



# 2018

CAMPBELLTOWN CITY COUNCIL

19 December 2018

## **MEETING NOTICE**

### **Campbelltown City Council Local Planning Panel**

The meeting of the Campbelltown City Council Local Planning Panel will be held in Civic Centre, Campbelltown on **Wednesday, 19 December 2018 at 3.00pm.**

## **MEETING AGENDA**

### **1. ACKNOWLEDGEMENT OF LAND**

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

### **2. APOLOGIES**

### **3. DECLARATIONS OF INTEREST**

### **4. REPORTS**

**5**

- |     |   |    |
|-----|---|----|
| 4.1 | Planning Proposal - No. 26 Mercedes Rd and No. 39 Lagonda Drive, Ingleburn  | 5  |
| 4.2 | Supplementary Report - Stage 3 Claymore Urban Renewal Concept Plan: subdivision creating 113 residential allotments, one residue allotment, associated civil and landscaping works in Stage 3A and 3B | 34 |

### **General Information**

Submissions by the applicant and concerned parties will be considered at the hearing. A concerned party is deemed to be a person who has made a written submission in respect to the application. The panel shall, upon request, hear submissions from persons who identify prior to a hearing that they wish to make a submission to be considered by the panel. Presentations to the panel by the applicant and concerned parties shall be restricted to five minutes each. The panel Chairperson has the discretion to extend the period if considered appropriate.

Members of the public, who have registered to speak at the meeting, will be invited to address the panel by the Chairperson during the meeting.

### **Recommendations of the Panel**

The reports are presented to the Local Planning Panel for its consideration, advice and determination if the report is for a development application.

After the panel has considered submissions made by interested parties, the panel will make recommendations to the Council if the report relates to a planning proposal and determination if the report relates to a development application. The panel's recommendations/determinations become public by 4.30 the Friday following the Local Planning Panel meeting.

### **Information**

Should you require information about the panel or any item listed on the agenda, please contact Council's City Development department on 4645 4575 between 8.30am and 4.30pm.

The following reports are referred to the Local Planning Panel Panel for its consideration and recommendation.

Lindy Deitz  
General Manager

## 4. REPORTS

### 4.1 Planning Proposal - No. 26 Mercedes Rd and No. 39 Lagonda Drive, Ingleburn

#### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

#### Referral Criteria

The Local Planning Panel must give its advice on the draft Planning Proposal before Council considers whether or not to forward it to the Minister or Greater Sydney Commission under section 3.34 of the *Environmental Planning and Assessment Act 1979*.

#### Executive Summary

- At its Ordinary Meeting on 11 September 2018, Council considered a submissions report on the Caledonia Precinct Planning Proposal and resolved, in part, to prepare and submit a draft Planning Proposal for Gateway Determination to rezone property Nos. 26 Mercedes Road and 39 Lagonda Drive, Ingleburn consistent with the proposed zoning of adjoining lands.
- Council also resolved to forward the Caledonia Precinct Planning Proposal for the remainder of the precinct to the Department of Planning and Environment for finalisation.
- The subject properties were not part of the original Gateway Determination for the wider precinct, and may become isolated should the adjoining lands be fully developed.
- On the grounds that Council has resolved to forward a Planning Proposal to the Department for Gateway Determination in response to the previous submissions report, it is recommended that Campbelltown City Council Local Planning Panel endorse the plan.

#### Officer's Recommendation

That the Campbelltown City Local Planning Panel:

1. Endorse referral of the Planning Proposal for properties Nos. 26 Mercedes Road and 39 Lagonda Drive, Ingleburn for Gateway Authorisation.
2. Provide advice concerning the merits of the Planning Proposal and Officer's Recommendation.
3. Request that the owners be advised of its advice.

## Purpose

To obtain an independent review and assist in progressing the Council initiated Planning Proposal for Gateway Authorisation.

<b>Property Description</b>	No. 26 Mercedes Road and No. 39 Lagonda Drive, Ingleburn
<b>Applicant/Property</b>	Campbelltown City Council
<b>Owners</b>	Mrs Ljilja Prpic of No. 26 Mercedes Road, Ingleburn Mrs Amanda Louise Said of No. 39 Lagonda Drive, Ingleburn
<b>Provisions</b>	Campbelltown Local Environmental Plan 2015 (E4- Environmental Living)
<b>Date Received</b>	Council Resolution 11 September 2018

## Background

At its meeting on 11 September 2018, Council considered a submissions report on the Caledonia Precinct Planning Proposal and resolved, in part, to prepare and submit a draft planning proposal to rezone property Nos. 26 Mercedes Road and 39 Lagonda Drive, Ingleburn consistent with the adjoining lands. Council also resolved to forward the proposal for the remainder of the precinct to the Department of Planning and Environment for finalisation.

The subject properties did not form part of the final Gateway Determination issued by the DP&E in March 2017 even though they were located within the study area due to prevailing ownership matters at the time.

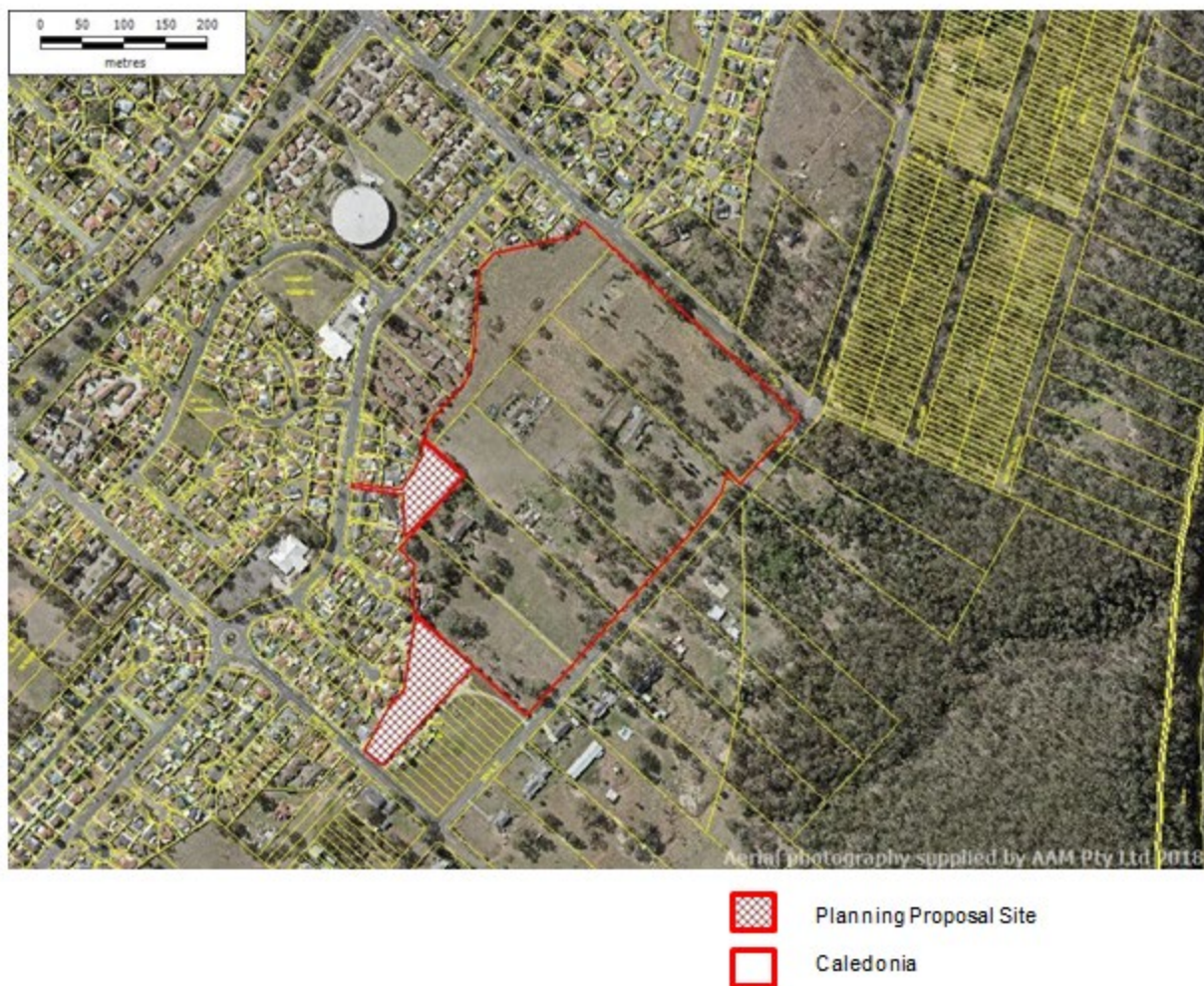
The owner of property No.26 Mercedes Road has since made numerous representations to Council, including during the public exhibition period, for rezoning of their property to R2 Low Density Residential, consistent with adjoining land. No submission response has been received from the owner of property No.39 Lagonda Drive despite issuing of previous notification letters.

## The Site

The lands which are the subject of the Planning Proposal comprise:

- Lot 41 DP1021880 (No.26) Mercedes Road, Ingleburn
- Lot 206 DP264069 (No.39) Lagonda Drive, Ingleburn

Both lots are irregular in shape. No. 26 Mercedes Road is 0.81 hectares in size and No. 39 Lagonda Drive is 0.42 hectares in size. Both parcels of land are located to the east of existing residential development comprising the suburb of Ingleburn and adjoin the proposed Caledonia low density residential precinct which is generally bounded by Mercedes / Bensley and Oxford Roads as illustrated in Figure 1 below.



**Figure 1 Subject land and Immediate Context**

The subject allotments form part of an area known as the Eastern Edge Scenic Protection Lands, a transitional landscape between existing urban development of Ingleburn and the extensive regional open space network associated with the Georges River.

The adopted Caledonia Precinct Planning Proposal as provided in attachment 1 will change the nature of this transitional landscape from an environmental living precinct into a low density residential one.

### **Summary of the Planning Proposal**

The draft Proposal seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) to provide for the low density residential development of the subject allotments. The principal LEP amendment changes include:

- Zoning change from E4 Environmental Living to R2 Low Density Residential

- Change in minimum lot size provision from 2 ha. (with a 1 ha lot average provision) to 500sqm
- Deletion of the 1 ha. lot averaging provision
- Change the minimum lot size provision for dual occupancy development to 700sqm

Although the Terrestrial Biodiversity Map would apply to the subject lands, relevant amendments were implemented in the proposal previously adopted by Council on 11 September 2018. Property No. 39 Lagonda Drive is partly impacted by this layer which triggers clause 7.20 of the CLEP in respect of Terrestrial Biodiversity Conservation.

Accordingly, the proposal is consistent with the adopted planning outcomes and technical investigations for the adjoining Caledonia Precinct and Council's general background technical data for the locality. Future development of the allotments may generate up to 17 lots pending final land amalgamation plans, layout and further consideration of any development constraints.

## Report

This report considers the strategic context of the proposal in relation to state and local planning policies and the potential impacts of the proposal.

### 1. Strategic Context

The following state, district and local planning policies are relevant to the proposal as discussed below.

#### 1.1. Greater Sydney Region Plan

The Greater Sydney Region Plan: A Metropolis of Three Cities (GSRP) was released in March 2018 and provides a 40-year vision to 2056 and 20-year plan to manage growth and change.

The GSRP identifies the need for an additional 725,000 dwellings in the period 2016-2036. The Western City District is identified as contributing 29 percent of the total Sydney wide dwelling growth by 2036.

The proposal is consistent with the key direction of Housing the City (Giving People Housing Choice) and related objectives in respect of increased housing supply (Objective 10) and enhanced housing diversity and affordability (Objective 11).

#### 1.2. Western City District Plan

The Western City District Plan (connecting communities) was released in March 2018 and provides a template for realising the Western Parkland City of the Metropolis of Three Cities (Region Plan for Greater Sydney).

The District Plan is noted to; *inter alia*, inform the assessment of planning proposals. Further, the District Plan is identified to assist councils to plan for and support growth and change, and align their local planning strategies to place based outcomes. It guides the decisions of State Agencies and informs the private sector and wider community of approaches to manage growth and change.

The subject site is identified as Urban Area in the Western City District Structure Plan. Its future development would contribute to the Campbelltown Local Government Area 5-year housing supply target of 6,800 dwellings.

### **1.3. Greater Macarthur Growth Area**

The land does not form part of the Greater Macarthur Growth Area, which in Ingleburn is restricted to the centre based urban renewal area.

Accordingly, the recently released land use and infrastructure implementation plan titled 'Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area' (November, 2018) has no direct relevance to the proposal. Similarly, the proposed Special Infrastructure Contribution for the Greater Macarthur was released in November 2018 and does not apply to the subject land.

### **1.4. Section 9.1 Local Planning Directions**

Section 9.1 of the *Environmental Planning and Assessment Act 1979* allows the Minister for Planning to give directions to Council regarding principles, aims, objectives or policies to be achieved, or give effect to, in the preparation of draft local environmental plans.

The directions of most relevance to the PP are summarised below.

- **Direction 2.1 Environmental Protection Zones**

The objective of this Direction is to protect and conserve environmentally sensitive areas. There are no known issues of biodiversity significance attached to No.26 Mercedes Road property. Property No. 39 Lagonda Drive contains some remnant vegetation that is included in the Terrestrial Biodiversity Map attached to the Caledonia Planning Proposal. This map is to be interpreted and implemented in accordance with Clause 7.20 (Terrestrial Biodiversity) of CLEP 2015.

- **Direction 2.3 Heritage Conservation**

A heritage item of local significance known as the "stone cottage" (I 69) and referred to as (the Item) is located on land adjoining property No. 26 Mercedes Road. A Heritage Impact Study / Assessment conducted for the adjoining Caledonia Precinct established conclusions in respect of an appropriate curtilage and general conservation procedures including front setback requirements to Mercedes Road. Future development of property No. 26 Mercedes Road for low density residential purposes is capable of addressing the heritage sensitivities associated with the Item.

Property No. 39 Lagonda Drive is significantly distant from the Item and would not be required to satisfy heritage provisions of the CLEP should the property be developed for low density residential purposes.

There are no known issues of indigenous heritage significance impacting the subject allotments.

- **Direction 3.1 Residential Zones**

The objective of this Direction is to provide for existing and future housing needs, to make efficient use of existing infrastructure and to minimise the impact of residential



development on the environment and resource lands. The subject proposal represents an 'infill' site and is consistent with the Direction.

### **1.5. Community Strategic Plan – Campbelltown 2027**

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

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion. The proposal is generally consistent with the CSP, and in particular, Outcomes 1 and 2 in respect of housing lifestyle opportunities and natural environment protection respectively.

### **1.6. Campbelltown Local Environmental Plan 2015 (CLEP 2015)**

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown.

The proposal seeks to rezone the land from E4 Environmental Living to R2 Low Density Residential.

Application of the proposed land use zone with the prevailing 8.5m building height control and minimum lot size of 500 sqm is considered appropriate. Additionally, it is proposed to introduce a minimum lot size of 700 sqm in respect of dual occupancy development consistent with adjoining lands.

### **1.7. Campbelltown (Sustainable City) Development Control Plan, 2015**

The Campbelltown (Sustainable City) Development Control Plan, 2015 (CSCDCP 2015) is a companion planning document which seeks to assist in realising the objectives of CLEP 2015 through the provision of more detailed general controls, land use specific controls and site specific controls. The proposal is consistent with the CSCDCP 2015.

In addition, a site specific DCP (Part 9, Caledonia Precinct) is currently on public exhibition which includes Property No. 26 Mercedes Road. The objectives and controls in respect of the road pattern, stormwater management and heritage conservation will apply to the future development of this property.

However, the Structure Plan attached to this DCP Part would need to be varied prior to adoption to ensure that the rear of Property No. 39 Lagonda Drive may be accessed. Current access to this property is via an access handle that would not be suitable for servicing additional lots.

## **2. Evaluation**

The following environmental impacts are relevant to the proposal as discussed below.

### **2.1 Terrestrial Ecology**

There are no known issues of biodiversity significance attached to property No.26 Mercedes Road. Property No. 39 Lagonda Drive has limited remnant vegetation. Such vegetation is

included on the Terrestrial Biodiversity Map prepared for the Caledonia Precinct and is to be interpreted and implemented in accordance with Clause 7.20 of CLEP 2015.

## **2.2 Environmental Hazards**

The two sites are not exposed to any known environmental hazards.

## **2.3 Indigenous and European Heritage**

Test excavations undertaken for the adjoining Caledonia Precinct identified the lands to have low Aboriginal Heritage Significance. Should the proposal proceed, additional site specific investigations would be required at the development application stage, including referral to the Office of Environment and Heritage to obtain an Aboriginal Heritage Impact Permit (AHIP).

As detailed in Section 1.4 of this report, any future impact on heritage item I69 “stone cottage” is appropriately addressed in the site specific Caledonia DCP and would be further assessed at the development application stage.

## **2.4 Odour Impacts**

The odour assessment submitted with the nearby Caledonia Planning Proposal identifies satisfactory outcomes in respect of the nearby operational poultry farm situated at No. 315 Bensley Road. Any recent variation to the operation will need to be confirmed and addressed as part of a future development application.

## **2.5 Contamination/ Preliminary Site Investigation**

The Preliminary Site Investigation undertaken on behalf of the applicant for the rezoning of the Caledonia Precinct did not identify any previous activities likely to give rise to contamination. On the grounds that a similar conclusion would likely be made for the subject properties, it is recommended that a preliminary site investigation not be required until the development application stage due to the financial impact that obtaining such a report would have on the current owners of the land.

## **2.6 Servicing**

The subject allotments are in a precinct serviced by reticulated water and sewer and should be capable of future servicing, subject to relevant reticulation commitments with Sydney Water. Electricity supply and telecommunications services are available to the immediate locality and would readily be extended.

## **3. Developer Contributions**

A Voluntary Planning Agreement, offered by Bensley Developments Pty Ltd, was adopted by Council at its Ordinary Meeting on 11 September 2018 to provide for significant open space, vegetation management, stormwater management and community related impacts of the initial Caledonia Precinct. This agreement does not apply to the subject lands.

A draft Campbelltown Local Contributions Plan is currently on exhibition and would apply to the balance of the Caledonia Precinct and subject allotments upon future subdivision at a rate of \$20,000 per lot.

#### **4. Next Steps**

As Council has already resolved to seek a Gateway Determination in respect of the subject allotments, next steps would involve referral of the Planning Proposal to the DP&E. Any requirements for additional studies and community consultation to be undertaken would be specified in accordance with section 3.34 of the EP&A Act 1979.

#### **Conclusion**

The rezoning of the subject properties is required to address their omission from the Caledonia Precinct Planning Proposal that was adopted by Council at its September 2018 meeting. On the ground that the proposed CLEP amendments and DCP controls would be identical to the wider precinct, it is recommended that the Local Planning Panel endorse the plan for Gateway Authorisation.

#### **Attachments**

1. Caledonia Planning Proposal - due to size (64 pages) (distributed under separate cover)
2. Mercedes Road, Ingleburn Planning Proposal (contained within this report)

#### **Reporting Officer**

Executive Manager Urban Release and Engagement



**Planning Proposal**  
**Lot 41 DP1021880 Mercedes Rd.**  
**Lot 206 DP264067 Lagonda Dr.**  
**Ingleburn**

**Proposed amendment of**  
**Campbelltown Local Environmental**  
**Plan 2015**  
**Amendment No X**

## Background

### Definitions and abbreviations

*CLEP 2015* means Campbelltown Local Environmental Plan 2015

*DCP* means Development Control Plan

*DPE* means Department of Planning and Environment

*EESPL* or '*The Edgelands*' means East Edge Scenic Protection Lands

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

*LGA* means local government area

*M* means metres

*PP* means Planning Proposal

*SEPP* means State Environmental Planning Policy

*SQM* means square metres

### Introduction/Background

This Planning Proposal seeks to rezone two residue sites within the Ingleburn, East Edge Scenic Protection Lands. This landscape unit is transforming as a transitional residential precinct, as evident in the adjoining Caledonia PP as provided in attachment 1.

The two allotments known as Property Nos. 26 Mercedes Road and 39 Lagonda Drive, Ingleburn are currently zoned E4 Environmental Living to reflect their semi-rural location. However, the imminent finalization of the adjoining Caledonia Precinct rezoning will result in the subject lots forming part of an extended urban area and are at risk of isolation should insufficient certainty exist regarding their future development potential.

### The Site

The PP comprises two large residential allotments (the site) on the eastern flank of the suburb of Ingleburn. The subject allotments are described as follows:

Lot 41 DP 1021880	No. 26 Mercedes Rd, Ingleburn
Lot 206 DP 264067	No. 39 Lagonda Drive, Ingleburn

An aerial photograph extract of the two allotments in their immediate context are illustrated in Figure 1 below.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

PLANNING PROPOSAL –  
INGLEBURN



Figure 1: Ingleburn Context Map

Lot 41 DP1021880

The site (No.26 Mercedes Road, Ingleburn) comprises 0.8096 hectares and has a frontage to Mercedes Road, Ingleburn. It is also bounded by allotments to the North-West (existing low density suburb) and a heritage site (local) known as Stone Cottage, situated to the South East. Currently, the land is occupied by an expansive dwelling and garage occupying most of the front of the site and cleared vacant land to the rear.

Although this lot forms part of the study area for the adjoining Caledonia Precinct, the Gateway Determination for the precinct did not apply to the land.

Lot 206 DP264067

This site (No.39 Lagonda Drive, Ingleburn) comprises 0.4201 hectares and is a battle-axe shaped allotment with frontage to Lagonda Drive. This land is situated between residential lots of 600sqm and land which is proposed for development in the future (Caledonia PP). The south of the site contains a dwelling with a garage, whilst the northern end of the site contains vegetation.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

PLANNING PROPOSAL –  
INGLEBURN

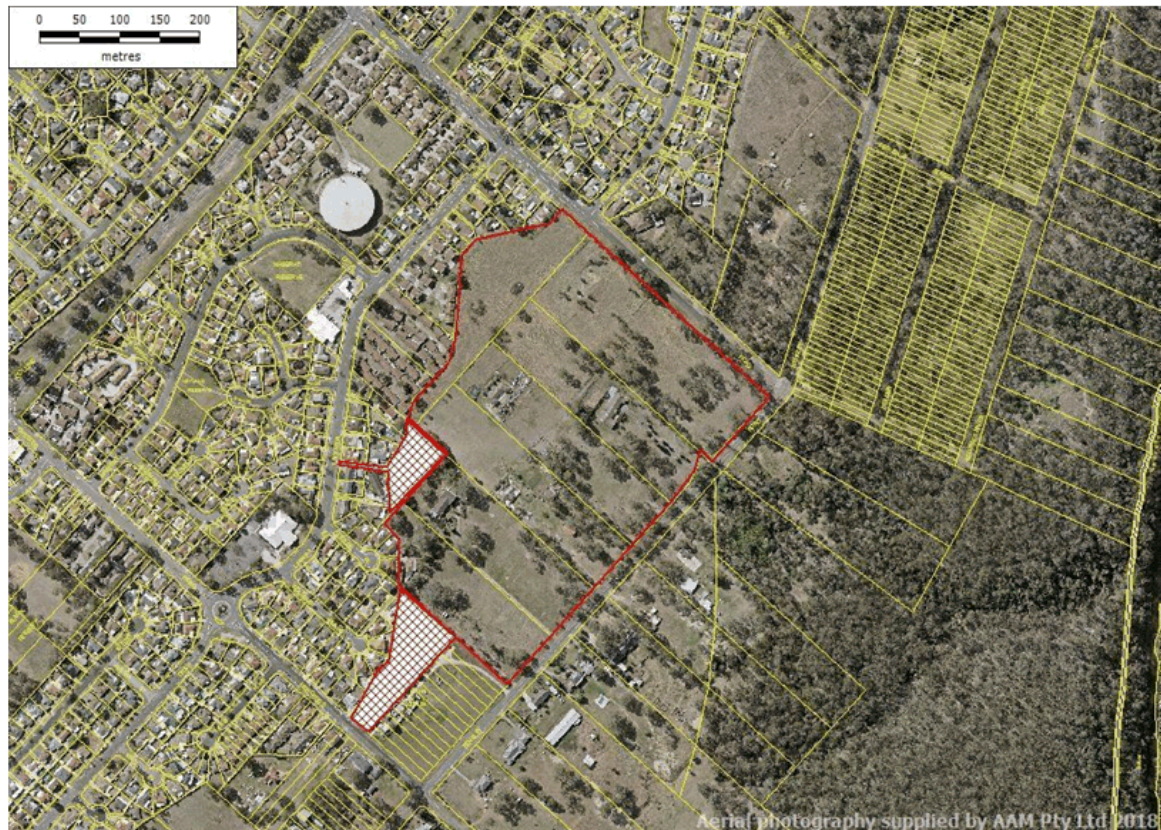




Figure 2 Location Map

-  Planning Proposal Site
-  Caledonia Precinct

The site is bounded by the Caledonia Planning Proposal that was adopted by Council at its Ordinary Meeting on 11 September 2018 and is currently with the Department of Planning and Environment for finalisation.

The site is located 2 kilometres to the west of the Ingleburn Town Centre, Industrial Precinct and transport hub focused on Ingleburn Railway Station. It is also proximate to the densely vegetated Georges River to the immediate east of Bensley Road.

An operational poultry farm is located generally to the south east of the Mercedes Road/Bensley Road intersection.

## Existing Planning Controls

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the relevant environmental planning instrument that applies to the land.

The subject land is zoned E4 Environmental Living with the following zone objectives and permitted uses:

### Zone E4 Environmental Living

#### 1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To maintain significant stands of native vegetation and wildlife and riparian corridors.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

#### 2 Permitted without consent

Home occupations

#### 3 Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Horticulture; Home-based child care centres; Home businesses; Home industries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Viticulture; Water supply systems

#### 4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3



## Part 1 – Objectives or Intended Outcomes

The objectives of this PP are:

- a) to enable the redevelopment the two lots for low density residential purposes.
- b) to ensure an appropriate conservation strategy in respect of the most significant on-site vegetation.
- c) to ensure appropriate sensitivity in respect of the local heritage Item known as the 'Stone Cottage', including adherence to a relevant conservation curtilage and building setback.

## Part 2 - Explanation of provisions

The proposed amendments are outlined below in Table 1.

Table 1

Changes	Description of changes
Zoning	<ul style="list-style-type: none"> <li>• Change Land Zoning Map from E4 Environmental Living to R2 Low Density Residential</li> </ul>
Minimum Lot Size	<ul style="list-style-type: none"> <li>• Change the Minimum Lot Size Map from 2 ha to 500 sqm.</li> </ul>
Minimum Lot Size – dual occupancy	<ul style="list-style-type: none"> <li>• Change the Minimum Lot Size- Dual Occupancy Development Map to 700 sqm.</li> </ul>
Lot Averaging Map	<ul style="list-style-type: none"> <li>• Delete application of Lot Averaging Map of 1ha.</li> </ul>

## Part 3 - Justification

### Section A – Need for the Planning Proposal

#### 1. Is the planning proposal a result of any strategic study or report?

The adjoining Caledonia Precinct was the subject of comprehensive environmental investigations some of which extended to cover parts of the subject land. The investigations provide sufficient background to advance the subject Planning Proposal.

They are noted to have covered the following areas:

- Storm water management
- Traffic management and accessibility
- Service infrastructure provision
- Ecology
- Heritage

- Bushfire Hazard
- Odour Impacts
- Planning Framework Compliance

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

The subject land was not included in the Caledonia Planning Proposal given prevailing ownership matters at the time. To avoid the prospect of isolated inappropriately zoned land, the subject PP represents the best means of achieving the planning amendment.

**Section B – Relation to Strategic Planning Framework**

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)**

**Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018)**

The Greater Sydney Regional Plan (GSRP) sets out a 40 year vision and 20 year plan of Greater Sydney through directions, objectives, and actions to form a 'Metropolis of Three Cities.' The ten directions assist with delivering and monitoring the framework.

The Planning Proposal is consistent with the Greater Sydney Region Plan as it contributes to the supply of affordable and diverse housing options. In this regard its consistent with the following objectives.

Table 2

Objective	Comments on consistency
Objective 10 Greater Housing Supply	The rezoning proposal will assist in the future supply of housing in the Western City District.
Objective 11 Housing is more diverse and affordable	The rezoning proposal will contribute to housing diversity via the provision of a diverse range of lots, located in a relatively affordable location with good access to existing services and transport.
Objective 13 Environmental heritage is identified, conserved and enhanced	The rezoning proposal will not adversely impact the local heritage item I69 (Stone Cottage) due to curtilage and setback requirements as detailed within the site specific DCP.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

Objective	Comments on consistency
Objective 27 Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The proposed development will ensure the qualities of the land are satisfactorily addressed in their immediate transformational context.

**Western City District Plan - Connecting Communities**

The Western City District Plan is a 20 year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the GSRP at a district level and is a bridge between regional and local planning.

Of particular relevance to this PP are the following planning priorities:

Table 3

Objective	Comments on consistency
Planning Priority W5 Providing housing supply, choice and affordability, with access to jobs, services and public transport.	The PP will assist in the future supply of housing; enable access to jobs, as well as being within close distance to public transport.
Planning Priority W6 Creating and renewing great places and local centres, and respecting the Districts heritage.	The PP is capable of sensitively integrating with the heritage sensitivities identified.
Planning Priority W14 Protecting and enhancing bushland and biodiversity.	As appropriate biodiversity strategy will be developed to address areas of sensitivity.

**Glenfield to Macarthur Urban Renewal Corridor**

The subject lands are significantly removed from the Urban Renewal Corridor. Their redevelopment will, however, benefit from increased services and facilities which will accompany urban renewal.

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

**Campbelltown Community Strategic Plan – Campbelltown 2027**

This Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The PP is considered to be generally consistent with the relevant objectives as detailed below in Table 4.

Table 4

Outcomes	Comments on consistency
<p><u>Outcome 1: A vibrant, liveable city</u></p> <p>Council's goal</p> <p>Our community is able to celebrate its diversity, make a contribution to, and enjoy the lifestyle opportunities offered by our city.</p> <p>Our city is a place where people want to live – it is creative, innovative, vibrant and resilient. It is a city that is designed for people, with easy access to high quality housing, services, amenities and open space.</p> <p>It is a community where people feel safe, socially connected and included. We celebrate our rich heritage &amp; diversity, and respect our strong ties to Aboriginal culture.</p> <p>Our people enjoy the lifestyle offered by the city – a city which is a destination of choice.</p>	<p>The PP does not compromise this outcome and provides a relevant potential future lifestyle opportunity.</p>
<p><u>Outcome 2: A respected &amp; protected natural environment</u></p> <p>Council's goal</p> <p>Our people embrace the city's natural surrounds and see it as a unique point of difference.</p> <p>We work together to ensure development in the LGA is approached in a sustainable manner, and that our natural assets, bushlands and waterways are treated with respect.</p> <p>Our community is engaged and educated on the benefits of managing and accessing open space.</p> <p>We protect biodiversity conservation, our visual landscape and our heritage values, and recognise the importance of creating a sustainable and resilient city for future generations.</p> <p>Strategies</p> <p>2.1- Implement and advocate for initiatives that conserve the city's natural environment</p> <p>2.2- Activate the city's natural bushland and open spaces, fostering enhanced community stewardship of these areas</p> <p>2.3- Promote and educate our community on sustainable practices and encourage practicable take up of more sustainable life-choices</p> <p>2.4- Conserve and care for our city's biodiversity</p> <p>2.5- Plan for and ensure that development in our city is sustainable and resilient</p>	<p>The PP is consistent with the relevant goals and strategies whereby any existing biodiversity qualities of significance will be subject to the terrestrial biodiversity provisions contained in clause 7.20 of CLEP 2015 and relevant requirements of the Biodiversity Conservation Act 2016.</p>
<p><u>Outcome 3: A thriving, attractive city</u></p> <p>Council's goal</p>	

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

PLANNING PROPOSAL –  
INGLEBURN

Outcomes	Comments on consistency
<p>We are a city that encourages and supports the development of the local economy through business innovation and growth.</p> <p>Our city attracts professional organisations which provide a range of employment opportunities for our people.</p> <p>We are a destination which makes the most of our city's natural and man-made assets to build on the experience that is Campbelltown.</p> <p>Our people are engaged in ongoing conversations about matters which affect our city, to ensure Council activities align with its strategic direction and the city's assets are managed strategically and sensitively.</p> <p>We embrace change and look to support the creation of new economies to build the resilience of the city.</p> <p>Strategies</p> <p>3.1- Support the resilience, growth and diversity of the local economy</p> <p>3.2- Ensure that service provision supports the community to achieve and meets their needs</p> <p>3.3- Become an innovative city where advances in technology, creativity and community participation are nurtured and embraced</p> <p>3.4- Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity</p> <p>3.5- Support for new education opportunities that match workforce skill sets with emerging economic needs underwritten by creative entrepreneurship and innovation capacity within the local community</p> <p>3.6- Develop tourism opportunities and promote Campbelltown as a destination</p> <p>3.7- Public funds and assets are managed strategically, transparently and efficiently</p> <p>3.8- Provide strong governance for all Council activities</p>	<p>The PP at a modest scale will contribute to the vitality of the Ingleburn Centre. The PP will contribute at a modest scale to the strategy to grow the local economy and offer short term employment. Alongside this, it will potentially increase the demand for employment.</p>
<p><u>Outcome 4: A successful city</u> Council's goal</p>	

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

Outcomes	Comments on consistency
<p>We are a modern, forward thinking, connected city.</p> <p>We have built on our history and character, and shaped a city which transforms in line with its community and its needs.</p> <p>Our people value a balance between the built form and open space, and are kept informed of infrastructure delivery, including better health and education infrastructure and services.</p> <p>Our city and our people are connected through strategic road networks, transport systems and pedestrian facilities. Council strategies are developed in line with the draft South West District Plan and complement State Government plans for the city.</p> <p>Our city is reinvigorated – it is a city where people choose to be.</p> <p>Strategies</p> <p>4.1- Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement</p> <p>4.2- Support and advocate for infrastructure solutions that meet the needs of our city and which pay an economic and liveability dividend</p> <p>4.3- Responsibly manage growth and development, with respect for the environment, heritage and character of our city</p> <p>4.4- Maintain and create usable open and recreational spaces that set our city apart from others</p> <p>4.5- Work in partnership with the State Government to achieve positive planning outcomes</p> <p>4.6- Plan and invest in the revitalisation of Campbelltown-Macarthur CBD, Ingleburn and other town centres</p>	<p>The PP is consistent with the relevant goals and strategies. Importantly, the risk of the parcels remaining isolated and inappropriately zoned is removed and provisions for orderly development made, including infrastructure impacts being addressed via the proposed Development Contributions Plan.</p>

**Campbelltown Local Planning Strategy 2013**

The PP is generally consistent with the subject strategy. It is noted however, that the 'template' for transitional development of the East Edge Scenic Protection Lands has evolved in the intervening period as is reflected in the Caledonia PP. The subject PP is consistent with the template established for Caledonia.

**Campbelltown Residential Development Strategy 2013**

The Campbelltown Residential Development Strategy provided a broad strategic plan for delivering sub-regional housing supply objectives at a local level. It is heavily focused on urban renewal/infill areas and major Greenfield urban release areas. Some passing reference is made to lifestyle housing opportunities however; it does not address the transitional fringe rural/urban interface areas in depth.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

The planning proposal is consistent with this strategy to the extent of fulfilling underpinning housing supply and housing diversity objectives.

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

The PP is consistent with applicable SEPPs. See Table 6 below.

Table 5

State Environmental Planning Policies	Comments on consistency
SEPP No 1 Development Standards	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	The PP will address the limited 'bushland' through the provisions of Clause 7.20 of CLEP 2015.
SEPP No. 21 - Caravan Parks	Not applicable to this PP.
SEPP No. 30 - Intensive Agriculture	Not applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	Not applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Not applicable in the Campbelltown LGA.
SEPP No. 44 - Koala Habitat Protection	If the limited remnant trees constitute core Koala Habitat a relevant management strategy will be required.
SEPP No. 47 - Moore Park Showground	Not applicable in the Campbelltown LGA.
SEPP No. 50 - Canal Estate Development	Not applicable to this PP.
SEPP No. 52 - Farm Dams & Other Works in Land & Water Management Plan Areas	Not applicable in the Campbelltown LGA.
SEPP No. 55 - Remediation of Land	A phase 1 – Preliminary site investigation will be required where not previously addressed.
SEPP No. 62 - Sustainable Aquaculture	Not applicable to this PP.
SEPP No. 64 - Advertising & Signage	Not applicable to this PP.
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable to this PP as residential flat buildings are not proposed on the site.
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not applicable in the Campbelltown LGA
SEPP (Affordable Rental Housing) 2009	The planning proposal will not contain provisions that will contradict or hinder the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	The PP does not contain provisions that contradict or hinder the application of the SEPP.
SEPP (Coastal Management) 2018	Not applicable in the Campbelltown LGA.
SEPP (Educational Establishments & Child Care Facilities) 2017	Not applicable to this PP.
SEPP (Exempt & Complying Development Codes) 2008	Consistent as the PP does not propose any provisions contrary to the SEPP.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

State Environmental Planning Policies	Comments on consistency
SEPP (Gosford City Centre) 2018	Not applicable in the Campbelltown LGA.
SEPP (Housing for Seniors or People with a Disability)	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Infrastructure) 2007	Certain infrastructure required to service residential development would be permissible in accordance with this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable in the Campbelltown LGA.
SEPP (Kurnell Peninsula) 1989	Not applicable in the Campbelltown LGA.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable to this PP.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable in the Campbelltown LGA.
SEPP (Rural Lands) 2008	Not applicable to this PP.
SEPP (State & Regional Development) 2011	Not applicable to this PP.
SEPP (State Significant Precincts) 2005	Not applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable to this PP.
SEPP (Three Ports) 2013	Not applicable in the Campbelltown LGA.
SEPP (Urban Renewal) 2010	Not applicable to this PP.
SEPP (Vegetation in Non - Rural Areas) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable in the Campbelltown LGA.
SEPP (Western Sydney Parklands) 2009	Not applicable in the Campbelltown LGA.
REP No.2 – Georges River Catchment	The PP will need to ensure desired stormwater management outcomes are not compromised.
REP No.9 - Extractive Industry (No 2)	Not applicable to this PP.
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	Not applicable to this PP.

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

The PP is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 7 for an assessment of the PP against the S9.1 Ministerial Directions.

Table 6

Ministerial Direction	Comments on consistency
-----------------------	-------------------------



Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

Ministerial Direction	Comments on consistency
<b>1. Employment and Resources</b>	
1.1 Business & industrial Zones	Not applicable to this PP.
1.2 Rural Zones	Not applicable to this PP.
1.3 Mining, Petroleum Production & Extractive Industries	Not applicable to this PP.
1.4 Oyster Production	Not applicable to this PP.
1.5 Rural Lands	Not applicable to this PP.
<b>2. Environment and Heritage</b>	
2.1 Environmental Protection Zones	Potentially Justifiably Inconsistent. The PP may see an ultimate biodiversity strategy which includes 'offsetting.'
2.2 Coastal Protection	Not applicable to this PP.
2.3 Heritage Conservation	Appropriate European heritage outcomes can be achieved as reflected in the Caledonia heritage impact report. Further, there are no known areas of Aboriginal sensitivity.
2.4 Recreation Vehicle Area	Not applicable to this PP.
2.5 Application of E2 & E3 Zones & Environmental Overlays in Far North Coast LEPs	Not applicable to this PP.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent; the proposed R2 zoning is consistent with the objectives of this direction.
3.2 Caravan Parks & Manufactured Home Estates	Not applicable to this PP.
3.3 Home Occupations	Not applicable to this PP.
3.4 Integrating Land Use & transport	Not inconsistent.
3.5 Development Near Licensed Aerodromes	Not applicable to this PP.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	Consistent as the land is not known to exhibit acid sulphate qualities.
4.2 Mine Subsidence & Unstable Land	Not applicable to this PP.
4.3 Flood Prone Land	Not applicable to this PP.
4.4 Planning for Bushfire Protection	Consistent; Land is not recorded to be bush-fire prone.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable in the Campbelltown LGA
5.2 Sydney Drinking Water catchments	Not applicable in the Campbelltown LGA
5.3 Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable in the Campbelltown LGA.

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

**PLANNING PROPOSAL –  
INGLEBURN**

Ministerial Direction	Comments on consistency
5.4 Commercial & Retail Development along the Pacific Highway, North Coast	Not applicable in the Campbelltown LGA.
5.5 -5.7	Revoked.
5.8 Second Sydney Airport	Not applicable in the Campbelltown LGA.
5.9 North West Rail Link Corridor Strategy	Not applicable in the Campbelltown LGA.
5.10 Implementation of Regional Plans	Consistent; The proposal is consistent with Greater Sydney Regional Plan and Western City District Plan.
<b>6. Local Plan Making</b>	
6.1 Approval & Referral Requirements	Consistent as the PP does not alter the provisions relating to approval & referral requirements.
6.2 Reserving Land for Public Purposes	Not applicable to this PP as no land is identified for acquisition by a public authority.
6.3 Site Specific Provisions	Not applicable in the Campbelltown LGA.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	Consistent- Seeks to rezone the land to increase housing supply at a local scale in a location which is generally consistent with the character area.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to this PP.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable in the Campbelltown LGA.
7.4 Implementation of North West Priority Growth Area Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to this PP. The land is not proximate to the renewal corridor. The ultimate development will benefit from the general renewal program in terms of enhanced facilities and services.

## **Section C – Environmental Social or Economic impact**

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

Remnant vegetation on No. 39 Lagonda Drive is identified on the Terrestrial Biodiversity Map to be separately implemented as part of the Caledonia Precinct PP. Any future application to remove this vegetation would need to address clause 7.20 of CLEP 2015, Threatened Species Act, Environment Protection and Biodiversity Conservation Act and SEPP no. 44 Koala Habitat Protection.

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

Existing service infrastructure is not likely to be overburdened and capable of ready augmentation if required. In addition, Council has prepared a draft Contributions Plan to address potential future offsite infrastructure impacts of development which would be occasioned by the PP.

The local item of environmental heritage (Stone cottage) can be sensitively integrated with any future development of No. 26 Mercedes Road, through compliance with relevant curtilage and setback requirements.

- 9. How has the planning proposal adequately addressed any social and economic effects?**

The PP will contribute to the orderly development and benefit of the wider precinct.

## **Section D – State and Commonwealth interests.**

- 10. Is there adequate public infrastructure for the planning proposal?**

Service Infrastructure investigations in the general Caledonia Precinct established sufficient base level infrastructure is generally available subject to relevant augmentation/ reticulation. In such context it is considered that service infrastructure is unlikely to be a major constraint to development. Road infrastructure is considered adequate and social infrastructure impacts will be addressed through Council's proposed Developer Contribution Plan.

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

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur in the event of a Gateway Determination.

## **Part 4: Mapping**

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

Table 8

Item	Location
Changes to Zoning Map	Annexure 1
Changes to Minimum Lot Size Map	Annexure 2
Changes to Minimum Lot Size Map – Dual Occupancy	Annexure 3
Changes to Lot Averaging Map	Annexure 4

## Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

## Part 6 Project Timeline

A draft project timeline has been included in Table 6 below.

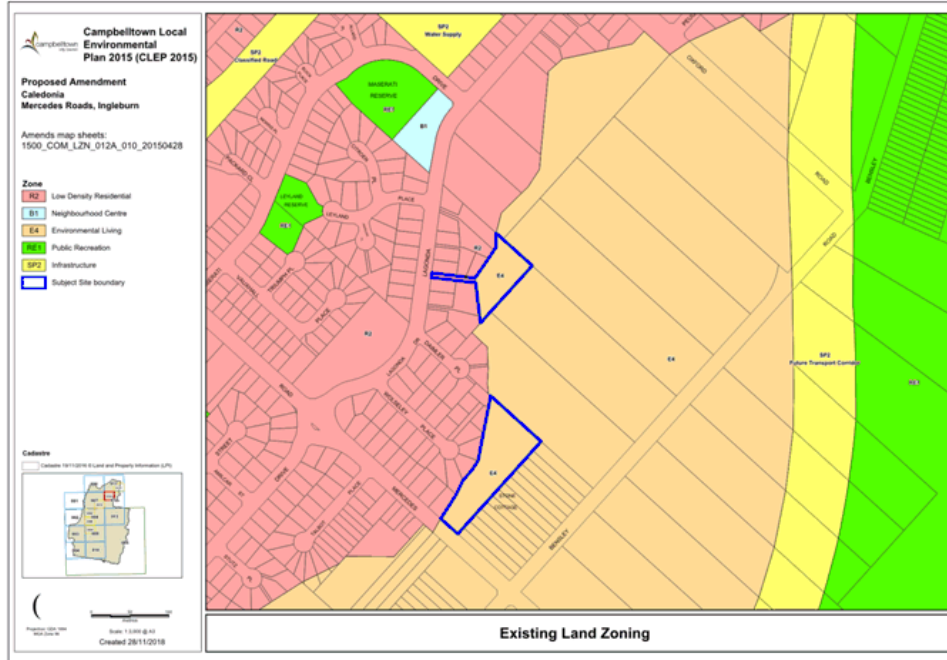
Table 6: Project Timeline

Milestone	Timeline
Referral to Local Planning Panel	December 2018
Council Endorsement of Planning Proposal	February 2019
Referral for Gateway Determination	March 2019
Gateway Determination	April 2019
Completion of additional supporting documentation	June/July 2019
Public Exhibition	August/September 2019
Consideration of Submissions	October 2019
Finalisation of LEP amendment	December 2019
Plan amendment made	January 2020

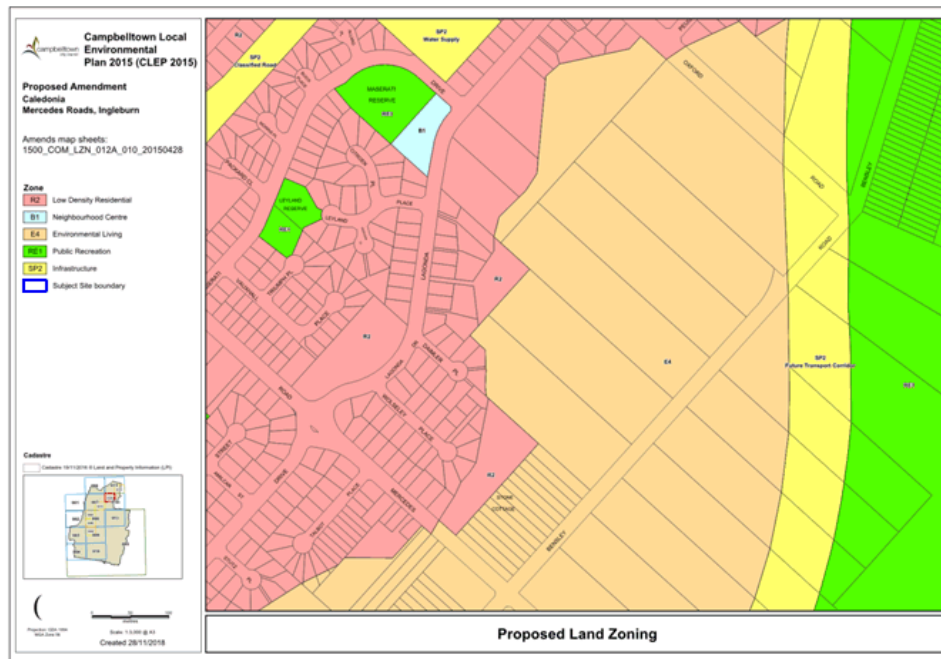
Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

PLANNING PROPOSAL –  
INGLEBURN

Annexure 1 Changes to Zoning Map



Existing Zoning Map

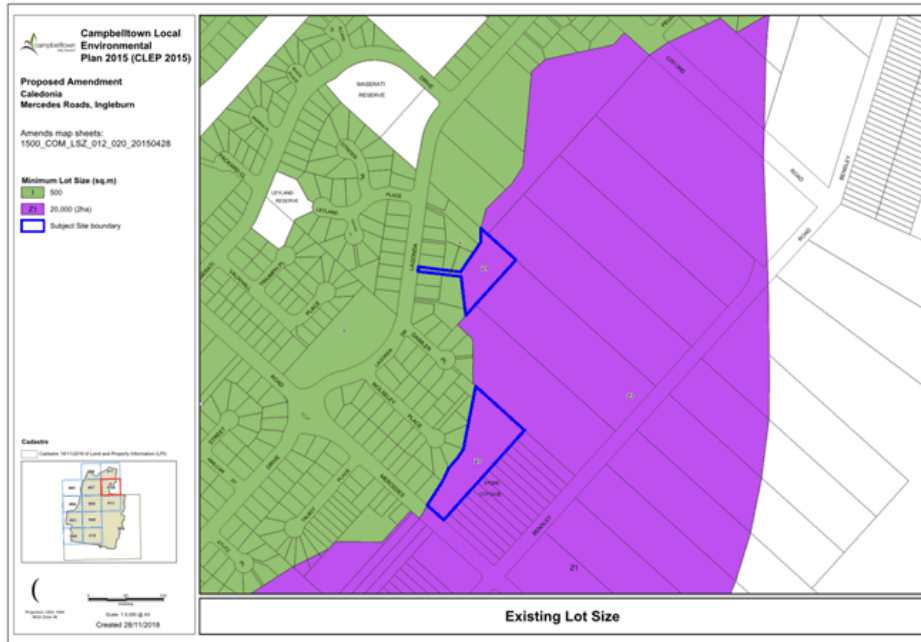


Proposed Zoning Map

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

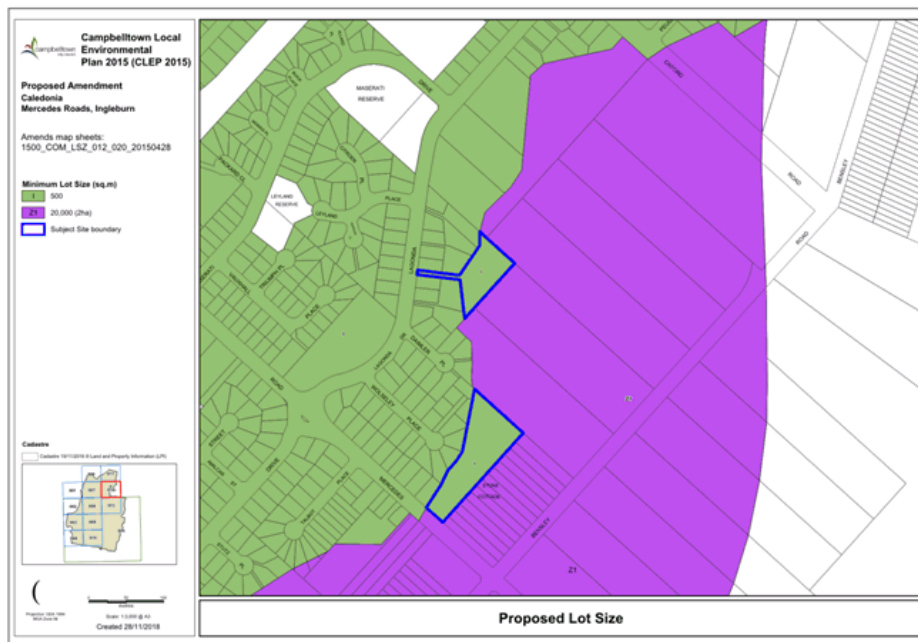
PLANNING PROPOSAL –  
INGLEBURN

Annexure 2 - Changes to Minimum Lot Size Map



Existing Lot Size

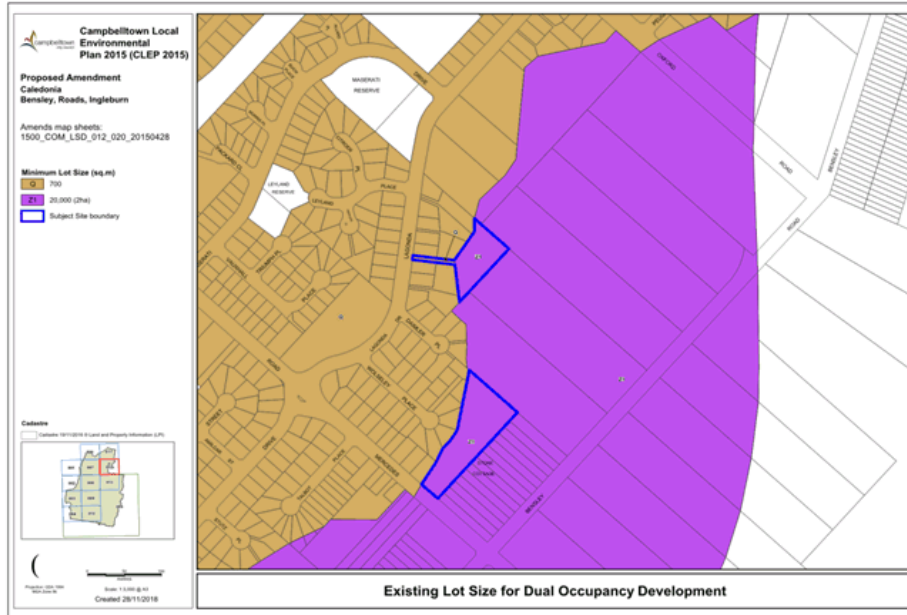
Existing Minimum Size Lot Map



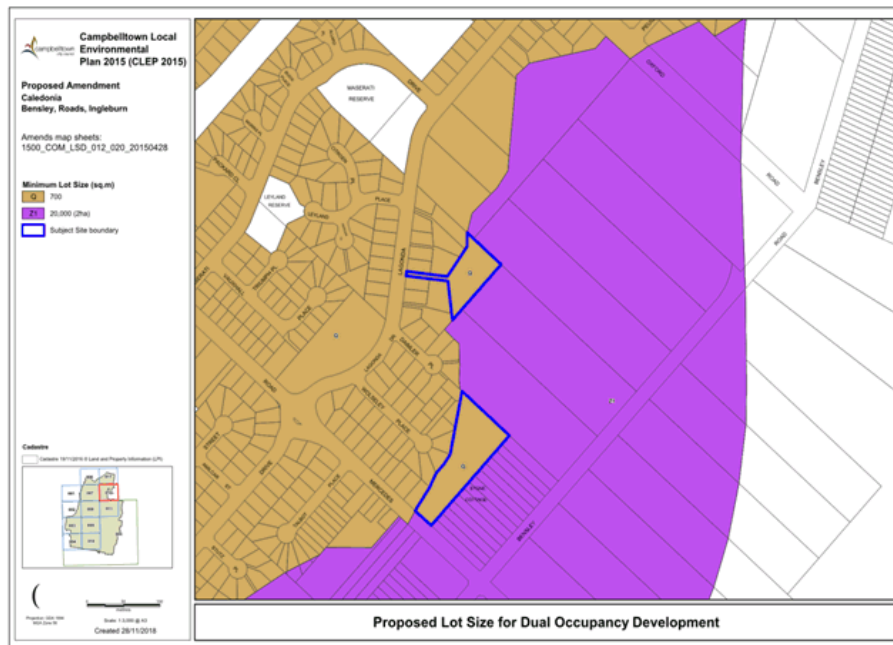
Proposed Lot Size

Proposed Minimum Size Lot Map

### Annexure 3 – Changes to Minimum Lot Size Map- Dual Occupancy



Existing Dual Occupancy Map

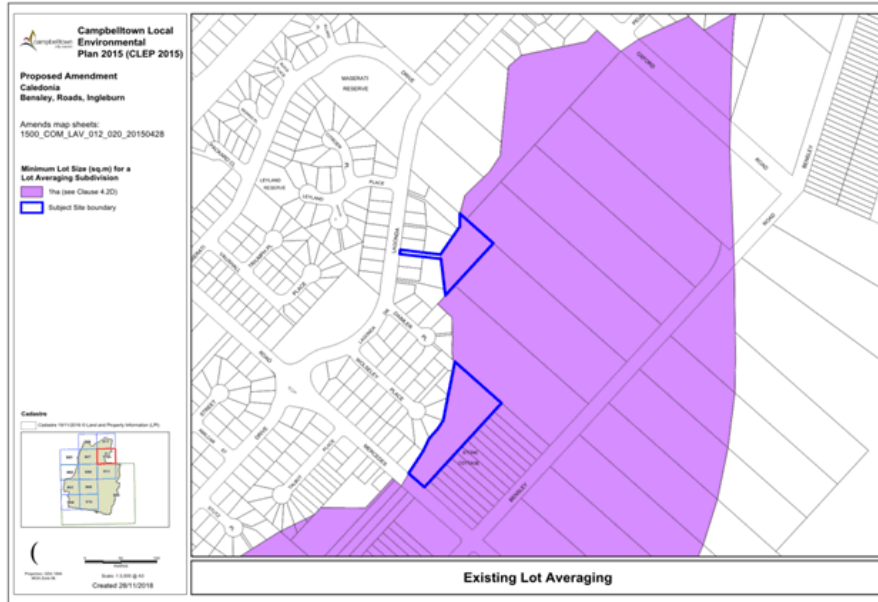


Proposed Dual Occupancy Map

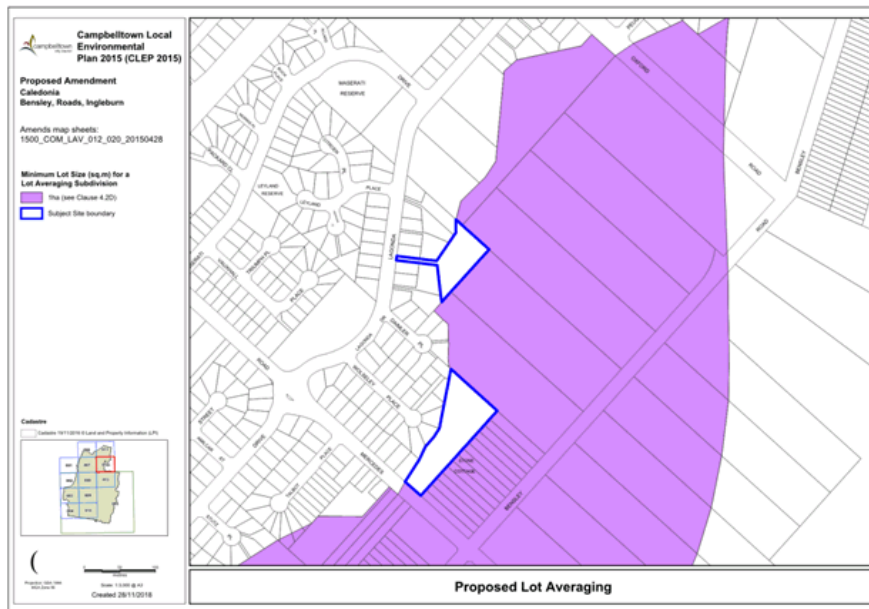
Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

PLANNING PROPOSAL –  
INGLEBURN

Annexure 4 – Changes to Lot Averaging Provision



Existing Lot Averaging Provisions



Proposed Lot Averaging Provisions



## **4.2 Supplementary Report - Stage 3 Claymore Urban Renewal Concept Plan: subdivision creating 113 residential allotments, one residue allotment, associated civil and landscaping works in Stage 3A and 3B**

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

### **Executive Summary**

- The development application proposing subdivision to create 113 residential Torrens title allotments, one residue lot and associated civil works in Stages 3A and 3B within the Claymore public housing estate in accordance with the Claymore Urban Renewal Concept Plan was considered at the Local Planning Panel on 26 September 2018.
- The development application was deferred in order for the applicant to submit advice detailing how the requirements of Condition 7 of Schedule 4 of the Concept Approval can be adequately addressed as that condition prevents approval.
- A Section 75W Modification to the Concept Plan was approved on 6 December 2018 by the Department of Planning and Environment to allow a planning agreement to be provided prior to the subdivision certificate being released for Stage 3.
- This amended report details how the requirements of Condition 7 of Schedule 4 of the Concept Approval has been modified to enable determination of the development application.
- It is recommended to the Panel that the application be approved, subject to the amended recommended conditions of consent previously considered.

### **Officer's Recommendation**

That development application 1700/2017/DA-SW for the subdivision of land creating 113 Torrens title residential allotments, one residue allotment and associated civil works in Stage 3A and 3B be approved, subject to conditions of consent previously considered.

## Purpose

To provide a report to the Local Planning Panel detailing how the requirements of Condition 7 of Schedule 4 of the Claymore Urban Renewal Concept Plan is addressed to assist in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

<b>Property Description</b>	Lot 1 DP 258940, Lot 6 DP 258940, Lot 8 DP 258940, Lot 9 DP 258940, Lot 12 DP 258940 Lots 1, 6, 8, 9 and 12 (DP 258940), Dobell Reserve, Burdekin Park, Eldred Park and Tate Park, Gidley Crescent, Claymore
<b>Application No</b>	1700/2017/DA-SW
<b>Applicant</b>	Landcom
<b>Owner</b>	New South Wales Land and Housing Corporation Campbelltown City Council
<b>Provisions</b>	Claymore Urban Renewal Concept Plan
<b>Date Received</b>	2 June 2017

## History

- The development application was considered at the Local Planning Panel on 26 September 2018.
- The Panel questioned whether the granting of consent with proposed condition 55 (requiring the execution of a VPA prior to the issuing of a subdivision certificate) would be in breach of Condition 7 of Schedule 4 of the Concept Approval and as such would act contrary to and in breach of the *Environmental Planning and Assessment Act, 1979*.
- The development application was deferred in order for the applicant to submit advice detailing how the requirements of Condition 7 of Schedule 4 of the Concept Approval can be adequately addressed as that condition prevents approval.

## Report

Pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (repealed), the Concept Plan was approved by the Minister for Planning and Infrastructure on 24 May 2013. The Concept Plan was modified on 22 October 2013 to allow a planning agreement to be provided prior to the lodgement of any development application for subdivision relating to Stage 3 of the Concept Plan.

### 1. Condition 7 of Schedule 4 of the Concept Approval

The Panel has queried how the requirements of Condition 7 of Schedule 4 of the Concept Approval which prevents approval of the development application. Condition 7 of Schedule 4 reads as follows:

## **2. Condition 7 of Schedule 4:**

Prior to the lodgement of any development application for subdivision relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments.

Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions of works in kind required for that stage will be delivered.

## **3. Modification to the Concept Plan**

In order to satisfy the issue raised by the Panel, a Section 75W Modification to the Concept Plan was approved on 6 December 2018 (Attachment 2) to allow a planning agreement to be provided prior to the subdivision certificate being released for Stage 3, specifically amending Condition 7 of Schedule 4. The modified condition reads as follows:

Prior to the approval of any subdivision certificate for subdivision relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments.

Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions or works in kind required for that stage will be delivered.

Condition No. 55 of the recommended conditions of development consent is not required to be amended to facilitate the Concept Plan modification:

Prior to the Principal Certifying Authority issuing a subdivision certificate, a planning agreement must be executed for the Claymore Urban Renewal Area to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, and be consistent with the Statement of Commitments.

## **4. Determination of Crown Development Applications**

Pursuant to Clause 4.33 of the *Environmental Planning and Assessment Act 1979*, a consent authority must not impose a condition on its consent to a Crown development application, except with the approval of the applicant. Landcom has previously agreed to the recommended conditions of development consent.

## **Conclusion**

Condition 7 of Schedule 4 of the Concept Approval has been modified to enable determination of the development application. It is considered that the reason for the Panel's deferral has been satisfied and approval of the development application is recommended.

## **Attachments**

1. Stage 3 Claymore Urban Renewal - Local Planning Panel Report - 26 September 2018  
- due to size (79 pages) (distributed under separate cover)
2. Concept Approval Modification (contained within this report)

## **Reporting Officer**

Executive Manager Urban Release and Engagement

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

I approve the modification of the project application referred to in Schedule 1, subject to the further environmental assessment requirements in Schedule 4.



**David McNamara**  
**Director**  
**Key Sites Assessments**

Sydney 6 December

2018

### SCHEDULE 1

<b>Concept Approval:</b>	MP 11_0010 granted by Minister for Planning & Infrastructure on 24 May 2013
<b>For the following:</b>	<p>Claymore Renewal Project, including:</p> <ul style="list-style-type: none"> <li>• A Masterplan for the long term urban rejuvenation of the estate involving: <ul style="list-style-type: none"> <li>○ the increase in dwelling from 1,123 to approximately 1,490 dwelling, including 100 seniors housing units</li> <li>○ retention of approximately 140 existing dwellings on separate lots</li> <li>○ an increased social mix within the estate of 70 per cent private and 30 per cent public housing</li> <li>○ creation of a new Claymore town centre</li> <li>○ new or upgraded urban infrastructure such as pathways, lighting, open space, community facilities, drainage and a series of new interconnecting public roads.</li> </ul> </li> <li>• Staging plan</li> <li>• Utilities and infrastructure delivery plan</li> <li>• Claymore Development Control Guidelines</li> <li>• Street layout and building typologies</li> <li>• Street tree and landscaping strategy</li> </ul>
<b>Proponent:</b>	Land and Housing Corporation
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Claymore public housing estate
<b>Modification No</b>	MP 11_0010 MOD 2: Modification to the future assessment requirement regarding development contributions.

**SCHEDULE 4****SCHEDULE 4 – FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR APPLICATIONS UNDER PART 4:**

Requirement 7 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

**Development contributions**

7. Prior to the lodgement ~~approval~~ of any development ~~application~~ for subdivision **certificate for subdivision** relating to Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage and open space facilities and amenities, with details of the contributions, and the nature of any land dedications or works in kind, is to be negotiated and executed with Campbelltown City Council and must be consistent with the proponent's Statement of Commitments.

Each development application for subdivision for each of the stages must be consistent with the Statement of Commitments or an executed planning agreement and identify how any relevant contributions or works in kind required for that stage will be delivered.