Manager to make minor amendments and any other amendments to Draft Campbelltown Local Environmental Plan 2014 as identified in the preparation of Council's Section 68 Report to the Department of Planning and Environment, as required by Parliamentary Counsel, or as directed by the Minister for Planning and Environment, and that Council be advised of such amendments.
4. That Council include a statement in its Section 68 documentation to the Department of Planning and Environment demanding that it not forward the final Draft CLEP 2014 to the Minister for making until such time as all outstanding issues relating to the acquisition of land by the relevant NSW Government agencies and departments have been resolved.
5. That Council review the Campbelltown (Sustainable City) Development Control Plan, 2014 (Volume 1) to ensure consistency with the Draft CLEP 2014 (as amended by the recommendations contained in this report).
6. That Council note the principal matters and areas of foreshadowed action to emerge from the Draft CLEP 2014 process and the release of the new Metropolitan Strategy.
7. That the matter of the southern tract of the Smiths Creek Bypass Corridor be listed in the CLEP 2014 as a deferred matter.
8. That the St Helens Park – Appin Road/Kellerman Drive item be included in the Draft Campbelltown Local Environmental Plan 2014 as exhibited, but that the matter be further investigated and reported back to Council.

Voting for the Council Resolution were Councillors: Borg, Brticevic, Chanthivong, Glynn, Greiss, Kolkman, Lake, Lound, Matheson, Mead and Rowell.

Voting against the Council Resolution was Councillor: Thompson.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

ATTACHMENT 1**Planning &
Infrastructure**

MAR25'14 08:36:42 PM

Mr Paul Tosi
General Manager
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Our ref: 13/19771

Attention: Jeff Lawrence

Dear Mr Tosi

Campbelltown Local Environmental Plan 2013 – Request for Section 65 Certificate to exhibit Draft LEP 2013

I am writing in response to your request for the certification of the **draft Campbelltown Local Environmental Plan 2013** (draft LEP). I am pleased to advise that I have endorsed the draft LEP for exhibition and have attached the section 65 certificate.

I recognise Council has worked hard to prepare the draft LEP and has sought to incorporate both critical strategic improvements and new development proposals.

You will note that I have conditioned the section 65 certificate to ensure the agreed goals of government are not hindered. These matters relate specifically to the proposed centres zones, residential zones and acquisitions issues.

I appreciate Council is seeking to recognise existing uses and functions within Centres, including large government health and education sites, by zoning these sites to reflect their current function. However I am concerned that the reduction in overall employment/commercial zones may limit the medium and long term opportunity for business related growth and redevelopment in centres which are well served by rail and other public transport.

As highlighted in both the Draft Metropolitan Strategy, 2031 and the Draft South West Sub-Regional Strategy, it is important to achieve employment growth and intensification in accessible centres. However, such intensification should not result in a reduction in business uses in centres. Furthermore, both the Draft Metropolitan Strategy, 2031 and the Draft South West Sub-Regional Strategy identify Campbelltown- Macarthur as an important major centre in the region.

I thank Council for providing supplementary information on its centres and working with Planning and Infrastructure to analyse its proposed zones on a centre by centre basis. In particular, I must thank Council's staff for the ongoing dialogue which has enabled us to work together to analysis each site's potential in terms of integrated land use and transport, adjoining zoning pattern and existing usage.

Department of Planning & Infrastructure

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1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

This assessment allowed a compromise position to be negotiated at a joint meeting between Planning and Infrastructure and Council officers on the 3 March 2014. At this meeting, Council agreed to maintain key commercial sites by applying the recommended Standard Instrument Business zone(s) whilst Planning and Infrastructure agreed that Council was justified in applying non-business zones to several small, generally out-of-centre sites which were, for example, heritage listed.

Reaching an agreed position on all commercial zones will minimise post-exhibition changes and thereby limit any challenges to the efficacy of the Draft LEP's exhibition and processing. Accordingly, the section 65 certificate includes a condition that the draft LEP maps be changed to reflect the changes agreed at the joint meeting on 3 March 2014. Such changes will constitute an adequate justification for the Draft LEP's inconsistency with s117 Direction 1.1 - Business and Industrial Zones.

In relation to the residential zones, I note that the draft LEP proposes to down zone the majority of its residential land by prohibiting medium density housing outside of its centres. I understand that Council's strategy is to concentrate medium density housing in centres to maximise existing infrastructure and services. However the proposed down-zoning of residential land to low density is contrary to a government commitment to increase housing provision and maintain and increase the viability of social and affordable housing.

Furthermore, the proposed down zoning is also inconsistent with s117 Direction 3.1 - Residential Zones which requires new plans should not reduce the density of residential land. I note that Council has received an objection from the Land and Housing Corporation whose plans for its 8 000 dwellings will be affected. Other existing land owners will also be affected by the proposed change. To address these concerns, the existing permissibility for medium density development should be maintained. To this end, Council will be required to add "multi-unit dwelling" as a permitted land use in the R2 zone. This will make the Draft LEP consistent with s117 Direction 3.1 - Residential Zones.

I note that the Roads and Maritime Services (RMS) has objected to being listed as the acquisition authority for some future road sites. The RMS's objection constitutes an inconsistency with Direction 6.2 - Reserving Land for a Public Purpose. This Direction requires new plans to only list an authority for acquisition with the authority's agreement and I understand this issue has not been resolved. To enable progress of the plan, Council is required to annotate both the map and the instrument: "RMS or alternate agency – to be confirmed".

I agree to the Draft LEP proceeding with an unresolved inconsistency to s117 Direction 6.2- Reserving Land for a Public Purpose.

Council is also advised that two sites owned by the Corporation sole (the Minister) shall be altered in the manner outlined in Schedule 2 of the section 65 certificate. Schedule 2 of the section 65 certificate includes conditions on the matters discussed above; these amendments should be made to the Draft LEP and maps before exhibition takes place.

I have also agreed to Council's proposed prohibition of "cemeteries," "crematoria" and "mortuaries" from the following proposed zones:

- RU2 Rural Landscape
- E3 Environmental Management
- E4 Environmental Living

I agree to this on the basis that these land uses are not mandated under the Standard Instrument Template and their exclusion from these zones reflects the existing zoning status.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

I support Council's intent to conduct further investigations concerning the use of rural lands in the City of Campbelltown. I understand these investigations will enable Council to develop a well-informed and strategic policy position regarding these areas and the need for cemeteries, crematoria and mortuaries. To this end I request that Council lodge a planning proposal dealing with this matter within 12 months.

Please note that references to the particular sections of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') in this letter relate to the previous plan making provisions repealed on 1 July 2009.

As an Opinion has not been issued by Parliamentary Counsel that the plan may be legally made, Planning and Infrastructure has issued this certificate on the understanding that Council, when exhibiting the Draft LEP, makes it clear to the public that the Draft LEP may be changed to satisfy legal drafting requirements. Further minor changes to the format of the LEP maps may be required to be undertaken by Council after exhibition to ensure consistency with the *Standard Technical Requirements for LEP Maps Version 1.2 – March 2009*.

Along with the certified draft LEP Council should also place on exhibition: this letter and the section 65 Certificate; a plain English explanation of what the draft LEP seeks to achieve; relevant State Environmental Planning Policies (including relevant Regional Environmental Plans - deemed SEPPs) and section 117 Directions that apply.

It is important that community consultation on the draft LEP engages key stakeholders. Given the issues discussed above, it is important that the agencies listed below be further consulted:

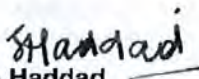
- Land and Housing Corporation
- Office of Strategic Lands
- Urban Growth NSW
- Roads and Maritime Services
- Transport NSW

As Council's Masterplans for its centres have not been publically exhibited or provided to Government agencies for consultation, all relevant Government agencies will need to be consulted and provided with a copy of these Masterplans. However, exhibition of the draft LEP should not be delayed if some masterplans are not complete.

I would like to thank Council for progressing the draft LEP in a professional manner and look forward to your ongoing commitment to finalise this new planning instrument as a priority work item. Planning and Infrastructure is happy to assist Council with any issues.

Should you have any questions regarding this matter, I have arranged for Ms Michelle Dellagiacoma to assist you. Ms Dellagiacoma may be contacted on (02) 9860 1172.

Yours sincerely


Sam Haddad
Director General

24/3/2014.

Encl: s65 Certificate for Campbelltown LEP 2013; Certified Draft Campbelltown LEP 2013

**Planning &
Infrastructure****ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979****SECTION 65(2) CERTIFICATE**

As the Director General of Planning and Infrastructure, I, Sam Haddad, under section 65(2) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') certify that the Draft LEP set out in Schedule 1 may be publically exhibited under section 66 of the EP&A Act subject to the conditions to amend the Draft LEP as set out in Schedule 2.

Signed

A handwritten signature in black ink that reads 'SHaddad'.

Sam Haddad
Director General

Dated 24 March 2014.

Schedule 1

Draft Campbelltown Local Environmental Plan 2013 submitted to the Director General under former section 64 of the EP&A Act on 22 October 2013. Section 65 Certificate

Schedule 2 conditions

Prior to exhibition Campbelltown City Council is required to:

1. Amend the Draft Campbelltown Local Environmental Plan 2013 as submitted by Council in accordance with the requirements listed below:
 1. Amend the R2 Low Density Residential zone to add "multi-dwelling housing" as a permissible land use;
 2. Amend the zoning [including amending the accompanying maps] of 2 areas owned by the Corporation sole identified in Tag J on:
 - i. OSL Map 1 being firstly, land located in located in Campbelltown Centre, and proposed as "SP2 Car park" will be shown zoned "B4 Mixed Use"; and
 - ii. OSL Map 2, a number of OSL parcels proposed to be zoned Public Recreation RE1 shall match zoning of adjacent blocks to the extent that these blocks are zoned E3 Environmental management along the access roadway

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3. For parcels zoned for infrastructure, as identified by the RMS and OSL as parcels for which, they have not agreed to be nominated acquisition authority, Council is required to annotate both the map and the instrument to read: "RMS or alternate agency – to be confirmed".
 4. The Draft LEP's maps be changed to reflect the changes agreed at the joint meeting between Planning and Infrastructure and Campbelltown City Council on 3 March 2014.
 5. Amend the RU2 Rural Landscape, E3 Environmental Management and E4 Environmental Living zones to prohibit "cemeteries," "crematoria" and "mortuaries" on the basis that these zones will be strategically reviewed by Council.
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

**Planning &
Infrastructure**

Our Ref: 14/06676

The General Manager
Campbelltown City Council
PO Box 57
Campbelltown 2560

Attn: Mr Jeff Lawrence

APR14'14 07:58:59 RCVD

Dear Mr Tosi,

Re: Draft Campbelltown Local Environmental Plan 2014

I am writing in response to your letter dated 7 April 2014 and subsequent emails received 7 and 8 April 2014 from Council officers, in which you seek our comment on the material Council will exhibit for the Draft Campbelltown Local Environmental Plan 2014 (LEP).

Thank you for the revised information. The written instrument submitted is acceptable and consistent with the conditions of the Section 65 certificate issued by the Director General on 24 March 2014. This includes the revised change of name of the plan from "Draft Campbelltown Local Environmental Plan 2013" to "Draft Campbelltown Local Environmental Plan 2014".

The changes to the floor space ratio table at clause 4.4 are noted. I consider that specification of an FSR of 0:45:1 for Multi-dwelling housing in the R2 zone is acceptable because it arose as a direct result of a condition of the Section 65 Certificate. Further, that it reflects the existing controls in Council's DCP (as advised on 7 April 2014 by Council).

The maps showing the Roads and Maritime Service's (RMS) acquisition (some annotated) is appropriate if it reflects the RMS's detailed advice provided at s62 stage as updated by subsequent requests from the RMS. The change in mapping of the OSL's land on LZN sheet 11 is correct. Planning and Infrastructure acknowledges that Council may make minor corrections to mapping errors for exhibition.

I note that the letter received from Council on the 21 March 2014, concerning commercial zones reflects our discussion held on the 3 March 2014 with the exception of the area annotated "V" where the Agency noted, that all the "V" sites were to be zoned B4 Mixed Use, a requirement which was reported to the Director - General. Therefore the maps should be amended to reflect this outcome.

As you are aware an Opinion has not been issued by Parliamentary Counsel that the plan may be legally made. The Director General has issued this certificate on the understanding that when exhibiting the Draft LEP Council makes the public aware,

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**Planning &
Infrastructure**

that the Draft LEP and maps may be changed to reflect legal drafting and technical mapping requirements.

I again thank Council for its efforts to date and look forward to the exhibition of the Draft LEP as soon as possible. Should you have any further enquiries about this matter, please contact Ms Michelle Dellagiacoma on (02) 9860 1172.

Yours sincerely

A handwritten signature in black ink that reads "RCumming".

10/4/2014

Rachel Cumming
Director Metropolitan Delivery (Parramatta)
Growth Planning and Delivery

ATTACHMENT 2

DETAILS OF THE PUBLIC EXHIBITION/CONSULTATION PROCESS

The exhibition/consultation strategy for the Draft CLEP 2014 was implemented as follows:

Stage 1 – Prior to Commencement of Formal Exhibition Period

- Briefing of Council's Executive/Manex Group
- Briefing of Council's Planning and Development Assessment Staff
- Briefing of Council's Customer Service Staff
- Briefing of Internal Technical Staff
- Briefing of Internal Working Group

Stage 2 – Preparations for Formal Public Exhibition

- Development of standard "Frequently Asked Questions" and associated responses
- Preparation of "Plain English" version of the Draft CLEP 2014
- Issue based Fact Sheets
- Confirmation of the eight week exhibition period

Stage 3 – During the Formal Exhibition Period

- Display of exhibition materials at the Civic Centre and at each of Council's Libraries
 - Creation of a specialised website containing all exhibition materials, with links via Council's home page
 - Six community "Drop-In" Information Sessions about the LEP Process, the content of the Draft CLEP 2014 and the process for making submissions
 - Availability of an additional duty planner from Council's Environmental Planning Unit (on a roster basis) to deal with enquiries on the Draft CLEP
 - Ability of residents/landowners and other stakeholders to meet with a planner to discuss matters in respect of the Draft CLEP 2014.
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Exhibition materials and information could be accessed in the following ways:

Hard Copy Display

Exhibition materials were accessible at Council's Civic Centre, at each of Council's libraries and at the Drop-In information sessions

Website

A dedicated, project specific page was established on the "yourcityyourfuture" website, which could be accessed directly or via a link on Council's home page. This site provided access to the Draft CLEP 2014 Written Instrument and Maps and all supporting and explanatory information.

During the exhibition period, 8818 unique external customers visited the Draft CLEP 2014 website.

Drop In Sessions

Six Drop-In Information Sessions, extending from 2:30pm to 8:30pm were held at the following venues:

- Campbelltown Civic Hall
- Ingleburn – Greg Percival Community Centre
- Eaglevale Neighbourhood Centre
- St Helens Park Hall
- One Minto Community Centre
- Glenfield Hall

These sessions provided community members and other interested persons with the opportunity to talk to Senior Council Planners about the Draft CLEP 2014.

Notification

Notification about the public exhibition of the Draft CLEP 2014 was provided via a variety of means including:

Information Brochure/Note

- An information brochure was sent to all business and residential property occupancies
 - An information note was sent with the Annual Rate Notice to all ratepayers
-

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

Local Newspaper

Notice of the public exhibition was placed in the Campbelltown-Macarthur Advertiser and the Macarthur Chronicle to announce the commencement of the exhibition and detail how it can be accessed and how submissions can be made.

Annual Rate Notice

The Annual Rate Notice was issued early in July 2014. Included with each notice was a Draft CLEP 2014 Information Card/Flyer outlining the consultation process and details for making submissions.

Specialist Group Presentations/Meetings

Presentations in respect of the origins and background to the Draft CLEP 2014, its principal features, its strategic context, opportunities to make submissions and notional plans for completing the Draft Plan, whilst simultaneously processing planning matters were presented to:

- Campbelltown Chamber of Commerce
- Ingleburn Chamber of Commerce
- Campbelltown Main Street Committee
- The Scenic Hills Association
- Campbelltown and Airds Historical Society

Mayoral Message

The then Mayor used a variety of opportunities to provide a background to the importance of the Draft CLEP 2014 and the opportunities for making submissions.

Community Radio

The Executive Planner, in an interview format, provided an overview of the Draft CLEP 2014, the opportunities to access relevant materials and to make a submission.

Availability of Copies of Exhibition Materials

The Draft CLEP 2014 Written Instrument and Maps, and the main supporting and explanatory materials were made available on USBs on request. Over 100 USBs were provided to community members during the exhibition period.

Hard copies of the Draft CLEP 2014 Written Instrument and the main explanatory materials were also made available free of charge at the Civic Centre, the Drop-In Sessions or via request.

1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

ATTACHMENT 3NSW GOVERNMENT
Department of Planning

24 November 2005

Jeff Lawrence,
Manager Environmental Planning
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Contact: David Burge

Phone: (02) 9895 7126

NOV 29 '05 02:11 PM 98957126

Email: david.burge@dipnr.nsw.gov.au

Our ref: P01/00321 Pt1

Your ref:

Dear Jeff,

Subject: Smith's Creek Bypass Corridor

Thank you for meeting with Department of Planning (DOP) and our consultants on the 8th November 2005. As discussed the Department seeks to rezone the Smith's Creek Bypass Corridor South, from Woodland Road north to Akuna Avenue, and requests the support of Council to apply to rezone the land.

In the 1970's the Smith's Creek Corridor was identified as a future transport route through the eastern suburbs of Campbelltown as part of the *Campbelltown New City Structure Plan*. The Department's predecessors purchased the majority of the land in the corridor for County Road purposes using the Sydney Region Development Fund.

The Smiths Creek Bypass was abandoned in 1993 as a road, but a minor transport corridor was retained. A consultant carried out a Transport Study of Airds/Bradbury area in 2001, which concluded that the retention of the Smiths Creek Bypass Corridor for transport-related purposes is not warranted. This Study has been supplied to Council. The Public Transport retention has been removed from the entire whole Corridor.

The land that the Department is intending to rezone is Lot 101 DP 813351, Lot 68 DP 715286, Lot 73 DP 245026, Lot 20 DP 616577, Lot 3 DP 590395, Lot 1 DP 746511, all of which totals 10.146 hectares. The rezoning would be to remove the existing 5(b) Special Uses zoning and replace it with a residential zoning. The Department requests Council's support to apply to rezone the land and arrange a briefing session with the elected Council in February 2006, a rezoning application would follow this briefing.

Should you require any further information to ensure the Department can obtain a briefing session in February 2006 please contact David Burge on 9895 7126. The Department thanks you for your support with submitting this application and looks forward to working on this in the future.

Yours sincerely

Peter Lee
Manager Strategic Land Management
Land Management BranchRegional Office: Land Management Branch, Level 4, 10 Valentine Avenue, Parramatta NSW 2150
PO Box 404, Parramatta 2124
Phone: (02) 9895 7626 Fax (02) 9895 7946 www.dipnr.nsw.gov.au

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1.1 Finalisation Of The Draft Campbelltown Local Environmental Plan 2014 And Consideration Of Submissions Made To Its Public Exhibition

ATTACHMENT 4

Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Quarry (property's internal submission)	Lot 200	752062	168 Georges River Rd, Kentlyn	E3 revert to "SP2 Quarry"	LZN_012	Zoning	2/2/2015
Bundeena Rd (access handle) (property's internal submission)	PL Lot 69 (access handle & cnr. Splay)	776225	45 Bundeena Road, Woodbine	Change access handle - <ul style="list-style-type: none"> zone R2 to B1 to reflect current zone of 10(c) Height 8.5 (I) to 9 (J) Lot size 500sq.m to none. Lot size for Dual Occ. 700sq.m to none. Floor Space Ratio 0.55 to none. 	LZN_007A LSZ_007 LSD_007 FSR_007	Zoning Lot Size Lot Size for Dual Occ. Dev. Floor Space Ratio	2/2/2015
Campbelltown/ Macarthur	various	various		Revert heights to best fit existing DCP. Heights shown as 10 storeys in DCP need to be shown as 10 storeys or more in the draft CLEP. Heights shown as 6 storeys in DCP need to be shown as 6 storeys or more in the draft CLEP. RE1, SP2 and Campbelltown Hospital to be left blank on heights map Campbelltown High School and Beverley Park School to be shown as 6 storey	HOB_002 HOB_007	Height of Buildings	2/2/2015
Campbelltown/ Macarthur	various	various	Queen Street, Campbelltown	Remove Tourist precinct (SP3) and zone B4	LZN_007B	Zoning	26/2/2015
Blairmount Planning Proposal (Planning NSW)	various	various	Adjacent Eaglevale Dr and Cnr. M31 and Badgally Rd. (majority Mir Holdings)	Area created as Deferred Matter on Zoning map and exclude data on all other maps within that area. Deferred outline added to Land Application map. Written Instrument needs to remove Heritage Item 20 – Maryfields Station of the Cross and Heritage Item 3 – Blairmount from the list (both in deferred area)	LAP_001 LZN_002 LZN_006 LZN_007A HOB_002 HOB_006 HOB_007 LSZ_002 LSZ_006 LSZ_007	Land Application Zoning Height of Buildings Lot Size	3/2/2015

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Description (Continued from previous page)	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
					LSD_002 LSD_006 LSD_007 FSR_002 FSR_006 FSR_007 ECM_002 ECM_006 ECM_007 LRA_007 HER_002 HER_007	Lot Size for Dual Occ. Dev. Floor Space Ratio Environmental constraint Land Reservation Acquisition Heritage	3/2/2015
Rail Corridor for Leppington Rail Line (Technical Services internal submission)	Lot 4	845870	Glenfield	Rail Corridor for Leppington Rail Line adjusted to match aerial of final built works.	LZN_010	Zoning	2/2/2015
Drainage (20 Gordon Avenue, Ingleburn) (Technical Services internal submission)	Lot 11 & Lot 12	703833	20 Gordon Avenue, Ingleburn	Lot 11 & Lot 24 DP703833 rezoned from R2 to SP2 – Drainage (owned by Campbelltown City Council)	LZN_011A HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	2/2/2015
Glenfield Road Detention Basin (Technical Services internal submission)	Lot 4	1149933	Glenfield Road, Glenfield	Adjust RE1 zoning for lot 4 DP1149933 to cover the entire lot to match subdivision and location of detention basin. Remove from acquisition layer as now in Campbelltown ownership.	LZN_010 HOB_010 LSD_010 LSZ_010 FSR_010 LRA_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio Land Reservation Acquisition Land Reservation Acquisition	16/2/2015
	Lot 2			Remove from acquisition layer as now in Campbelltown ownership.	LRA_010	Land Reservation Acquisition	
Walkway to Clarence Reserve bridge (Technical Services internal submission)	Lot 22	28161	39 Alexander Crescent, Macquarie Fields	Change zone from R2 to RE1 (owned by Campbelltown City Council)	LZN_010 HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/2/2015
Georges River Parkway	various	various		Relabelled "Future Transport Corridor" and added to attribute data under the "Authority" column – (to be confirmed)	LRA_007 LRA_008 LRA_010 LRA_011	Land Reservation Acquisition	16/3/2015

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Description (Continued from previous page)	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Part Georges River Parkway (as per Office of Strategic Lands email 6/3/2015)	Pt. Lot 1 Pt. Lot 1	538914 258955	11 Wedderburn Road, St Helens Park 49A Wedderburn Road, St Helens Park	Add part SP2 Road to SP2 Future Transport Corridor zone and match on acquisition layer.	LRA_011D LRA_011G LRA_012		
Part Georges River Parkway and Georges River Regional Open Space Corridor - Attachment "H" (Office of Strategic Lands submission)	Lot 1	217272	Oakley Road, Long Point	Acquisition removed from Lot as no longer in private ownership. Acquired by Minister Administering the Environmental Planning 2012 Written Instrument needs to amend "Public Purposes Corridor" Authority to be "The corporation constituted under section 8 of the Act"	LZN_008A LRA_008	Zoning Land Reservation Acquisition	16/3/2015
Office of Strategic Lands Attachments "A", "C" & "D" Georges River Regional Open Space Corridor	Pt. Lot 1 Pt. Lots 1-3 Lot 2 Pt. Lot 2 Lot 1 Lot 3 Lot 6 Lot 2 Lot 1 Lot 3 Lot 2 Pt. Lot 1	603674 255351 603675 629720 613776 263790 263790 632721 629721 629716 629717 595956	880A-900A Appin Road, Gilead Glenlorne Group, 982A Appin Road, Gilead 730A Appin Road, Gilead 680 Appin Road, Gilead Lot 1 DP 613776 494A-534A Appin Road, Gilead 490A Appin Road, Gilead 420A Appin Road, Gilead	Change zone from RU2 to RE1 - Public Recreation as corridor is in public ownership and contains high remnant vegetation.	LZN_004 LZN_008 LZN_009 LSD_004 LSD_008 LSD_009 LSZ_004 LSZ_008 LSZ_009	Zoning Lot Size for Dual Occ. Dev. Lot Size	19/2/2015
Office of Strategic Lands email reply 27/3/2015 and RMS email reply 5/3/2015	Lot 181	791988	Menangle Road, Glen Alpine	Retain part lot as SP2 Classified Road for road acquisition (already shown in s65) and zone residue to RE1. (owned by Corporate Sole EPA Act)	LZN_002 LZN_003	Zoning	30/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Office of Strategic Lands email reply 27/3/2015 and RMS email reply 30/3/2015	Lot 1085	792746	Menangle Road, Glen Alpine	Change SP2 Road zone to E3 as per adjoining land zone and OSL recommendation. Adjust relevant layers. (owned by Corporate Sole EPA Act)	LZN_003 HOB_003 LSD_003 LSZ_003	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size	30/3/2015
Sydney Water Operational Asset	Lot 1	1072987	Lavender Court, St Helens Park	change R2 Zone to SP2 Drainage to adopt adjacent zone of SP2 Drainage	LZN_008 HOB_008 FSR_008 LSD_008 LSZ_008	Zoning Height of Buildings Floor Space Ratio Lot Size for Dual Occ. Dev. Lot Size	5/2/2015
Sydney Water Operational Asset	Pt Lot 1	614371	Ingleburn Reservoir, Collins Promenade, Ingleburn	change R2 Zone to SP2 Water Supply as per preferred zone for Reservoir under standard LEP	LZN_011A HOB_011 FSR_011 LSD_011 LSZ_011	Zoning Height of Buildings Floor Space Ratio Lot Size for Dual Occ. Dev. Lot Size	5/2/2015
Sydney Water Operational Asset	Pt. Lot 2	39131	9 Hansens Road, Leumeah	change E4 Zone to SP2 Water Supply as per preferred zone for Reservoir under standard LEP	LZN_007 HOB_007 LSD_007 LSZ_007 LAV_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Lot Averaging	5/2/2015
Sydney Water Operational Asset	Pt. Lots 2, 3, 4	242806	Eagleview Road, Minto	change E4 Zone to SP2 Water Supply as per preferred zone for Reservoir under standard LEP	LZN_011 HOB_011 LSD_011 LSZ_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size	5/2/2015
Sydney Water Operational Asset	Lot 1	601029	Greco Place, Rosemeadow (between Nos. 24 & 28)	change E4 Zone to SP2 Water Supply as per preferred zone for Reservoir under standard LEP	LZN_003 HOB_003 LSD_003 LSZ_003	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size	9/2/2015
Sydney Water Operational Asset	Lot 1 Lot 1	217088 551377	Greengate Road, Bradbury	change R2 Zone to SP2 Water Supply as per preferred zone for Reservoir under standard LEP	LZN_008A HOB_008 LSD_008 LSZ_008 FSR_008	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	9/2/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Sydney Water Operational Asset	Lot 1671	560007	Pinaroo Crescent, Bradbury	Change RE1 to R2 as per Sydney Water request	LZN_008A HOB_008 LSD_008 LSZ_008 FSR_008	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	9/2/2015
Sydney Water Operational Asset	Pt. Lot 1	214592	77 Old Kent Road, Kentilyn	Change E3 to SP2 Water Supply as currently used for water purposes in IDO 13	LZN_007 HOB_007 LSD_007 LSZ_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size	9/2/2015
Sydney Water Operational Asset	Lot 1	542466	161 Dumaresq Street, Campbelltown	Change RE1 to R2 as per Sydney Water request	LZN_007B HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	9/2/2015
Sydney Water Operational Asset	Pt. Lot 1	1144667	Campbelltown Road, Bardia	Falls within Edmondson Park SEPP			9/2/2015
Sydney Water Supply Upper Canal	Various	Various		Change name from "Sydney Water Supply Upper Canal" to "Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)" to be consistent with the State Heritage Register Written Instrument also needs to be amended	HER_002 HER_003 HER_004 HER_005 HER_006	Heritage	19/2/2015
Briar Cottage	Lot 3	1191996	14 Waterhouse Place, Airds	LPI cadastral change include lane now	LSZ_008 LSD_008 HER_008	Lot Size Lot Size for Dual Occ. Dev. Heritage	9/2/2015
Land and Housing subdivision Minto	various	various	Torbreck Street, Baw Baw Avenue, Tamborine Drive And Elizabeth McRae Avenue, Minto	Minor adjustment of boundary to match NSW Land & Housing subdivision	LZN_006A HOB_006 LSD_006 LSZ_006 FSR_006	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/2/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
UWS Subdivision	various	various	Milky Way & Goldsmith Avenue, Campbelltown	Minor adjustment of Deferred Matter boundary on zoning and relevant layers to match UWS subdivision so far.	LZN_002 HOB_002 LSZ_002 FSR_002 LAP_001	Zoning Height of Buildings Lot Size Floor Space Ratio Land Application	10/2/2015
Strata consolidation Lots 5,6,7 DP18502 & Lot A DP397740		SP86106	(Units 1-84 & Shops 1-6) 3-9 Warby Street, Campbelltown	Rezone from part R4 & B4 zones (due to split zone over consolidated lot) to R4 zone	LZN_007B	Zoning	10/2/2015
Acquisitions now in Campbelltown City Council ownership	Lots 15 & 16	1160121	Britannia Drive, Glenfield	Remove from acquisition layer as now in Campbelltown City Council ownership.	LRA_010	Land Reservation Acquisition	16/2/2015
Acquisitions now in Campbelltown City Council ownership	Lot 5	1086609	Atlantic Boulevard/ Bellona Terrace	Remove from acquisition layer as now in Campbelltown City Council ownership.	LRA_010	Land Reservation Acquisition	16/2/2015
Acquisitions now in Campbelltown City Council ownership	Lot 1001	1185202	Glenfield Road, Glenfield	Remove from acquisition layer as now in Campbelltown City Council ownership.	LRA_010	Land Reservation Acquisition	16/2/2015
Office of Environment and Heritage Dharawal National Park	Lot 24 N/A	12665 N/A	53 Lysaght Road, Wedderburn Lysaght Road, Wedderburn Fronts Lot 12 & 63 DP 752066	Change zone E3 to E1 to include whole lot as whole lot falls within National Park boundary. Change zone E1 to E2 to exclude road as it does not fall within National Park boundary.	LZN_009 LSD_009 LSZ_009	Zoning Lot Size for Dual Occ. Dev. Lot Size	19/2/2015
Macarthur Gardens Retirement Village Sliver of land Land owned by Stockland (Development Assessment Unit Internal submission and submission on behalf of owners)	Lot 3	1150348	100 Gilchrist Drive, Campbelltown	Change zone from R3 to B3 to better reflect future expansion and use of Macarthur Square	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	24/2/2015
Gilchrist Drive	Lot 20	1200009	Gilchrist Drive	Remove from acquisition layer as now registered and forms part of Gilchrist Drive	LRA_002B LRA_007E	Land Reservation Acquisition	24/2/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Menangle Park	Various	Various	Menangle Park	Change Menangle Park to Deferred Matter and exclude all relevant layers	LZN_002 LZN_003 HOB_002 HOB_003 LSZ_002 LSZ_003 LSD_002 LSD_003 HER_003 HER_003A	Zoning Height of Buildings Lot Size Lot Size for Dual Occ. Dev. Heritage Heritage (does not apply until deferred matter is finalized) Floor Space Ratio Environmental Constraint Additional Permitted Uses Land Reservation Acquisition Land Reservation Acquisition (does not apply until deferred matter is finalized) Land Application	24/2/2015
				Remove the following Heritage items from deferred area and Written Instrument: Heritage Item 82 – Riverview Heritage Item 83 – Menangle House - house and outbuildings Heritage Item 84 – The Pines Heritage Item 86 – Menangle Weir Heritage Item 87 – Menangle Park Paceway entry gate structure Heritage Item 00009 – Glenlee, outbuildings, garden & gate lodge Heritage Item 01047 – Menangle Railway Viaduct Part of Heritage Item 01373 - Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)	FSR_003 ECM_003 APU_003 LRA_003 LRA_003B LAP_001		

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
(Continued from previous page)				Remove the following Additional Permitted Use No. 11 from deferred area and Written Instrument (Schedule 1) Additional Permitted Uses 11 The establishment of temporary portable stalls for the purposes of buying or selling goods (Markets): Lot 10 DP 1022204, having access to Racecourse Avenue, Menangle Park, as shown edged heavy black on the map marked "Campbelltown Local Environmental Plan No. 36" deposited in the office of the Council.			
Draft Mount Gilead Planning Proposal	Pt. Lot 1	807555	Mount Gilead, 901 Appin Road, Gilead	Remove the following Heritage item from deferred area and Written Instrument: Part of Heritage Item 58 – Mount Gilead	HER_003	Heritage	24/2/2015
Koshigaya Park	Lot 201	1091817	Queen Street, Campbelltown	Change zone from B3 to RE1 to match Koshigaya Park zone and adjust all relevant layers. (owned by Campbelltown City Council)	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	26/2/2015
Land Zoning Map Legend				Remove from Zones Legend: "RU6" Transition "SP3" Tourist (as these zones are not currently applicable)	LZN_001 to LZN_013	Zoning	26/2/2015
Lot Size Map Legend				Remove from Minimum Lot Size (sq.m) Legend: "D" 300 "T" 900-950 "U" 1,000	LSZ_001 to LSZ_012	Lot Size	26/2/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
(Continued from previous page)				<p>"Z1" 30,000 (3ha) (as these are not currently applicable)</p> <p>Change Minimum Lot Size (sq.m) "F" 400-420 to "F" 400 (as 420sq.m is not currently applicable)</p>			
Lot Size for Dual Occupancy Development Map Legend				<p>Remove from Minimum Lot Size (sq.m) Legend: "T" 900-950 "U" 1,000 "Z1" 30,000 (3ha) (as these are not currently applicable)</p>	LSZ_001 to LSZ_012	Lot Size	26/2/2015
Land Reservation Acquisition Map Legend				<p>Add to Land Reservation Acquisition Legend: "Classified Road (R3)" "Classified Road (B4)" (as required by the RMS but not in their ownership) Rename "Road (B4)" to "Classified Road (B4)"</p>	LRA_002 LRA_002B LRA_003 LRA_005A LRA_005B LRA_006 LRA_006C LRA_006D LRA_006E LRA_006F LRA_007 LRA_007D LRA_007E LRA_007G LRA_007H LRA_007I LRA_007K LRA_007M LRA_007Q LRA_008 LRA_008C LRA_008D LRA_009 LRA_010 LRA_010D	Land Reservation Acquisition	26/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
(Continued from previous page)					LRA_011 LRA_011B LRA_011D LRA_011G LRA_012		
Floor Space Ratio Map set removed (Information now provided by Written Instrument)				Floor Space Ratio Map removed from CBD to reflect current controls under LEP 2002 and Sustainable City DCP. Information now provided by Written Instrument.	FSR_002 FSR_003 FSR_006 FSR_007 FSR_008 FSR_010 FSR_011		
RMS email reply 3/2/2015 for query on Glenfield Road Acquisitions and road alignment	Lots 209-213	1179711	2-8 Glenfield Road & 25 Mermaid Crescent, Glenfield	Match LPI Boundary for road zone	LZN_010 HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/2/2015
RMS email reply 3/2/2015 for query on Glenfield Road Acquisitions and road alignment (acquisition no longer required)	Lot 112 Lot 2 Lots 1001-1002	1041032 1041028 1185202	5-7 Glenfield Road, Glenfield Glenfield Road, Glenfield	Remove from Acquisition layer and adjust zoning and relevant layers Adjust RE1 zoning to match lot boundary as lot is a Drainage Reserve and adjust relevant layers	LZN_010 HOB_010 LSD_010 LSZ_010 FSR_010 LRA_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio Land Reservation Acquisition	10/2/2015
RMS			Moore Street/Cordeaux Street, Campbelltown	Minor adjustment of SP2 Classified Road to match RMS Polygons supplied digitally	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	2/3/2015
RMS			Moore Oxley By-Pass/Lithgow Street/Dumaresq Campbelltown	Minor adjustment of SP2 Classified Road to match RMS Polygons supplied digitally	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	2/3/2015
RMS			Old Menangle Road at Narellan Road Campbelltown	Minor adjustment of SP2 Classified Road to match RMS Polygons supplied digitally	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	2/3/2015
RMS		SP74042	2-6 Macquarie Road, Ingleburn	Change SP2 Classified Road on acquisition to match zoning layer SP2 Road – with Campbelltown City Council as authority	LRA_011B	Land Reservation Acquisition	2/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
RMS			Bridge piers Gilchrist Drive, Campbelltown (Bunnings Site)	Match current road and boundary alignment	LZN_007B	Zoning	2/3/2015
RMS email reply 9/3/2015 and 16/7/2014 (see Doc. No. 24604762)	Pt. Lot 10	1134526	Narellan Road, Campbelltown adjacent Rydges Hotel, Campbelltown Catholic Club and Aquafit	Remove from acquisition layer as RMS no longer requires	LRA_007E	Land Reservation Acquisition	2/3/2015
RMS email reply 9/3/2015	Pt. Lot 1002	873452	Adjacent Campbelltown Library Camden Road	Change acquisition from "Road (B4)" to "Classified Road (B4)"	LRA_007D	Land Reservation Acquisition	16/3/2015
	Pt. Lot 1	883417	Narellan Road to Camden Road, Campbelltown				
	Pt. Lot 2341	830786	Corner Marketfair Shopping Centre, 4 Tindall Street, Campbelltown				
RMS			Cnr. Kingsclere Street and Rudd Road, Leumeah	Minor adjustment of SP2 Classified Road to match RMS supplied digital layer	LZN_007 HOB_007 FSR_007 LSD_007 LSZ_007	Zoning Height of Buildings Floor Space Ratio Lot Size for Dual Occ. Dev. Lot Size	2/3/2015
RMS	Pt. Lot 13	557377	1 Gwydir Place, Campbelltown	Remove from Acquisition layer as in Campbelltown City Council ownership	LRA_007M	Land Reservation Acquisition	2/3/2015
	Pt. Lot 18	554566	Smiths Creek Reserve, Georges River Road, Ruse				
RMS	Pt. Lots 410 & 411	624993	Eagle Vale Drive, Eagle Vale	Change Authority on acquisition from Roads & Maritime Services to Campbelltown City Council as per RMS digital data and discussion with Technical Services	LRA_006 LRA_007	Land Reservation Acquisition	3/3/2015
	Pt. Lot 2	1017017	Badgally Road, Claymore (Campbelltown)		LRA_007G		
	Pt. Lot 22	590398	20A Blaxland Road				
	Pt. Lot 32	32311	22 Blaxland Road				
	Pt. Lot 35	32311	22B Blaxland Road				
	Pt. Lot 38	32311	26 Blaxland Road				
	Pt. Lot 1	506197	28 Blaxland Road				
	Pt. Lot 2	506197	30 Blaxland Road				
	Pt. Lot 1	553898	49 Blaxland Road				

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
RMS	Pt Lot 1 & Pt Lot 2 (now Pt Lots 101-103)	799564 & 1105436 (now 1203045)	Broughton Street, Campbelltown	Remove from Acquisition layer as in Campbelltown City Council ownership	LRA_007H	Land Reservation Acquisition	3/3/2015
RMS	Pt Lots 2 & 3 Pt Lots 6- 8 Pt Lot 1 Pt Lot 1	524225 38830 1054132 596379	18-28 Broughton Street, Campbelltown Presbyterian Cemetery, Broughton Street, Campbelltown	Change Authority on acquisition from Roads & Maritime Services to Campbelltown City Council as per RMS digital data and discussion with Technical Services	LRA_007H	Land Reservation Acquisition	3/3/2015
	Pt Lot 1 Pt Lot 33 SEC A Pt Lot 2 Pt lot 3 Pt Lot 2	800579 3667 221454 221454 218970	86 Broughton Street 88 Broughton Street 92 Broughton Street St Elmos 94-96 Broughton Street, Campbelltown				
RMS	Pt Lot 1	546998	23 Georges River Road, Ruse	Change Authority on acquisition from Roads & Maritime Services to Campbelltown City Council as per RMS digital data and discussion with Technical Services	LRA_007M	Land Reservation Acquisition	3/3/2015
RMS	Pt Lot 76 Pt Lot 78 Pt Lot 15 Pt Lot 17 Pt Lot 1 Pt Lot 2	SP 11778 7496 858738	Cnr. Splays extension of Beverley Road, Campbelltown	Change Authority on acquisition from Roads & Maritime Services to Campbelltown City Council as per RMS digital data and discussion with Technical Services	LRA_007H	Land Reservation Acquisition	3/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
(Continued from previous page)	Pt. Lot 21 Pt. Lot B Pt. Lot 14	62987 (DP 76491) 350843 9197					
RMS	Lot 95	1157854	Glenfield Road, Glenfield	Minor adjustment of SP2 Classified Road to match RMS supplied digital layer (This lot is not within RMS Classified Road polygon layer so is labeled SP2 Road only)	LZN_010	Zoning	3/3/2015
RMS email reply 3/3/2015 for query re: future road acquisitions Appin Road, Gilead	Lot 6 Lot 9 Lot 10 Lot 1	242894 242894 242894 263790	490 Appin Road, Gilead 512 Appin Road, Gilead 514 Appin Road, Gilead 532 Appin Road, Gilead	Remove from acquisition layer as RMS no longer requires. Change zone from SP2 Classified Road to RU2 as per adjoining zone and adjust relevant layers	LZN_004 HOB_004 LSD_004 LSZ_004 LRA_004A LRA_004B LRA_004A LRA_004B	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Land Reservation Acquisition Land Reservation Acquisition (Map Tiles no longer apply as there are no acquisitions currently in this area)	5/3/2015
RMS			Campbelltown Road opposite St Andrews Park	Minor adjustment of SP2 Classified Road boundary and SP2 Local Road to match RMS supplied digital layer	LZN_006A	Zoning	9/3/2015
RMS email reply 9/3/2015	Pt. Lot 1	124081	46 Menangle Road, Glen Alpine	RMS does not require the area to be shown as SP2 Classified Road and is not part of any RMS acquisition proposal. Therefore, change zone from SP2 Road to E4 as per the remainder of the lot zone	LZN_003 HOB_003 LSD_003 LSZ_003 LRA_003	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Land Reservation Acquisition	9/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
RMS email reply 11/3/2015		SP56158	52 Chamberlain Street, Campbelltown (pertaining to Moore-Oxley Bypass)	RMS require this to be added to the acquisition layer as Classified Road. Therefore, it will be labeled "Classified Road (R3)" with Roads and Maritime Services as Authority.	LRA_007H	Land Reservation Acquisition	16/3/2015
Escarpment Preservation Area and Scenic Hills	Lot 21 Lot 1 Lot 34 Lot 41 Lot 5 Lot 14, 15 Lot 10 Lot 9 Lot 8 Lot 7 Lot 6 Lot 5 Lot 4 Lot 3 Lot 202 Lot 201 Lot 1176 Lot 1177 Lot 1180 Lot 1179 Lot 1178 Lot 1182 Lot 1181 Lot 1183 Lot 11 Lot 12 Lot 1185 Lot 1186 Lot 1188 Lot 1187 Lot 1189	837456 790763 1033959 844894 790763 800100 748169 748169 748169 748169 748169 748169 748169 748169 803693 803693 263508 263508 263508 263508 263508 263508 263508 263508 1034392 1034392 263508 263508 263508 263508 263508 263508 263508 263508 263508 263508 263508	24A Columbia Street, Kearns 24B Columbia Street, Kearns 14 Columbia Street, Kearns 12 Columbia Street, Kearns Epping Forest, Mississippi Crescent, Kearns 24-26 Danube Crescent, Kearns 18 Danube Crescent, Kearns 46 Missouri Street, Kearns 42 Missouri Street, Kearns 40 Missouri Street, Kearns 38 Missouri Street, Kearns 36 Missouri Street, Kearns 34 Missouri Street, Kearns 32 Missouri Street, Kearns 30A Missouri Street, Kearns 30 Missouri Street, Kearns 21 Dakota Place, Raby 23 Dakota Place, Raby 25 Dakota Place, Raby 27 Dakota Place, Raby 29 Dakota Place, Raby 28 Dakota Place, Raby 26 Dakota Place, Raby 24 Dakota Place, Raby 22A Dakota Place, Raby 22 Dakota Place, Raby 19 McDonnell Street, Raby 21 McDonnell Street, Raby 23 McDonnell Street, Raby 25 McDonnell Street, Raby 27 McDonnell Street, Raby	No longer include these additional lots (outside of LEP D8 and Escarpment Boundary) picked up by merging 7(d1) zones under LEP 2002 and LEP D8 Revert to include area within LEP D8 and Escarpment Boundary and exclude Deferred Matters	ECM_001 ECM_002 ECM_003 ECM_005 ECM_006 ECM_007	Environmental Constraint Map	5/3/2015

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Description (Continued from previous page)	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
	Lot 2055 Lot 2053 Lot 2054 Lot 3002 Lot 3003 Lot 3004 Lot 3005 Pt. Lot 3251	702925 702925 702925 710602 710602 710602 710602 835245	29 McDonnell Street, Raby 31 McDonnell Street, Raby 33 McDonnell Street, Raby 35 McDonnell Street, Raby 37 McDonnell Street, Raby 39 McDonnell Street, Raby 41 McDonnell Street, Raby Pt. of Mount Universe, 90 Badgally Road, Eschol Park				
Escarpment Preservation Area and Scenic Hills LEP 2002 anomaly	Pt. Lot 1001 Pt. Lot 2 Pt. Lot 2 Lot 1 Lot 1 Lot 1 Lot 1	734435 842735 1086648 1086648 563816 842735 840598	Pt. of The Australian Botanic Garden Mount Annan, Narellan Road, Campbelltown Pt. of Sugarloaf Farm, Menangle Road, Menangle Park Pt. of Sydney Water Supply Upper Canal, Menangle Road, Menangle Park Menangle Road, Menangle Park	Due to an anomaly found in the LEP D8 escarpment boundary (this area is within LEP 2002 not LEP D8) these lots are now excluded			
Cnr. Appin Road and Therry Road	Pt. Lot 199 Lot 496	252766 260013	Appin Road, Ambarvale (under Corporate Sole EPA Act ownership)	Minor adjustment of SP2 Road and SP2 Classified Road boundary to match existing current zone of 5(c) Special Uses Sub-arterial Roads and 5(b) Special Uses Arterial Roads	LZN_007B LZN_008A	Zoning	9/3/2015
School Zones (revert to current special use zone) Blairmount Public School	Lot 1	717215	75 Badgally Road, Blairmount	Change zone R2 to SP2 Educational Establishment	LZN_007A HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
School Zones (revert to current special use zone) Campbellfield Public School	Lot 33	716484	Townson Avenue, Minto	Change zone R2 to SP2 Educational Establishment	LZN_006A LZN_007 HOB_006 LSD_006 LSZ_006 FSR_006	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Campbelltown East Public School	Lot 1	121487	80 Waminda Avenue, Campbelltown	Change zone R2 to SP2 Educational Establishment	LZN_007 HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Campbelltown Public School	Lot 415 Lot 4 Lots 1 & 2	821056 157802 194413	31 Lithgow Street, Campbelltown	Change zone R3 to SP2 Educational Establishment	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Campbelltown North Public School	Lots 55 & 56 Lot C Lot 1 Lot 2	14782 406045 705834 529634	2 Thomas Street, Campbelltown	Change zone R3 to SP2 Educational Establishment	LZN_007 LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Curran Public School	Lot 801	261920	21 Melaleuca Drive, Macquarie Fields	Change zone R2 to SP2 Educational Establishment	LZN_011 HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Eagle Vale High School	Lot 482	262742	27 Drysdale Street, Eagle Vale	Change zone R2 to SP2 Educational Establishment	LZN_007A HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Eschol Park Public School	Lot 1103	258854	Eschol Park Drive, Eschol Park	Change zone R2 to SP2 Educational Establishment	LZN_006 HOB_006 LSD_006 LSZ_006 FSR_006	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
School Zones <i>(revert to current special use zone)</i> Glenwood Public School	Lot 3 Lot 2	561133 543722	84 Belmont Road, Glenfield	Change zone R2 to SP2 Educational Establishment	LZN_010A HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015
School Zones <i>(revert to current special use zone)</i> Guise Public School	Lot 2022	1045077	25 Eucalyptus Drive, Macquarie Fields	Change zone R2 to SP2 Educational Establishment	LZN_010A HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones <i>(revert to current special use zone)</i> Holy Family Primary School	Lots 9A & 9B	24844	136 Oxford Road, Ingleburn	Change zone R2 to SP2 Educational Establishment	LZN_011A HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015
School Zones <i>(revert to current special use zone)</i> Ingleburn Public School	Lot 365 Pt. Lot 59 Lot 1	590149 28460 579530	115 Oxford Road, Ingleburn	Change zone R2 & R3 to SP2 Educational Establishment	LZN_011A HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015
School Zones <i>(revert to current special use zone)</i> John Therry Catholic High School	Lot 1	1156105	80 Demetrius Road, Rosemeadow	Change zone R2 to SP2 Educational Establishment	LZN_003 HOB_003 LSD_003 LSZ_003 FSR_003	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015
School Zones <i>(revert to current special use zone)</i> Kentlyn Public School	Lot 363	752062	138 Georges River Road, Kentlyn	Change zone E3 to SP2 Educational Establishment	LZN_007 LZN_012 HOB_007 HOB_012 LSD_007 LSD_012 LSZ_007 LSZ_012	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size	16/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
School Zones <i>(revert to current special use zone)</i> Leumeah Public School	Lot 2	550485	4 Burrendong Road, Leumeah	Change zone R2 to SP2 Educational Establishment	LZN_007 HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones <i>(revert to current special use zone)</i> Leumeah Technology High School	Lot 501	805864	Junction Road, Leumeah	Change zone R2 to SP2 Educational Establishment	LZN_007 HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015
School Zones <i>(revert to current special use zone)</i> Macarthur Adventist School	Lot 11	853422	12 Victoria Road, Macquarie Fields	Change zone R2 to SP2 Educational Establishment	LZN_010 HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015
School Zones <i>(revert to current special use zone)</i> Macquarie Fields Public & High Schools	Lot 1 Lot 1 Lot 1 Pt Lot 2	391765 553134 1060913 1060913	2 Harold Street, Macquarie Fields	Change zone R2 to SP2 Educational Establishment	LZN_011A HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015
School Zones <i>(revert to current special use zone)</i> Mary Brooksbank Special School	Lot 1265	262848	30 Cleopatra Drive, Rosemeadow	Change zone R2 to SP2 Educational Establishment	LZN_003 LZN_008A HOB_003 HOB_008 LSD_003 LSD_008 LSZ_003 LSZ_008 FSR_003 FSR_008	Zoning Height of Buildings Lot Size for Dual Occ. Dev Lot Size Floor Space Ratio	12/3/2015
School Zones <i>(revert to current special use zone)</i> Mary Immaculate Parish Primary School	Lot 493	709741	61 Emerald Drive, Eagle Vale	Change zone R2 to SP2 Educational Establishment	LZN_007A HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
School Zones (revert to current special use zone) Minto Public School	Lots 1 & 2 Lot 1	393693 435314	1 Redfern Road, Minto	Change zone R3 to SP2 Educational Establishment	LZN_006A HOB_006 FSR_006	Zoning Height of Buildings Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Qibla College	Lot 1002 Lot 2	623835 560014	44 Westmoreland Road, Minto	Change zone R2 to SP2 Educational Establishment	LZN_007 HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Rosemeadow Public School	Lot 1	774331	64 Anthony Drive, Rosemeadow	Change zone R2 to SP2 Educational Establishment	LZN_008 LZN_008A HOB_008 LSD_008 LSZ_008 FSR_008	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Ruse Public School	Lot 400	249599	136 Junction Road, Ruse	Change zone R2 to SP2 Educational Establishment	LZN_007 HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
School Zones (revert to current special use zone) Sackville Street Public School	Lot 1	746490	22 Sackville Street, Ingleburn	Change zone R2 to SP2 Educational Establishment	LZN_011A HOB_011 LSD_011 LSZ_011 FSR_011	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	10/3/2015
School Zones (revert to current special use zone) St Johns Primary School	Lot 1	1083980	133 Lindesay Street, Campbelltown	Change zone R3 to SP2 Educational Establishment	LZN_007B HOB_007 FSR_007	Zoning Height of Buildings Floor Space Ratio	16/3/2015
School Zones (revert to current special use zone) St Patrick's College	Lot 31	1045123	4 St Johns Road, Campbelltown	Change zone R2 to SP2 Educational Establishment	LZN_007 LZN_007B HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
School Zones (revert to current special use zone) St Thomas More Catholic Parish Primary School	Lot 32	1045123	6 St Johns Road, Campbelltown	Change zone R2 to SP2 Educational Establishment	LZN_007 LZN_007B HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	16/3/2015
School Zones (revert to current special use zone) Thomas Acres Public School	Lot 1986	712570	59 Crispsparkle Drive, Ambarvale	Change zone R2 to SP2 Educational Establishment	LZN_003 HOB_003 LSD_003 LSZ_003 FSR_003	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	12/3/2015
Railway Corridor Glenfield	Pt. Lot 4	845870	Railway Corridor, Glenfield	Minor adjustment to Railway Corridor boundary of Hurlstone Agricultural High School & labeling of existing car park	LZN_010 LZN_010A	Zoning	12/3/2015
Deferred Area Amundsen/Leumeah and Hansens Roads, Leumeah	Lot 1	709918	86 Amundsen Street, Leumeah	Include in Deferred area. Change zone E4 to DM. Remove from all relevant layers.	LZN_007 HOB_007 LSD_007 LSZ_007 LAP_001	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Land Application	17/3/2015
Deferred Area "Meadowvale" (heritage item)	Lot 1	602888	717 Appin Road, Gilead	Defer lot that contains heritage item. Change zone RU2 to DM. Remove from all relevant layers. Remove the following Heritage item from deferred area and Written Instrument: Heritage Item 57 - Meadowvale	LZN_004 HOB_004 LSZ_004 LSD_004 HER_004 LAP_001	Zoning Height of Buildings Lot Size Lot Size for Dual Occ. Dev. Heritage Land Application	9/4/2015
Additional Permitted Use	Lot 2	746511	Woodland Road, St Helens Park	Add to Additional Permitted Uses Map and to Written Instrument Schedule 1 Additional permitted uses 1 Development for the purpose of a religious establishment (Place of public worship): Lot 2 DP 746511, Woodland Road, St Helens Park.	APU_008 (new Map tile created)	Additional Permitted Uses	26/3/2015

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Description	Lot	DP	Address	Changes Made	Map No.	Map Type	Date
Additional Permitted Use	Lot 50	1028174	Campbellfield/Redfern's Cottage, 20 Lind Street, Minto	Add to Additional Permitted Uses Map and to Written Instrument Schedule 1 Additional permitted uses 10 Development for the purpose of a physiotherapist centre (Medical Centre); Lot 50 DP 1028174, Campbellfield/Redfern's Cottage, 20 Lind Street, Minto.	APU_006	Additional Permitted Uses	26/3/2015
Additional Permitted Use	Lot 100	1176622	194 Campbelltown Road, Denham Court	Add to Additional Permitted Uses Map and to Written Instrument Schedule 1 Additional permitted uses 14 Development for the purpose of a service station (Service Station); Lot 100 DP 1176622, 194 Campbelltown Road, Denham Court (add a clause to Written Instrument)	APU_006	Additional Permitted Uses	15/4/2015
Frank Widdon Masonic Homes	Lot 1	1048973	81 Belmont Road, Glenfield	Revert R2 zone to SP2 Seniors Housing and adjust relevant layers	LZN_010A HOB_010 LSD_010 LSZ_010 FSR_010	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	30/3/2015
Trustees of The Roman Catholic Church (St. Johns)	Lots 19 & 20	758217	34 Sturt Street, Campbelltown	Revert R2 zone to SP2 Cemetery, Church, Seniors Housing and adjust relevant layers	LZN_007B HOB_007 LSD_007 LSZ_007 FSR_007	Zoning Height of Buildings Lot Size for Dual Occ. Dev. Lot Size Floor Space Ratio	30/3/2015
Additional Clause 4.3B added to Heights Map – Restrictions relating to certain land at Macquarie Links	Lots 2-8 Lots 2-26	285793 285792	29-91 Governors Way, Macquarie Links	Create Blue outline around these lots and label as AREA "A". Add symbol blue outline to Height of Buildings Map Legend and label "Clause 4.3B"	HOB_010	Height of Buildings	30/3/2015

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There being no further business the meeting closed at 8.03pm.

Confirmed by Council on

..... General Manager Chairperson
