









PLANNING PROPOSAL REQUEST

Incorporating Lot 20 in Deposited Plan 712018 and Lot 1 in Deposited Plan 121046 VARROVILLE NSW

on behalf of THE TRUSTEES OF THE DISCALCED CARMELITE FATHERS & CATHOLIC EDUCATION OFFICE FOR THE DIOCESE OF WOLLONGONG

10 JUNE 2022

CAPITAL SYNDICATIONS PTY LTD (T/A INNOVA CAPITAL)

Prepared by Capital Syndications Pty Ltd (trading as Innova Capital)

Level 1
The Promenade
2-6 Kingsway
CRONULLA NSW 2230
Ph: 61 2 8556 8603
www.innovacapital.com.au



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This planning proposal request seeks to environmentally justify an amendment for the prevailing minimum lot size requirement for pre-existing improvements constructed upon Lot 20 in Deposited Plan 712018 and Lot 1 in Deposited Plan 121046. The mechanism proposed is to only allow a minimum lot size exception for three addresses to be included at Schedule 1 of the Campbelltown Local Environmental Plan 2015 ('CLEP2015'). No changes to any planning maps are proposed, nor are any other changes proposed to any general or specific provision of CLEP2015. The planning proposal request is lodged with a concurrent subdivision application for process and resourcing efficiency.

The environmental outcomes from this planning proposal request and the concurrent development proposal are neutral and will allow for the continued maintenance and investment of the community use improvements upon these sites, most particularly one of Campbelltown's largest secondary schools. This is considered the most important element of this planning proposal, as the proponent is well aware of the acute sensitivities that continue to surround the development of the greater Scenic Hills precinct and surrounding suburbs which has dramatically changed from a rural setting to an urban environment in recent years. Endorsement of this planning proposal request from a broader environmental planning perspective does not provide a catalyst or precedent for other private Varroville landowners whom as a collective are only small in number. The issues that the proponents are seeking to address through this request are unique to them and of no consequence to end development outcomes for either them or other landowners, regardless of the proposal outcome.

Pre-lodgement discussions with the NSW Department of Planning, Infrastructure and Environment raised the possibility of considering the planning proposal request directly under section 3.22(1)(c) of the Environmental Planning & Assessment 1979 for an expedited amendment of CLEP2015 due to environmental non-consequence of what is being proposed. The Department acknowledged the potential for this clause to be applied and suggested that the best mechanism to make that application formally would be for Campbelltown Council to put that forward as part of its formal planning proposal process as a preferred planning pathway instead of a Gateway determination, and for the Gateway process to be the alternative pathway if the section 3.22(1)(c) approach is unsuccessful.

We therefore seek the considered and meritorious recommendation of Campbelltown City Council to provide their support for this planning proposal request so that it may be endorsed by Council and forwarded to the Minister for the Department of Planning Infrastructure and Environment for either an expedited amendment in accordance with section 3.22(1)(c) of the EP&A Act, or a Gateway determination in accordance with section 56 of the EP&A Act.



Introduction

This planning proposal request is submitted to Campbelltown City Council to seek and environmentally justify a variation to the minimum lot size controls applying to two adjoining registered landholdings at Varroville NSW. The planning objective of this exercise is to enable the proper legal registration of four important existing community and/or cultural land use improvements (mostly for public benefit) that are upon these landholdings with the proper owners of these improvements. The environmental planning benefit from the variation is the sustainability of future ongoing funding, maintenance, growth and retention of these highly valued social, cultural and infrastructure assets in the Campbelltown Local Government Area.

This planning proposal has been prepared by Capital Syndications Pty Ltd (t/a 'Innova Capital') as the proponent on behalf of the Catholic Education Office of the Diocese of Wollongong ('CEDoW') and the landowner, being The Trustees of the Discalced Carmelite Fathers ('the DCF'). The landowner is an unrelated organisation to the first proponent. Both proponents are each identified as being within the greater umbrella of the Roman Catholic Church as a faith and religious community.

At the time of writing, it is noted that the NSW Consolidated SEPPs were made by the Minister for Planning on 2nd December 2021, and that these came into effect on 1 March 2022. This planning proposal request therefore responds to the Consolidated SEPPs. The other significant emerging shift in planning policy at the time of writing was recently encapsulated in the December 2021 Discussion paper exhibited by the NSW Department of Planning, Infrastructure and Environment ('NSW DPIE') titled "A new approach to rezonings". As this document remains a discussion paper for now, we have provided a perspective at Appendix 4 as to how this planning proposal request would most likely be assessed if the paper was otherwise the revised NSW guideline for the preparation of planning proposals.

This planning proposal is prepared in six parts and addresses the following specific matters in the existing guideline in accordance with section 3.33(2) of the Environmental Planning & Assessment Act 1979 ('EP&A Act') for the first five parts, and section 3.33(3) for Part 6.

- Part 1 A statement of the objectives and intended outcomes of the proposed instrument
- Part 2 An explanation of the provisions that are to be included in the proposed instrument
- Part 3 The justification for those objectives, outcomes and the process for their implementation
- Part 4 Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5 Details of the community consultation that is to be undertaken on the planning proposal
- Part 6 Project timeline of the anticipated steps for the plan making process



The prevailing Local Environmental Plan is the Campbelltown Local Environmental Plan 2015 ('CLEP2015'). The intent of this planning proposal request is to seek a simple amendment to CLEP2015 by way of Schedule 1 inclusions only. Unless expressly stated, the proponents otherwise accept all other existing development controls applicable to the prevailing C3 'Environmental Management' zoning that applies to these landholdings so that current and future development assessment remains consistent with controls already in place.

The DCF owns two connected lots of land at Varroville NSW, a suburb of the Campbelltown local government area, and are in their own right the largest owner of Varroville lands in the segment between St Andrews Road and Raby Road. The Lots are identified as Lot 20 in Deposited Plan 712018 and Lot 1 in Deposited Plan 121046. The location of these Lots within the greater Sydney Metropolitan area is illustrated in Figures 1 and 2.

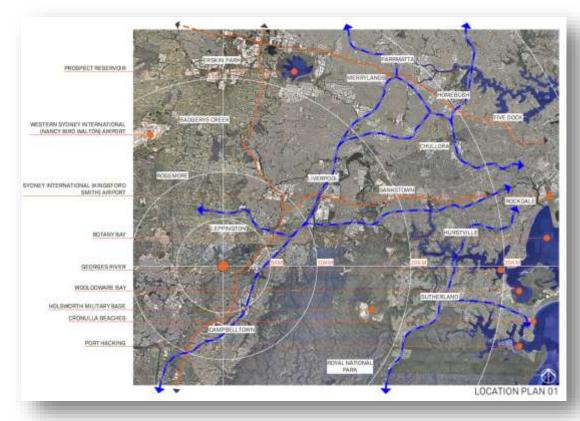


Figure 1 - Site location (greater Sydney Metropolitan Area – Location Plan 01)

Both Lots have an aggregated area of 143.4 hectares. Both Lots have their primary frontage to St Andrews Road, while the lower of the two Lots (being Lot 20) also has a significant frontage to Spitfire Drive which extends into the adjoining suburb of Raby. These two Lots are the focus of this planning proposal request.



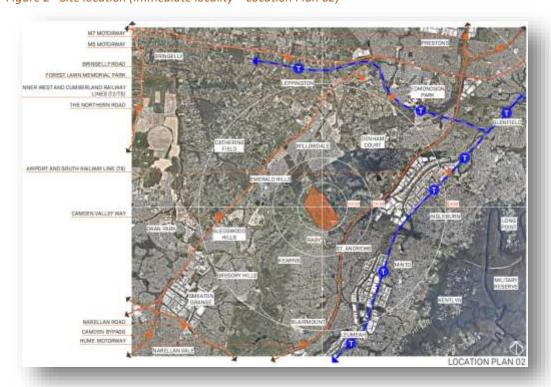


Figure 2 - Site location (immediate locality – Location Plan 02)

The existing subdivision cadastral for both Lots is illustrated at Figure 3. The orange and larger of the shapes represents Lot 1, while the smaller brown shape represents Lot 20.

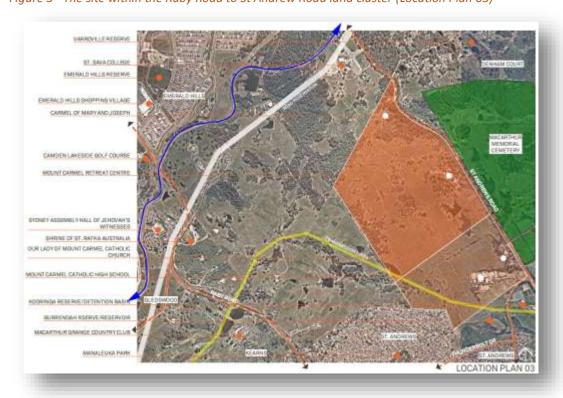
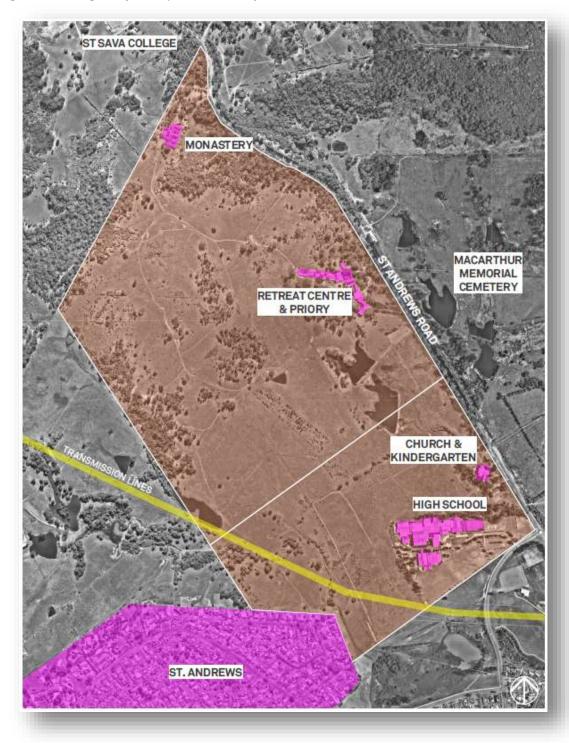


Figure 3 - The site within the Raby Road to St Andrew Road land cluster (Location Plan 03)



The entire hills precinct between Raby Road and St Andrews Road is collectively in the hands of only a dozen land owners. A zoomed-in aerial image of the two adjoining landholdings that comprise the DCF site at Varroville and the locations of the existing built forms upon these sites is provided at Figure 4.

Figure 4 - Existing built forms upon the two subject sites





Varroville as whole is a mixed use suburb within the greater Scenic Hills precinct and is largely unimproved with a small residential rural acreage precinct along St James Road and St Davids Road. The suburb also includes St Sava College to the north of the DCF sites, an approved cemetery to the east and nine other large rural lot owners to the west which are mostly addressed to Raby Road. It also encompasses the subject property and its existing uses. Varroville is today surrounded by new residential estates which includes Emerald Hills, Gledswood Hills, Willowdale and the established residential suburbs of Raby and St Andrews.

Varroville's only thoroughfare is St Andrews Road. This road follows the path of an old farm track that once skirted a former St Andrews property owned historically by a Mr Andrew Thompson. The entrance to Varroville today is defined by the Mount Carmel Novitiate which has evolved since the foundation stone of the Chapel and Carmelite friary was laid in 1966. At the time, the Campbelltown-Ingleburn News noted the origins of the Mount Carmel name from Palestine, being the birthplace of the DCF Religious Order many centuries ago. Mount Carmel College positioned at the Varroville suburb gateway opened in 1986 followed by the co-located Catholic Church in 1992. There is no disputing that the presence of the Carmelite Orders in Campbelltown have contributed significantly to the social, educational, environmental and cultural fabric of the Campbelltown LGA.

The Scenic Hills area is generally zoned C3 'Environmental Management', and under CLEP2015, a 100 hectare minimum lot size applies so as to assure the scenic preservation of the area as mapped in CLEP2015. The DCF are today the <u>only</u> individual landowner with connected Varroville landholdings west of St Andrews Road that collectively exceeds the minimum Lot size requirement.

The adjoining property titles, uses and associated addresses are technically summarised in Table 1.

Table 1: Existing registered titles, land uses and sizes

Land Title	Active Addresses	Size	Usage
Lot 20 in	210 Spitfire Drive	46.2ha	(i) Mount Carmel College
DP712018	193 St Andrews Road		(ii) Our Lady of Mount Carmel Church & Kindergarten
Lot 1 in	247 St Andrews Road		(iii) Mount Carmel Retreat Centre & Priory ¹
DP121046	345 St Andrews Road		(iv) Carmel House Monastery ²
	Total	143.4ha	

¹Home of Carmelite Friars (Male Order)

In 2021, Campbelltown Council responded to formal GIPA requests submitted by Innova Capital for each of the above two Lots to validate the historical approvals of all the above improvements. Such information and access to records was provided on 16th and 27th September 2021 for each Lot confirming the approvals and other matters enabling the occupancy of these improvements.



²Home of Carmelite Nuns (Female Order)

(i) <u>Mount Carmel College</u>

Mount Carmel College is a co-educational catholic secondary school (years 7-12). CEDoW is the school administrator. The Wollongong Diocese itself was established in 1951 and covers the Illawarra, Shoalhaven, Southern Highlands, Camden and Campbelltown regions. The Diocese is today the largest non-capital city Diocese in Australia ministering to over 195,000 Catholics across 29 parishes. It owns and administrates 39 Catholic schools, of which Mount Carmel College is one, and presently the best performing of all its secondary schools.

Mount Carmel College was first constructed in 1985 (36-years ago) upon Lot 20 in DP712018 with the permission of the current landowner and the approval of Campbelltown Council. The College is a systemic co-educational secondary school of the Marist tradition. The College is a member of the Macarthur Independent Schools Association (MISA) and the Association of Marist Schools of Australia. The College supports around 1,100 students in any single year with a staff to student ratio of approximately 1:14. It consistently tops the secondary schools in the Diocese for academic achievement, particularly in the HSC examinations.

Mount Carmel College was first initiated in 1983/84 by a committee of catholic parishioners from Ingleburn and Macquarie Fields. The goal of this committee was to establish a Catholic secondary school for the northern part of the Macarthur region. The submission for the school was put to the Bishop of Wollongong (then Bishop William Murray), and after negotiations with the Discalced Carmelite Fathers at Varroville, an area of land upon their site was chosen near the junction of St Andrews Road and Spitfire Drive. The College serves 4 parishes, being Macquarie Fields, Ingleburn, Eagle Vale and Varroville, and the adjacent Catholic Church discussed in the next section was constructed immediately afterwards as it in part performs an important chaplaincy function for the College as well as the greater parish that it serves.

The first 145 students of the College commenced their education in 1985 at John Therry Catholic High School in Rosemeadow. In September that year, the Commonwealth Government allocated a capital grant, which began Stage 1 of construction and 292 students from Years 7 to 8 were therefore able to begin studies at Varroville in 1986. The Principal at this time was Brother Clarence Cunningham. In 1990/91, the construction of the Champagnat Centre (the main hall) began. By 1998, further construction work had begun on new extensions to the site, and this was completed in 1999. Following a federal building grant, construction on the La Valla Trades Skills Centre began in 2014. The College today has a total student population of around 1,144 spread across years 7-12 and produces an average of about 130 Higher School Certificate recipients every year.

Images of the College as it stands today are provided at Figures 5, 6, 7 and 8 below.







Figure 6 - Aerial image of Mount Carmel College (administration building far right)





Figure 7 - Mount Carmel College (La Valla Trades Skills Centre)



Figure 8 - Mount Carmel College (Marian Chapel)



(ii) Our Lady of Mount Carmel Church & Bambi Kindergarten

Varroville Catholic Church belongs to the Catholic Diocese of Wollongong ('DoW') and was also constructed upon Lot 20 in DP712018 adjacent to the College.

The Church was canonically established on 11 May 1980 to serve the suburbs of Varroville, Raby, St Andrews and Bow Bowing. A new church with capacity for 400 persons and 86 parking spaces was constructed by DoW with Council approval and special permission from the landowner. Construction commenced in the late 1980's and it officially opened on 14 March 1992.

Varroville Catholic Church has been an important part of the local community that it serves since that time. As is the case with many Catholic Schools, the location of the local parish church adjacent is integral to the example, values demonstration and support of students in their formative years. The proximity of the church renders it a de facto



chaplain to the College, and while large, school-wide gatherings take place in the College, smaller gatherings often take place in the Parish church. The Church is therefore in part an important extension of the College and from an environmental planning perspective should be considered as delivering an even greater social and cultural contribution than the College itself.

In addition to its regular daily and weekly structured church services, Varroville Catholic Church substantially contributes to the social and cultural good of the greater Macarthur region and Campbelltown Local Government Area ('LGA'), through its various parish ministries. These include:

- hosting a local conference of St Vincent de Paul which extends beyond the parish boundaries.
- facilitating the provision and support of Catechists that volunteer their time to hold classes in both local public primary schools.
- facilitating parish members to reach out to the sick in their homes or hospitals as needed.
- supporting people who help prepare for the reception of sacraments: infant baptism; reconciliation and first communion; confirmation; and marriage preparation.
- providing an open-door for locals people to share their talents with the community through music ministry, gospel reading, Eucharistic distribution, hospitality support and services, premises cleaning, and tending to the grounds and overall appearance of the premises.
- organising various social gatherings on a monthly, fortnightly and annual basis, inclusive of programmes and "one off" events to welcome new people.

Images of the church and Hall/Kindergarten precinct as viewed aerially and at ground level within the Church grounds are provided at Figures 9, 10 and 11 below.







Figure 10 - Aerial view of Varroville Catholic Church and Hall (part licensed to Bambi Kindergarten Association Incorporated)



Figure 11 - Varroville Catholic Church Hall (time-shared with Bambi Kindergarten Association Incorporated)



The independently run Bambi Kindergarten Association Incorporated ('Bambi') also has a presence within the Church site under a Licence to occupy arrangement with the Parish under authority from DoW. Bambi is a not-for-profit organisation that relies on government grants, and operates 5 days a week. It is a NSW Department of Education approved mobile kindergarten, and their service approval number is SE-00016464. Their NSW Government Provider Number is PR-00004721. Bambi has been in operation since 1952 and relocated to the Church site in Varroville in 2017 under a licence arrangement



after losing its former premises to the NSW Department of Education. It was originally established during the Korean Campaign (1950 - 1953) after the wives of servicemen formed a support group to assist each other while their partners were on active service in Korea, hence there is heritage significance in its establishment.

Bambi share usage of the Church Hall with the Parish Monday to Friday during school hours. The Kindergarten currently allows for 40 places.

(iii) <u>Mount Carmel Retreat Centre & Priory</u>

The DCF first acquired and moved to Varroville in 1965 to establish a novitiate for trainee priests, to get them in touch with the land as an important part of their formation. At that time, Varroville was very much in the country. Since then, their 143.4 hectare (354 acres) and the environment surrounding the Retreat Centre and Priory has evolved such that it is now either directly or more broadly surrounded by semi-rural and low density residential development. The novitiate/retreat centre has been historically used both as a place of residence and a retreat centre up until 2012, at which time the property underwent a major refurbishment. At the same time, the DCF also built their own Priory (residence) on site.

Mount Carmel Retreat Centre is today a professional, contemporary Conference and Retreat Centre containing 31-bedrooms with ensuites and two cottages. It accommodates up to 105 guests. The Centre now caters for families, organised camps, a personal retreat or other needs as required. In 2019, the Carmelite Friars entered into a unique collaboration with Youth Mission Team (YMT) Australia who now proudly manage and operate the Retreat Centre.



Figure 12 - Ground view at the entry to the Mount Carmel Retreat Centre

(iv) Carmel House Monastery

The Carmelite Nuns formed a Monastery at Varroville in the late 1980's with permission granted to build upon land known as Lot 1 in DP 121046 owned by the Discalced



Carmelite Fathers. The Monastery building is substantially setback from St Andrews Road and not visible from the roadway.

The Nuns were originally based in each of Parkes and Dulwich Hill in NSW before shifting to Varroville where they have been co-located near the Carmelite Fathers. The Carmelite Nuns still own the Monastery today but have recently relocated to the Newcastle area. A new Catholic Order of religious nuns known as the Missionaries of God's Love (MGL) Sisters occupy the Monastery today. Being a young progressive order of nuns, the Monastery is now more active than it has been historically, with public visitation possible through retreat programs that make active use of the place of worship (church/chapel) situated on-site. These are also managed by the YMT who also manage the Carmelite Retreat Centre at 245 St Andrews Road as mentioned at (iii) above.

The Carmelite Nuns have largely led a cloistered life of strict enclosure and solitude, and prayer and sacrifice. The Carmelite Nuns observe the traditions of their Order under the 16th century Discalced reform of St John of the Cross and St Teresa of Avila. They are greatly valued by observant Catholics and others of Christian faith. It is nonetheless also appreciated that there would be many other persons that would not understand or necessarily identify with the contribution that the Sisters provide to both Church and the greater world by living in what is effectively a cloistered community in prayer. It is by no means uncommon throughout Australia and throughout the world.







Figure 14 - Image 1: Aerial view of Carmel House (of Mary and Joseph) Monastery

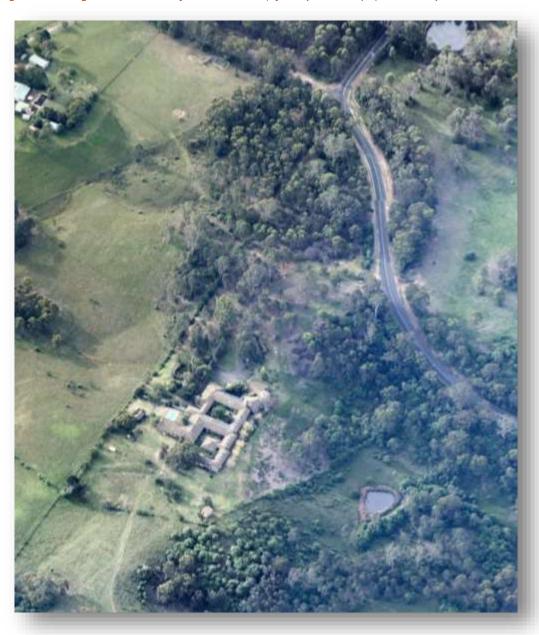
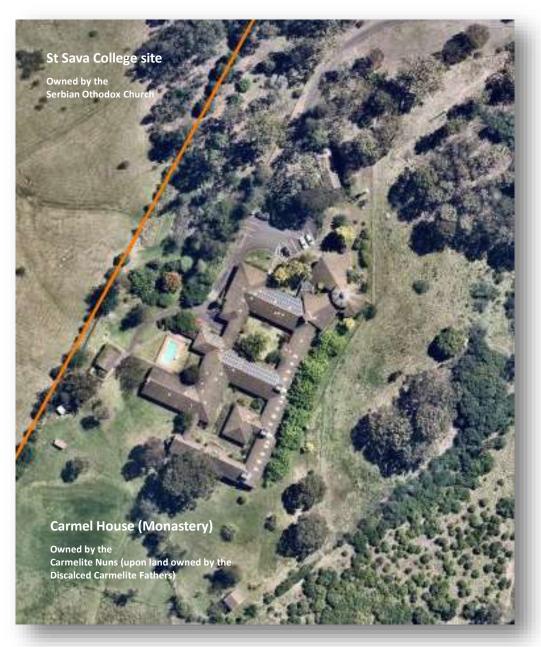




Figure 14 - Image 2: Zoomed-in aerial view of Carmel House (of Mary and Joseph) Monastery



The registered landowner has both a legal and ethical need to provide separate land title for the four existing improvements listed in the table above, such that from the two existing registered landholdings, they will be reorganised into four so that the ownership of titles will be able to properly sit with the owners of the invested improvements upon those future titles. The site areas as determined by desktop survey and proposed for subdivision within each of the above Lots that supports the existing land uses are set out in Table 2 below.



Table 2: Existing registered titles, land uses and sizes

Usage/Proposed Site	Existing land allocation (ha)
(i) Our Lady of Mount Carmel High School	8.2
(ii) Our Lady of Mount Carmel Church and Kindergarten	2.3
(iii) Mt Carmel Retreat Centre & Priory for Carmelite Friars	128.4*
(iv) Monastery for Carmelite Nuns	4.5
Total	143.4

^{*}the majority of this land is virgin open space

The land allocations above are approximately representative of the four future sites that the landowner is seeking to create from the existing two Lots. All four 'properties' above are already serviced, however, some connections are shared between each of the improvements. Consequently, other than possible minor works to establish independent connections in the absence of easements, the environmental impact of a legal subdivision of these distinct land uses is very much a paper subdivision only.

To achieve the subdivision objective, this planning proposal request seeks permission for this possibility to be granted only for three of the above addresses via an amendment to Schedule 1 of CLEP2015. These addresses pertain to the uses at (i), (ii) and (iv) where the Lot size outcomes fall short of the minimum 100ha C3 zone requirement. The proponent has generously allowed for two other completely independent religious organisations to construct certain premises upon its landholdings over the last 30-40 years as subdivision of their land at that time was not otherwise possible, and that has not changed over time. The College was historically built with landowner permission by DoW on the understanding that the parties would mutually work towards an eventual subdivision and transfer of land. A similar approach was taken for Varroville Catholic Church. The Monastery was built on similar terms by the independent order of Carmelite Nuns who may have a similar name to that of their male counterparts but are again an entirely separate and unrelated legal entity, but mutually identified within the umbrella of the Catholic Church. The Nuns also identify with the same Catholic Saints (ie, St John of the Cross and St Teresa of Avila) that the DCF identify with.

DoW and the Carmelite Nuns have separate needs that have intensified in recent years to resolve the land titling of their respective building investments with the mutual proponent landowner. In terms of environmental constraints, we are of the opinion that there is nothing that would be prohibitive or inhibit the amendments being sought to CLEP2015 to enable a paper subdivision of the existing developed built forms. The remainder of this document therefore responds to the prescribed six parts of the NSW DPIE guideline for preparing a planning proposal as listed below.

Part 1: Objectives & Intended Outcomes

Part 2: Explanation of Provisions

Part 3: Justification

Part 4: Mapping

Part 5: Community Consultation

Part 6: Timeline



PART 1 - OBJECTIVES AND INTENDED OUTCOMES

An illustration of the proposed subdivision that reflects the outcomes of what is proposed below and discussed at length across this and the next four parts is provided at Figure 15.

This planning proposal request is seeking to:

- (i) Include the address of 210 Spitfire Drive Varroville NSW 2566 to exempt Mount Carmel Catholic College from the minimum lot size requirement to enable the creation of separate legal title for the 8.245ha of land that it presently occupies upon existing Lot 20. This would be known as proposed Lot 12 in a future deposited plan yet to be allocated. This is the yellow-shaded lot in the plan of proposed subdivision at Figure 15.
- (ii) Include the address of 193 St Andrews Road Varroville NSW 2566 to exempt Our Lady of Mount Carmel Church and Kindergarten from the minimum lot size requirement to enable the creation of separate legal title for the 2.264ha of land that it presently occupies upon existing Lot 20. This would be known as proposed Lot 11. This is the blueshaded lot in the plan of proposed subdivision at Figure 15.
- (iii) Include the address of 345 St Andrews Road Varroville NSW 2566 to exempt the Carmelite Monastery (Carmel of Mary and Joseph) from the minimum lot size requirement to enable the creation of separate legal title for the 4.38ha of land that it presently occupies upon existing Lot 1. This would be known as proposed Lot 10. This is the red-shaded lot in the plan of proposed subdivision at Figure 15.

The address of 247 St Andrews Road Varroville NSW 2566 identified with the Mount Carmel Retreat Centre & Priory will consolidate the residual 92.9ha (from the existing Lot 1) with the adjoining land residue of 35.73ha (from the existing Lot 20) to create a consolidated singular Lot 13 of some 128.63ha in total. As this proposed Lot exceeds the 100ha minimum Lot size requirement for the C3 zone, it does not require a mention at Schedule 1. Lot 13 is the substantial unshaded lot in the plan of proposed subdivision at Figure 15.

The proposed pathway of achieving the planning proposal request requirements via this mechanism means that no amendments are necessary to any planning/zoning maps as a result of any of the above exemptions. The zoning objectives as stated therefore continue to remain firmly intact.



DP28927 DP28927 18405 4.544ha 22 13 128.795ha 2.264ha 8.245ha 3001 DP712210 SPITFIRE DP712210

Figure 15 - Plan of subdivision for 193, 247 & 345 St Andrews Road and 210 Spitfire Drive, Varroville

The planning proposal request has strength because:

- the existing built forms upon the subject properties are historically approved and constructed, and with further subdivision, we have determined that no incremental development advantage can emerge beyond what is already capable of approval without the planning amendments.
- it does not set a precedent for other landowners as the circumstances surrounding these adjoining sites is undeniably unique. The supply of existing built forms across the whole of



Varroville is limited, and the number of Varroville landowners in total having large multiacreages (excluding the St James and St David Road residential precinct) is only around a dozen.

- the High School (College) is attended by around 1,144 students (co-ed years 7 -12) and is a highly valued educational institution within the LGA. The ability to subdivide the land occupied by the College is critical for the long term sustainability of the College in this location, and particularly because of the reliance the College has on future capital grants from both State and Commonwealth governments. Securing this funding, and indeed any other funding continues to be challenged by the difficulty for CEDoW to provide any sort of securitisation over the invested asset in their name, or the security of tenure upon the land. This continues to drive ongoing complexity in reporting and other procedures arising from the non-ownership of land, and becomes more challenged with evolving criteria.
- the local Church is well recognised for the chaplaincy services it provides the College and as a place of community worship, outreach services and support in the local region.
- the Kindergarten provides for 40 places and is an important part of the supply of such services for the LGA. It has already been displaced once before by a State government resumption of premises.
- the Retreat Centre is iconic and presently the only retreat/accommodation centre that allows for any extended public human interaction with its rural amenity within the Scenic Hills precinct, yet situated so close to Sydney and accessible by public transport.
- the Monastery is a unique purpose-built cloister-style building that will continue to provide monastic housing for religious and/or community uses for years to come. It is today housing a group of Catholic religious sisters (being the Missionaries of God's Love) who are living at the Monastery at the invitation of the Carmelite Nuns.



PART 2 - EXPLANATION OF PROVISIONS

This section provides a simple explanation of the necessary amendments needed to CLEP2015. No changes are required to the prevailing planning maps that apply to the subject site that are contained within CLEP2015, and this is discussed further at Part 4.

(a) Land to which the plan will apply

The immediate planning proposal applies to adjoining landholdings with titles registered as Lot 20 in DP 712018 and Lot 1 in DP 121046. Built forms upon these two Lots are addressed as:

- 210 Spitfire Drive, Varroville
- 193 St Andrews Road, Varroville
- 247 St Andrews Road, Varroville
- 345 St Andrews Road, Varroville

All four of these addresses are identified with either a community-focused building or private premises. A technical summary of these Lots is provided at Table 3 below.

Table 3: Existing registered titles, land uses and sizes

Lot/DP	Street Address	Approx Site Area (ha)	Road Frontage	Site Zoning*
Lot 20 in DP712018	210 Spitfire Drive 193 St Andrews Road	46.2	1,360.4m	C3, SP2
Lot 1 in DP121046	247 St Andrews Rd 345 St Andrews Rd	97.2	536.5m	C3
	Total	143.4	1,896.4m	

^{*}existing zoning pursuant to CLEP2015

The consolidation of both parcels measures 143.4ha as confirmed by recent survey (see Appendix 2). The consolidated eastern frontage to St Andrews Road is 1,896.9-metres within a predominantly semi-rural context. One of the addresses has an existing vehicular frontage to Spitfire Drive at the entire southern boundary, however the verge at the frontage includes land that we note is still in State Government ownership. It is also noted that the historical Council approval for the College expressly mentioned in the DA conditions the need for the College to connect to Spitfire Drive upon completion of the government road extension at that time. It is unclear why this section of Spitfire Drive was not transferred by the State Government into Council ownership at that time, and resolution of this issue is being addressed independently of this planning proposal request.

The northern boundary of Lot 1 and western boundaries of both Lots 1 and 20 are shared entirely with privately held landholdings. The southern boundary of Lot 20 and eastern boundary of both Lots 1 and 20 are shared entirely with local or state government roads.



(b) Land Use Zoning

The land is zoned pursuant to CLEP2015 as C3 'Environmental Management'. The objectives for this zone as stated in CLEP2015 and the manner in which this planning proposal request continues to deliver to those objectives is captured and explained in Table 4 below.

Table 4 - Planning proposal impact upon existing C3 zone objectives

C3 Zone Objective	Impact of this planning proposal
To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.	Nil. The outcome of the proposal does not establish a mechanism that would threaten this objective.
To provide for a limited range of development that does not have an adverse effect on those values.	Nil. The developments that pre-exist were subject to the historical approvals of Campbelltown Council. No new or alternative development proposals would be triggered by the proposed amendment to CLEP2015 that is not otherwise possible without the amendment.
To enable development for purposes other than rural-residential only if that development is compatible and complimentary, in terms of design, size and scale, with the character of land in the zone.	Nil. The existing developments of a High School, Church/Kindergarten, Retreat Centre and Monastery are well regarded, entrenched and inconsequential amongst the scale of landscape that is within the boundaries of ownership by the proponent. Existing development utilises a collective footprint that is approximately just 5% of the entire 143.4ha aggregate landholding.
To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land.	Nil or enhanced potential. Nothing in this planning proposal is at odds with this objective. On the contrary, the liberation of the Retreat Centre onto its own separate title amplifies the possibility of this site being a candidate for the precise kind of catalyst viticultural and/or agricultural development that Campbelltown Council ultimately desires.
To protect and maintain the environmental, ecological and visual amenity of the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the	Nil. The developments that pre-exist were subject to the historical approvals of Campbelltown Council. No new or alternative development proposals would be triggered by the proposed amendment to



C3 Zone Objective	Impact of this planning proposal
vicinity of the Georges River from inappropriate development. • To preserve the rural heritage landscape character of Scenic Hills.	CLEP2015 that is not otherwise possible without the amendment, hence nothing in what is proposed is in any way at odds with these stated objectives.
To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.	Nil. The existing developments and the three new sub 100ha sites proposed for Schedule 1 inclusion are each located only to the fringe of St Andrews Road.
To protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands.	Nil. The College and Church are constructed on clear tableland at the foot of the Scenic Hills with considerable setback. The Monastery and Retreat Centre are in a more vegetated setting and built to the eastern fringe in close proximity to St Andrews Road. All developments pre-exist. Any future alterations or additions to any of the said premises would as always be subject to the proper environmental assessment of Campbelltown Council at that time, and regardless of the amendments proposed.
To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.	Nil. The outcome of the planning proposal request does not establish any direct or indirect mechanism that would threaten this objective.

An extract of the prevailing CLEP2015 zoning map appears below at Figure 16. The star sits at the common boundary of the two adjoining sites to which this planning proposal request relates so as to denote the location of both sites.



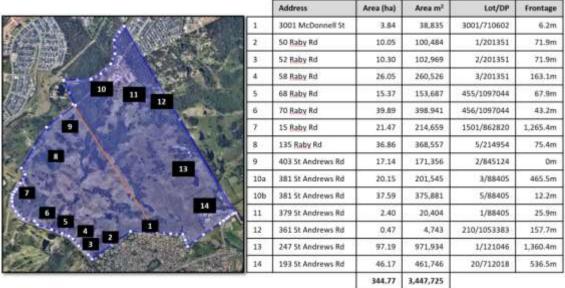


Figure 16 - Zoning map of the site and surrounding context (extract) sourced from CLEP2015

The aggregate landholding comprises approximately 41.5% of the Scenic Hills Precinct in the uninterrupted Lot agglomeration between Raby Road and St Andrews Road. It is therefore significant to the Precinct and contains the only accommodation and conference centre in the Campbelltown LGA that takes advantage of the Scenic Hills vista and allows for any substantive public viewing of it. The 41.5% has been determined by allowing for the 14-sites in total that comprise this chain of Scenic Hills as summarised in Table 5. The second and third largest individual owners are the Serbian Orthodox Church and the Hazlett family respectively. Combined, the three landholders inclusive of the Discalced Carmelite Fathers own 70% of this chain.



Table 5 - Landholdings within the chain between Raby Road and St Andrews Road



The consolidated holdings that comprises the chain of area identified above is arguably the most significant in the Scenic Hills Precinct due to the quality of the holding and the lack of interruption by through-roads or commercial activity.

This planning proposal request is considered appropriate because:

- it does nothing to work in contravention of the zoning objectives of the Campbelltown Local Environmental Plan 2015 for C3 Environmental Management.
- there is no impact on the minor SP2 Infrastructure portion pertaining to the smaller of the sites which is substantially removed from the location of built forms.
- it has no direct or indirect impact on the Scenic Hills area or escarpment with no marginal development exposure or loopholes arising for Campbelltown City.
- the development uses for the new proposed legal titles pre-exist and no further benefit is afforded to those land uses from the creation of separate legal titles via the address-specific solution proposed at Schedule 1 of CLEP2015.
- nothing about the planning proposal outcome will confer a further or greater development advantage on the current or any future landowner of these sites that is not otherwise available to the existing landowner or applicants today (ie, without the benefit of the outcome sought by this planning proposal request).
- there are no environmental or heritage impacts/implications from the proposal.
- one of the improvements is a purpose-built Catholic Monastery, hence it only has Monastic use without substantial re-investment. While this may still be possible, it is



not capable of delivering a development outcome that would in any way impact the Scenic Hills escarpment via a development advantage that is not already available today.

- all three other uses (College, Church and Retreat Centre) are community use assets, again all of which are purpose-built.
- the proposal outcome will allow for the proper ownership of these assets by the occupants or parties for whom they were originally constructed and thus allow for the proper funding of future maintenance, upkeep or upgrade of these properties by those parties, particularly where financing is required to be securitised against those assets.
- the proposal outcome will enable the non-ownership issue of the College and its chaplaincy Church finally sitting in the ownership of the Diocese of Wollongong who are the party that is ultimately driving the sustainability and tenure of both these significant community service establishments.



PART 3 - JUSTIFICATION

One of the key overarching principles when making the justification case as clearly enunciated in the guidelines is that "the level of justification should be proportionate to the impact the planning proposal will have".

The case that the proponents are making for the planning proposal are that the CLEP2015 amendment sought:

- relates only to the addresses of existing developed, signature and highly valued uses in the Scenic Hills precinct.
- will have no environmental impact from the paper subdivision required.
- will deliver no marginal development opportunity that is not otherwise achievable without the requested planning amendment being in place for the existing landowner or any future landowners.
- delivers an outcome that maintains the integrity of the C3 zoning objectives.
- has no impact upon adjoining land.
- provides positive social, cultural, community and environmental impact by positioning the stakeholders to provide surety that Mount Carmel College (being one the largest Catholic Schools in the Campbelltown LGA and the best performing) will endure and continue to be sufficiently funded for the benefit of students, their families, social and cultural order and the employment pathway opportunities that the College successfully provides.
- assuring the sustainability of Varroville Catholic Church and Hall (inclusive of its shared community hall building arrangement with Bambi Kindergarten) with the surety of the neighbouring College enduring inclusive of its invested family community.
- provides surety that the Monastery which has been a known icon of the area since 1990 (yet invisible to the general public) can endure for future generations of women in religious life and allow for the future transferability of the Monastery to other Orders if required. The Monastery provides a community service through its presence as an approved place of worship and a house of prayer.

The remainder of this Part responds where relevant to the eleven specific questions provided in 'A guide to preparing planning proposals', each having a relationship to one of four areas of environmental planning consideration and summarised in Table 6 below.



Table 6 - Guideline questions to consider when demonstrating the justification

Section		Que	estion
A.	Need for the planning proposal	1.	Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report? Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?
В.	Relationship to strategic planning framework	3.4.5.6.	Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)? Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan? Is the planning proposal consistent with applicable State Environmental Planning Policies? Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?
	Environmental, social and economic impact	7. 8. 9.	Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal? Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? Has the planning proposal adequately addressed any social and economic effects?
D.	State and Commonwealth interests		Is there adequate public infrastructure for the planning proposal? What are the views of state and commonwealth public authorities consulted in accordance with the Gateway determination?

Our considered responses to each of these questions follows. As per the overarching principles guiding the preparation of a planning proposal, where we consider that the question is of nil or limited relevance to this planning proposal request, we have provided a brief explanation as to why we have formed that view.

(i) Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No.

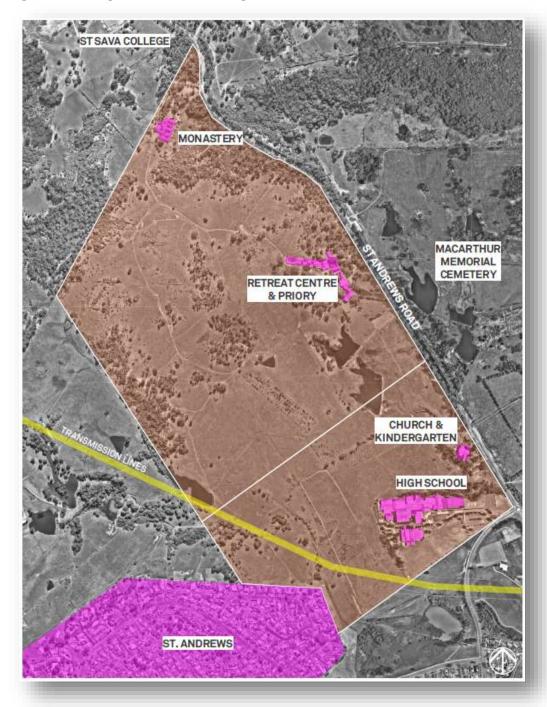
The genesis of this planning proposal request is entirely driven by the need to transfer the existing buildings upon these sites to the parties that constructed them in the first place with the permission of the landowner to resolve pressures concerning the sustainability of tenure for these land uses. Figure 17 below (which was presented earlier as Figure 4) illustrates the existing subdivision and building locations. It is repeated here for ease of reference as Figures 18, 19, 20 and 21 each illustrate the required subdivision configuration around these existing land uses with registered



street addresses for which the requested Schedule 1 amendments to CLEP2015 apply. For completeness purposes, these addresses are stated again as:

- (i) 210 Spitfire Drive, Varroville NSW (Mount Carmel College)
- (ii) 193 St Andrews Road, Varroville NSW (Catholic Church and Kindergarten)
- (iii) 247 St Andrews Road, Varroville NSW (Mt Carmel Retreat Centre & Priory)
- (iv) 345 St Andrews Road, Varroville NSW (Carmel House Monastery)

Figure 17 - Existing subdivision and building locations







272.93 m

Figure 18 – Illustrative Lot for 210 Spitfire Drive Varroville (proposed Lot 12)

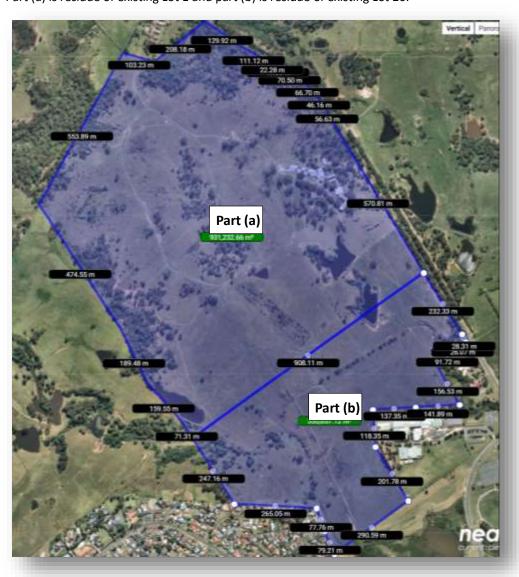
Figure 19 – Illustrative Lot for 193 St Andrews Road Varroville (proposed Lot 11)





Figure 20 – Illustrative Lot for 247 St Andrews Road Varroville (proposed Lot 13)

Part (a) is residue of existing Lot 1 and part (b) is residue of existing Lot 20.





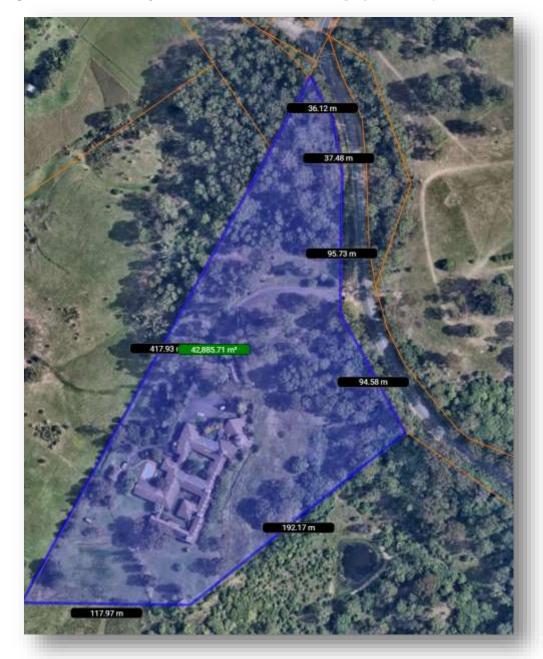


Figure 21 – Illustrative Lot for 345 St Andrews Road Varroville (proposed Lot 10)

The planning proposal emerges from a need to resolve the matter of titling that has endured for the various stakeholders for over 35-years. The proponents have carefully considered the best solution to enable this so that no unintended precedent or other development opportunity is established by the endorsement of Council and/or the NSW Planning Minister and ultimate amendments that would arise from this planning proposal request.

In light of what has been explained above, the planning proposal is considered minor as it only seeks a Schedule 1 amendment for express minimum Lot size allowances for three addresses and could otherwise easily be resolved by way of a section 3.22(1)(c)



amendment as per the EP&A Act 1979 and avoid the unnecessary process burden typically associated with NSW planning proposals. There are no changes proposed to any of the development planning maps, zoning objectives or indeed any other clause of CLEP2015. There are also no environmental consequences arising. The sites in question are in a semi-rural area substantially removed from the Campbelltown CBD. Accordingly, the proposal is considered to be a minor non-complex planning proposal.

It is understood that Campbelltown Council has a clear policy position regarding the Scenic Hills Precinct, and that Council has consistently reinforced the need to preserve the Scenic Hills for many years. We acknowledge that Council has recently resolved to enhance that preservation protection by requesting that the NSW DPIE pursue appropriate statutory planning actions. No aspects of this planning proposal are in any way directly or indirectly at odds with the stated policy position of Campbelltown City Council.

(ii) Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proponents have considered this position at length following discussions with public and private practice Planners, inclusive of planning and local government legal advice. We also initially engaged with NSW DPIE as to the best planning pathway approach to take.

In mid-2021, a formal advice was provided to NSW DPIE about the minor nature of the intended planning proposal request in its infancy. The objective of this was to seek departmental guidance as to what planning pathway options might be available to achieve the requisite outcome without the necessity of the process drain on local and state government resources, as well as the associated application and other professional costs. In particular, we raised the question as to whether the Department would consider the benign nature of this proposal as being a candidate for an expedited planning proposal under s.3.22(1)(c) of the Environmental Planning and Assessment Act 1979 No.203. For the sake of completeness, the wording of the entire clause 3.22 is as follows:

"3.22 EXPEDITED AMENDMENTS OF ENVIRONMENTAL PLANNING INSTRUMENTS (cf previous s 73A)

(1) An amending environmental planning instrument may be made under this Part without compliance with the provisions of this Act relating to the conditions precedent to the making of the instrument if the instrument, if made, would amend or repeal a provision of a principal instrument in order to do any one or more of the following--



- (a) correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error,
- (b) address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature,
- (c) deal with matters that the Minister considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land.
- (2) A reference in this section to an amendment of an instrument includes a reference to the amendment or replacement of a map adopted by an instrument"

There can be no debate that nothing put forward in this planning proposal request will have any adverse impact on the environment or adjoining land. Council should note that the above statutory provision even allows for some level of impact as the words "will not have any significant adverse impact" clearly offers some latitude for minimal or moderate impact. The fact that this planning proposal request has none makes the case more compelling. The guidance that the Department therefore provided is that an express request to make use of this provision be formally made through the planning proposal request to provide both Campbelltown City Council and the Department with a mechanism to trigger this clause. The Department advised that in the absence of this approach, there is no current mechanism for a landowner or other proponent to make that application directly of the Department itself.

The proponent and all stakeholders in the furnishing of this request are unanimous in their position that the unique circumstances of their case are of unquestionable fit with the statutory intention behind why this sub-clause was provisioned in the first place. This planning proposal request will have no impact on the environment or adjoining land. We therefore contend that if a situation such as the one presented in this document has no candidacy for section 3.22(1)(c), then it must be the case that no use of this sub-clause is ever possible.

The historical position and decision to build a Wollongong Diocesan high school and church on Varroville land owned by an unrelated organisation to the Diocese arose because of the scarce supply of land in Sydney, the need for such premises in this part of the Campbelltown area and the preparedness of the landowner to (generously) assist the delivery of these facilities by way of a compromised arrangement. The legal arrangement between parties has historically taken the form of a Licence Agreement for the occupation of land pending the desired future transfer of subdivided land.

The same situation arose in the separate case of each of the Church and Monastery



which were built in succession over the next 7-years following completion of the original College in 1985. This arrangement has in recent years become unsustainable for CEDoW as the owner and operator of the College with the reliance for much of their funding from the Commonwealth and NSW State Government as the investment of funds continues to be in premises that the operator does not own. It has also become unsustainable for the Order of Carmelite Nuns that funded the construction of the Monastery building in which they resided for 30 years.

In the absence of Campbelltown City Council accepting the reasonableness of the section 3.22(1)(c) EP&A Act pathway, it is considered that there are no other acceptable alternatives to the planning proposal request for the proposed Schedule 1 amendment to CLEP2015 that would achieve the same outcome without causing a risk to the zoning objectives in some other way. Rather than seek a map-based change to CLEP2015, it is considered that the Schedule 1 approach is the most preferred solution as it does not risk setting an unwanted precedent for Council with other private Lot owners within the Scenic Hills precinct. There is nothing that can be identified in the direct or indirect outcomes of this planning proposal request that would in any way weaken the stated policy position of Campbelltown City Council for its prized Scenic Hills. On the contrary, the strategic approach we have proposed is deliberate in its demonstrated support for the stated Scenic Hills policy.

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

The NSW Government's plans and strategies inform and guide local government planning and decision-making. The relevant documents identified for this planning proposal include the:

- Greater Sydney Region Plan (released March 2018)
- Western City District Plan (released March 2018)
- Employment Lands Review (adopted in part May 2011)
- Campbelltown Local Strategic Planning Statement (released March 2020)

These NSW Government plans and strategies inform and guide state, regional and local government planning and decision-making to address future growth in Sydney and the Campbelltown local government area (LGA). A discussion about the planning proposal in the context of each of the first three plans or strategies identified above is provided in the remainder of this section responding to question (iii). The last of these is expressly considered and discussed in response to the subsequent question (iv) later in this Part.



(I) Greater Sydney Region Plan

The Greater Sydney Region Plan ('GSRP') creates a metropolis of three cities, rebalancing growth and opportunities for people across greater Sydney. The plan contains 38 objectives. At its core, it is conceived from a vision where the people of Sydney (inclusive of greater Sydney) will all eventually live within 30 minutes of their jobs, education, health facilities, services and great places. The on-going tenure of the Mount Carmel College at Varroville is a key enabler of that objective as student places at a quality institution in the LGA are a necessary stimulant to attracting and sustaining both an educated and aspirational population to Campbelltown. The Church and Kindergarten also provide an important denominational and/or functional stimulant as a further attractor for persons and families that value these organisations and facilities.

The GSRP recognises the emerging evolution of a three-city structure for Sydney inclusive of the existing harbourside CBD, the Greater Parramatta CBD and the emerging Aerotropolis-style city emerging around the future Western Sydney Airport. The plan sets a 40-year vision through to 2056 and describes 10 specific directions, within which 38 individual objectives are further stated. Based on a review of those directions, the planning proposal request is relevant to three of those directions and eight of their associated objectives. These are captured in Table 7 below.

Table 7 - Relationship of planning proposal request with objectives of the GSRP

Direction	Objectives
Direction 3:	Objective 6: Services and infrastructure meet communities'
A city for people	changing needs.
(celebrating	
diversity and	Objective 7: Communities are healthy, resilient and socially
putting people at the heart of	connected.
planning)	Objective 8: Greater Sydney's communities are culturally rich
pianing)	with diverse neighbourhoods
	Objective 9: Greater Sydney celebrates the arts and supports
	creative industries and innovation
Direction 4:	Objective 12: Great places that bring people together
Liveability	Objective 13: Environmental heritage is identified, conserved
	and enhanced
Direction 6:	Objective 27: Biodiversity is protected, urban bushland and
Sustainability	remnant vegetation is enhanced.
	Objective 28: Scenic and cultural landscapes are protected.



The plan informs the Western City District Plan which is discussed at (ii) below. We have sought to elaborate on the directions and objectives identified above through the discussion on the Western City District Plan and Campbelltown Local Strategic Planning Statements that follow, as these have more granular application for the sites in question.

(ii) Western City District Plan

The Greater Sydney Commission finalised its District Plans in March 2018, one for each of Greater Sydney's five Districts. The Campbelltown LGA falls within the Western City District. Councils are required to give effect to District Plans, including the reference to these to guide the preparation of planning proposals under Part 3 of the Act. This is established by the Department of Planning and Environment's *Guide to Preparing Planning Proposals* (December 2018).

The Western City District Plan ('WCDP') aligns with the 10 directions of the GSRP and establishes priorities and actions for the Western City District. The purpose of District Plans is to have well-coordinated, integrated and effective planning for land use, transport and infrastructure. They are intended to be the link between the State Government's Greater Sydney Region Plan, *A Plan for Growing Sydney* and the Local Environmental Plans of each Council. The District Plans set out the opportunities, priorities and actions and provide the means by which the GSRP can be put into action at a local level.

The WCDP sets out aspirations and proposals for Greater Sydney's Western District, which includes the local government area of Campbelltown as part of the cluster of three, namely Liverpool, Greater Penrith and Campbelltown-Macarthur. Together, these areas form a metropolitan cluster. Like the GSRP, the WCDP has been developed by the Greater Sydney Commission.

The WCDP contains 92 actions with a total of 22 planning priorities for developing the western city. These, together with the umbrella of the GSRP provided the backbone for the development of the Campbelltown Local Strategic Planning Statement. Amongst the twenty two overarching priorities contained within that plan, four of these are substantially or completely supported by the planning proposal, and a further two are partially supported. These findings are explained in Table 8.



Table 8 - Relationship of planning proposal with WCDP

Theme & planning priority		Planning proposal request impact	
IN	INFRASTRUCTURE AND COLLABORATION		
1.	Planning for a city supported by infrastructure	None. The proposal has no impact on existing or planned infrastructure, nor will it give rise to a future demand for it beyond what is presently possible for	
2.	Working through collaboration	the land.	
LIV	EABILITY		
3.	Providing services and social infrastructure to meet people's changing needs	Yes. The proposal arises to sustain this very objective for the land uses requiring separate land title, namely the 1,100+ student high school, the 400-person capacity Catholic Church and the Catholic Monastery.	
4.	Fostering healthy, creative, culturally rich and socially connected communities	Yes. The proposal enables the role the existing land uses already demonstrably play in the case of this planning priority to sustain the way in which they bring about social connection amongst the local community.	
5.	Providing housing supply, choice and affordability, with access to jobs, services and public transport	Partially. The land uses presently support substantial local employment both directly and indirectly. The land uses are not concerned with local housing, nor is that an objective of the proposal.	
6.	Creating and renewing great places and local centres, and respecting the District's heritage	Yes. The proposal seeks address-specific amendments only so as to ensure the zoning objectives, controls and the Council precinct strategy as a whole remains unchanged and in no way compromises the heritage value of the Scenic Hills precinct.	
PR	ODUCTIVITY		
7.	Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	None. The proposal has no impact on the existing land use or transport structure.	
8.	Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis	None. The proposal seeks no change to the development potential of the land relative to the status quo.	



The	eme & planning priority	Planning proposal request impact
9.	Growing and	Partially. The reality is that the potential loss of any
	strengthening the	one, two or all three of these land uses would (in the
	metropolitan cluster	eyes of many) serve to weaken the city of
		Campbelltown as a party to the metropolitan cluster.
10.	Maximising freight and	None. The proposal seeks no change to the
	logistics opportunities	development potential of the land relative to the
	and planning and	status quo.
	managing industrial and	
	urban services land	
11.	Growing investment,	None. The potential loss of the College is likely be a
	business opportunities	detractor for future business investment in the area,
	and jobs in strategic	which in turn will deter a higher quality of population
	centres	demographic mix to the area.
SU	STAINABILITY	
12.	Protecting and	None. The proposal has no impact on the District's
	improving the health	waterways.
	and enjoyment of the	
	District's waterways	
13.	Creating a Parkland City	None. The proposal has no impact on the Scenic Hills
	urban structure and	precinct as the desired development outcomes
	identity with South	already exist.
	Creek as a defining	
	spatial element	
14.	Protecting and	None. The proposal has no impact on existing
	enhancing bushland	bushland and biodiversity.
	and biodiversity	
15.	Increasing urban tree	None. The proposal has no direct or indirect
	canopy cover and	consequence for this planning priority.
	delivering Green Grid	
	connections	
16.	Protecting and	Yes. The proposal has no impact on the Scenic Hills
	enhancing scenic and	precinct as the desired development outcomes
	cultural landscapes	already exist.
17.	Better managing rural	None. The proposal is of neutral impact to the existing
	areas	semi-rural/rural environmental context.
18.	Delivering high quality	None. The proposal is of neutral impact hence it
	open space	maintains the existing degree of high quality open
		space that comprises the existing Mt Carmel precinct.
19.	Reducing carbon	None. The proposal is of neutral impact to the existing
	emissions and	environmental context.
	managing energy,	



Theme & planning priority		Planning proposal request impact
	water and waste	
	efficiently	
20.	Adapting to the impacts	None. The proposal is of neutral impact to the existing
	of urban and natural	environmental context. The existing land uses already
	hazards and climate	make substantial use of tank water and solar panelling
	change	for energy supply.
IMPLEMENTATION		
21.	Preparing local strategic	N/A. Both these priorities are a matter for
	planning statements	Campbelltown Council and not relevant to the
	informed by local	planning proposal request.
	strategic planning	
22.	Monitoring and	
	reporting on the	
	delivery of the plan	

Apart from what has been provided in the discussion above, there are no other significant Commonwealth or State instruments or other documentation to which the planning proposal request needs to respond. The request supports the overarching general initiative to deliver a more appropriate planning and development outcome for the existing development uses of the site consistent with the State's regional and district planning frameworks described above.

Finally, as at the date of this planning proposal request, there are no other draft State plans or other public exhibitions of instruments of relevance to this site not otherwise covered by the discussion above.

(iii) Employment Lands Review

The Employment Lands Review (ELR) was adopted, in part, by Council at its meeting on 31 May 2011. The report to Council (a copy of which is provided with the ELR document) provides details about those parts of the ELR that were not endorsed by Council. The ELR provides important background information that was considered in the drafting of what ultimately became CLEP2015.

We specifically wish to draw the attention of Council to the following three aspects of the ELR that are of direct or indirect relevance for the justification case.

(i) Section 3.0 of the ELR addresses the Planning and Policy Framework.

The Metropolitan Strategy recognised that the attainment of the economic and employment vision for subregions such as South West Sydney depends to a large extent on the creation of attractive living environments, growing more opportunities for existing households and firms, and attracting new firms and



households to locate in the region. Such environments require facilities and institutions inclusive of quality schooling inclusive of pre-schooling, places of public worship and places of recreation. Evidence suggests that employment growth in Campbelltown LGA is increasingly driven by broader regional growth in South West Sydney and infrastructure investments in transport, health and education as opposed to opportunities arising from within Campbelltown itself. This underscores the compelling reason why the retention and further investment of these facilities is absolutely critical for the future success of the local area and greater regional city as a whole. Quality population mix cannot be attained without area demand generators such as these items which are attractors for people choosing the area as a home-destination of choice.

(ii) <u>Section 5.0 of the ELR addresses the Metropolitan and Regional Economic</u> Context.

Education is an area that 10-years ago was already also showing solid growth, driven by increasing population, demand for learning and increasingly, education exports. In 2022, this issue has now surpassed the capacity planning of Campbelltown city which has clearly fallen behind in the delivery of new schools and expansion of existing public and private facilities. Recent media and concerns expressed by local Politicians at local, state and federal levels concur that Macarthur (including Wollondilly) schools are suffering capacity stress, with more than 20 of its schools said to be operating at over 100% capacity. It is also noted that the Glenfield to Macarthur Corridor Strategy which subsequently followed the ELS did not make provision for a single new school despite the population growth expected following the implementation and delivery of that strategy. Further, the Draft Greater Macarthur 2040 SIC Plan was exhibited in 2019, but did not crystallise into formal government commitments to provision new (or the upgrade of any existing) schools as and when the incoming population from the greater Macarthur corridor settle in the Campbelltown LGA.

(iii) Section 6.0 of the ELR addresses the Campbelltown Economy.

The ELR rightly identifies that the South Western Subregion is becoming more prosperous, diverse and service based. On average, real incomes and education attainment outcomes are improving. Despite the reality that the city lags behind other regional cities for many of its indicators, success nonetheless breeds success. The planning outcomes offered by this planning proposal will sustain city attractors for an increasingly educated population and help Campbelltown to keep pace with other cities at a minimum, or at best, out-pace them.



(iv) Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The prevailing Council instrument at the time of writing is the March 2020 Campbelltown Local Strategic Planning Statement ('CLSPS') which is a 20-year statement through to 2040.

This Statement was released in March 2020 and provides a 20-year vision and strategy for land use in Campbelltown. The city has rich heritage and environmental quality, and the document appropriately responds to these to provide a framework for what is intended to be a sustainable pipeline of future development.

Campbelltown has been recognised by the Greater Sydney Commission as a key metropolitan centre. With that as the underpinning of thought as to what is expected of such a centre, the CLSPS is structured around a 4 x 4 matrix of themes and priorities, delivering sixteen priorities in total. To enable a succinct capture of how this planning proposal request responds to the CLSPS, our perspectives are provided alongside these themes and priorities where they are either directly or indirectly relevant to each of these as set out in Table 9.

Table 9 - Relationship of planning proposal with objectives of Campbelltown CLSPS

Th	eme & planning	Impact of planning proposal request
pr	iority	
LI	VEABILITY	
1.	Creating a great place to live, work, play and visit	Quality schools, churches, childcare and their associated infrastructure are significant decision-making drivers when people make a choice to live in an area. The Mount Carmel Precinct is the jewel in the crown for residents of Varroville and Raby and their adjacent suburbs. These areas otherwise have very limited infrastructure.
2.	Creating high quality diverse housing	n/a
3.	Embracing our heritage and cultural identity	Varroville is primarily identified by the Mount Carmel Precinct inclusive of the Retreat Centre.
4.	Celebrating the arts and culture	The Campbelltown LGA is historically rooted in Catholic culture beginning with the residency of Australia's first Catholic Priest Fr John Therry. Catholic Culture is one of family and faith, with models of family structured symbolically as a representation of that faith.



Theme & planning		
	ority	mipact of planning proposal request
	STAINABILITY	
5.	Embracing our unique landscape setting	The sites in question are situated in the Scenic Hills precinct. The proposal has no direct or indirect landscape impact, nor will it impact the setting in any way as the development uses already exist with the historical approval of Campbelltown City Council.
6.	Respecting and protecting our natural assets	As above. The proposal has no direct or indirect impact on any natural assets.
7.	Making use of our finite resources	n/a
8.	Adapting to climate change and building resistance	n/a
PR	ODUCTIVITY	
9.	Building an internationally recognised local economy	n/a
10.	Creating strong and vibrant centres	Mount Carmel College provides a centre of educational excellence for 12-18 year olds. The College, Church, Retreat Centre and Monastery all provide places of assembly for Campbelltown locals and others, particularly visitors to the area who may eventually choose the area to be their home. These facilities have been a rich part of the strength and vibrancy of the area for at least the last 35 years.
11.	Striving for increased local employment	The four facilities already provide substantial direct and indirect employment. The College produces significant educated resources each year, most of whom we expect would support the local economy through both their employment and the purchase of local goods and services. As a high performing educational institution, the College significantly contributes to the university attendance and qualification statistics that the city presently boasts, being 4% and 15% respectively.
12.	Creating a smart, connected, productive city	Mount Carmel College is one of the highest performing Catholic School in the Wollongong Diocese. That diocese includes the regions of Campbelltown, Camden, the Southern Highlands, Illawarra and Shoalhaven.



Theme & planning	Impact of planning proposal request
priority	
INFRASTRUCTURE & COLL	ABORATION
13. Connecting our city	n/a
via strategic links	
14. Ensuring	The population of Campbelltown has been reported as
infrastructure aligns	171,240 persons in 2019 and forecast to grow by 61% to
with growth	275,778 persons by 2036. Education and place-based
	infrastructure is a critical part of social infrastructure.
	The existing land uses have served this objective well
	over the last 35+ years. Campbelltown is said to
	presently have constrained space within its population of
	schools which are not keeping pace with population
	growth and demand. Should the planning proposal
	request not succeed, that supply constraint is likely to
	become further challenged with the possible wind-down
	of further investment in Mt Carmel College. To address
	the shortfall in educational facilities against demographic
	demand, the NSW state government has recently
	approved additional capital grants for the non-
	government school sector in specific targeted growth
	areas. This naturally includes the Macarthur region. For
	the College to be able to provide the necessary
	attestations and commitments to government so as to
	receive these grants, it must be able to provide a
	minimum assurance that the College will still be there in
	20-years time to receive the grant in the first place. This
	has become increasingly difficult for both the College
	and existing land owner to assure this without a transfer
	of the land to the actual education provider, in this case
	CEDoW.
15. Strengthening	The DCF at Varroville are the largest stakeholder in that
relationships with	area and custodians of the largest landholding in singular
key stakeholders	ownership at Scenic Hills between the fringe of Raby
	Road and Denham Court. Council support for the
	planning proposal request will substantially assist to
	assure the sustainability of these existing approved land
	uses at Varroville.
16. Involving our	As above. A substantial number of families, individuals,
community	residents and guests (all numbering in the many
	thousands) are community stakeholders in the Mount
	Carmel precinct at Varroville. Most of these persons
	reside in the Campbelltown LGA.



Nothing in this planning proposal will manifest in a future consequence that will alter the natural setting, visual context or development footprint in any way that is not otherwise possible with the planning controls that already exist in the absence of this planning proposal request.

This planning proposal does not arise due to a change in circumstances, such as change triggered by investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls. The proposal arises only because the structural, reporting and statutory/governance framework has evolved for Mount Carmel College, Varroville Catholic Church (which shares usage of its facilities with a local heritage Kindergarten organisation) and Carmel House Monastery that has rendered the need for these institutions to be placed in the hands of their proper owner/operators. Doing so will ensure that they can be sustainably maintained and invested to endure into the future, otherwise the risk that these highly valued cultural, social and educational assets of Campbelltown City will inevitably suffer a slow demise and risk being potentially closed down longer term. Due to the scarcity and cost of available land, it is unlikely they would be substituted anywhere else in the Campbelltown LGA.

The proposal itself is considered to provide a solution of best fit given the sensitivities of the Scenic Hills Precinct and surrounding environmental context and the desire of the proponent to see the existing zoning, objectives and all associated controls otherwise remain intact.

The retention and sustainment of Mount Carmel College, Varroville Catholic Church and Kindergarten and Carmel House Monastery in the local community is clearly important to the on-going social, educational and cultural growth of the Campbelltown area. The sustainment of other existing and accepted land uses (being the Retreat Centre and Priory) are also greatly valued. Other than these aspects of the plan, there are no direct impacts either way from this planning proposal upon CLEP2015.

(v) Is the planning proposal consistent with applicable State Environmental Planning Policies?

State Environmental Planning Policies (SEPPs) deal with matters of State or Regional environmental planning significance. As of 1 March 2022, the previous 45 NSW SEPPs have been consolidated into 11 'thematic' policies such that all relevant provisions from the previous SEPPs are now contained with these policies. These policies are summarised below in Table 10 together with our initial observations on the applicability of these and vice versa to the planning proposal request.



Table 10 - Consistency of planning proposal request with NSW SEPPs

SEPP (all 2021)	Consistency perspective 'at a glance'
1. Planning Systems	N/A. This SEPP ties in three former SEPPs including State and Regional Development 2011, Aboriginal Land 2019 and Concurrences and Consents 2018.
2. Biodiversity and Conservation	This SEPP ties in eleven former SEPPs including four of potential relevance being: the Koala Habitat Protection SEPPs of 2020 and 2021, the Vegetation in Non-Rural Areas SEPP 2017, and the Bushland in Urban Areas SEPP 2019. There are no works associated with the planning proposal request or any associated physical subdivision of land that in any way impacts upon any vegetation, bushland or koala habitat as no vegetation impacts arise from any aspect of this request.
3. Resilience and Hazards	N/A as nothing in the proposal request is concerned with coastal management, hazardous and offensive development or the remediation of land. This SEPP ties in the former SEPPs 33 and 55 which dealt with such development.
4. Transport and Infrastructure	This ties in four of the former SEPPs, one of which is of potential relevance, namely Educational Establishments and Childcare Facilities 2017. Nothing in the proposal request will alter the way in which future infrastructure impacts could be changed from the future development of land parcel structure proposed that is not otherwise possible in the absence of the planning proposal.
5. Industry and Employment	This ties in the former Western Sydney Employment Area SEPP 2009 and Policy 64 - Advertising and Signage.
6. Resources and Energy	N/A - this SEPP ties in the two former 2007 and 1995 SEPPs concerned with Extractive Industries and Mining Petroleum Production. The landholdings that are the subject of this request are zoned C3 - Environmental Management.
7. Primary Production	N/A - this SEPP ties in the former <i>Primary Production and Rural Development SEPP</i>



SEPP (all 2021)	Consistency perspective 'at a glance'
	2019 and the Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas). The landholdings are zoned C3 - Environmental Management.
8. Precincts - Eastern Harbour City	N/A as Campbelltown does not fall within the defined geography of this city.
9. Precincts - Central River City	N/A as Campbelltown does not fall within the defined geography of this city.
10. Precincts - Western Parkland City	The Western Parkland City (WPC) is the economic powerhouse of Greater Sydney contributing to the national economy. It includes Campbelltown as well as seven other local government areas including: the Blue Mountains, Camden, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly. This SEPP ties in seven former SEPPs, one of which is the Sydney Region Growth Centres SEPP 2006 which included within its scope the Campbelltown Growth Centres Precinct and other precincts that surround the Scenic Hills area in other local government areas including Liverpool, Camden and Wollondilly.
11. Precincts - Regional	N/A as Campbelltown is not located in a Regional area, and the landholdings do not have a regional zoning.

A further two SEPPs stand apart from the eleven thematic SEPPs presented above. These include:

- Housing 2021 (which ties in five former SEPPs including Affordable rental Housing, Housing for Seniors and People with a Disability, SEPP 70 - Affordable Housing, SEPP 21 - Caravan Parks, and SEPP 36 - Manufactured Home Estates);
 and
- Exempt and Complying Development Codes 2008, unchanged.

Neither of the above stand-alone SEPPs are relevant to this planning proposal request.

Finally, the draft Design and Place SEPP 2021 also stands apart, and at the time of writing, the NSW State Government is progressing the consolidation of two existing SEPPs with that draft. These are SEPP65 - Design Quality of Residential Apartment Development and the Building Sustainability Index: BASIX SEPP. The planning proposal request is not seeking a rezoning to allow for residential apartments, nor is it seeking any modification or special consideration for building sustainability obligations.



It is reiterated that no new works are proposed for the sites in either a pre or postsubdivided state as a consequence (or otherwise) of this planning proposal request, and that no consequences would arise that would enable alternative types of development or an intensity of development that is not otherwise already possible in the absence of the planning proposal request (subject to the approval of Campbelltown City Council).

(vi) Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Under section 9.1(2) of the Environmental Planning and Assessment Act 1979, in the case of Environmental Protection Zones, it is stated at section 2.1(3) that this direction applies when a relevant authority prepares a planning proposal. A summary of the direction as explained at subsections (4)-(6) is as follows:

"A planning proposal must:

- include provisions that facilitate the protection and conservation of environmentally sensitive areas (subsection 4); and
- not reduce the environmental protection standards that apply to the land (subsection 5)".

At subsection (6), the directions state that "A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) (b) (c) (d) justified by a strategy which: (i) gives consideration to the objectives of this direction, (ii) (iii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and is approved by the Director-General of the Department of Planning, or justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or is of minor significance."

In response to these directions, the following three points substantiate the consistency of the planning proposal request with the above directions and overall objective to protect and conserve the environmental sensitivity of Scenic Hills (of which Varroville in its entirety forms a part).

(i) Nothing in this request seeks an amendment or modification to any wording of the Campbelltown LEP or other planning instrument which would



otherwise result in a direct, indirect, implied or perceived disintegration to any of the controls and guidance statements in place for Scenic Hills.

- (ii) The site-specific lot-size request for the educational, spiritual, religious, childcare and monastic uses that already pre-exist on the land that is the subject of the rezoning request will not allow for some greater or marginal development advantage to arise in future that isn't already permissibly available to the landowner and its licensees today, subject to the approval of Council.
- (iii) The substance of the planning proposal request together with the simplicity of amendment to only Schedule 1 of the Campbelltown LEP 2015 (and no maps) is clearly of minor significance.

This planning proposal request is therefore issued to either seek Council endorsement for formal submission to NSW DPIE for a Gateway determination or be addressed more efficiently and effectively by way of amendment pursuant to s.3.22(1)(c) of the Environmental Planning & Assessment Act 1979.

It is not known whether any further specific directions under s.9.1(2) of the Environmental Planning and Assessment Act 1979 may arise should Campbelltown City Council choose to process this request as a formal planning proposal with referral to the Minister for a Gateway Determination. Should that occur, these (if any) would be addressed at that time with the furnishing of a revised planning proposal.

(vii) 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?

The proposal is to give effect to a paper subdivision that is consistent with operating boundaries and fence lines for existing land uses. Consequently, there is no possibility that critical habitat or threatened species, populations or ecological communities, or their habitats, could in any way be adversely affected as a result of this planning proposal request and the concurrent development application to achieve that subdivision. Accordingly, an Arboricultural survey has not been completed, and an Accredited Biodiversity Consultant has also provided a written opinion to that effect at Appendix 5. For the sake of having it on public record, the proponent is aware that the upper lot (being Lot 1) containing Carmel House Monastery and Carmelite Priory and Retreat Centre is shown as including mapped areas within the Lot that contains biodiversity values. See Figure 22.



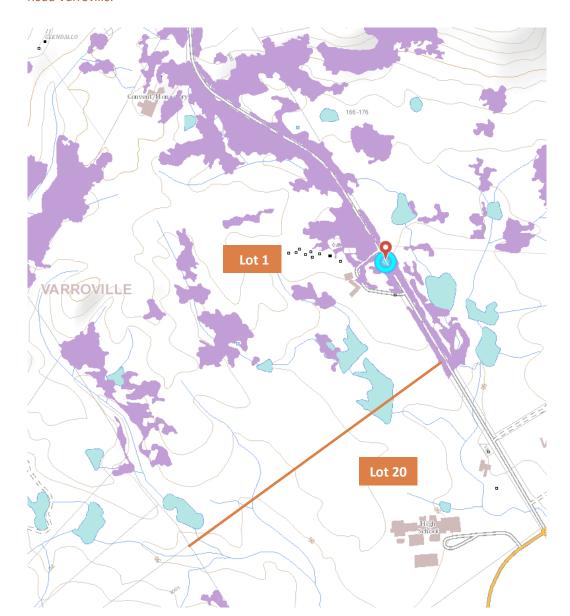


Figure 22 - Biodiversity Value Map extract (as at 30th March 2022) for Lots 1 and 20, St Andrews Road Varroville.

(viii) Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

With the one exception of Planning for Bushfire Protection requirements (2019), there are no other or new environmental effects that are triggered by the planning proposal request itself. It is possible that with the process of physical subdivision, the provision of Sydney Water connections and telecommunications connections will have minor consequences, however these are matters that are ordinarily addressed and conditioned by Council and other consent authorities within the normal process of a subdivision development application and approval process.



In order to initially understand if a legal paper subdivision consistent with this proposal would have any triggers for an agency referral to NSW Rural Fire Service, the professional services were engaged of an accredited Bush Fire Planning expert to consider the proposal in line with the guidance prescribed by Planning for Bush Fire Protection (2019). This included an on-site walkover for all land uses on the property and the use of survey data for slope assessments etc. The assessment also considered adjoining properties and the existing and established mitigation measures already in place, as well as any augmentation that might be needed with the formalisation of boundaries consistent with existing fence lines or natural land formations.

As a result of the assessment described above, the Bushfire Consultant made recommendations that comprise:

- minor recommended upgrades to only the Carmel House Monastery at 345 St Andrews Road Varroville (proposed Lot 10) inclusive of the sealing of the existing vented eaves, and wire meshing to the existing vented subfloor area of the main Monastery building, so as to minimize the hazard risk associated with ember and leaf penetration. It was noted that the requisite 50m Asset Protection Zone ('APZ') for the proposed Carmel House Monastery subdivision will be satisfied within the boundaries of the proposed Lot at its shortest distance (to the south-east of the proposed site). This is illustrated at Figure 23.
- an 88(b) instrument for the establishment of an APZ easement benefiting each
 of the College (proposed Lot 12) and Church (proposed Lot 11) over the future
 consolidated landholding that will comprise the Retreat Centre (proposed Lot
 13) as illustrated at Figure 24; and
- an 88(b) instrument for the establishment of an inner protection area being a
 fuel management zone for the Retreat Centre (proposed Lot 13) to mitigate
 future fire hazard for that Centre as illustrated at Figure 25. It should be noted
 that this recommendation stands regardless of the outcome of this planning
 proposal request and concurrent subdivision DA.

All of the above recommendations are incorporated in the concurrent Subdivision Development Application lodged at the same time as this planning proposal request. Figure 26 provides the full plan consolidation that accompanies the plan of proposed subdivision DA. As this summary provides the only identified environmental impacts, all of which are easily managed and directly addressed with the concurrent subdivision DA, the proponent has concluded that these impacts should not be of any consequence for the endorsement of Campbelltown City Council for this planning proposal request.







Figure 24 - APZ requirements at proposed northern boundary to Mount Carmel College and proposed south-western boundary of Catholic Church





Figure 25 - Mount Carmel Retreat Centre internal fuel management zone recommendation within proposed boundaries





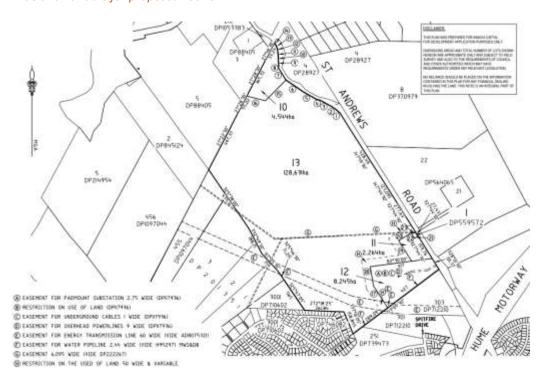


Figure 26 - Consolidated plan of proposed subdivision with restriction on the use of land 50m wide and variable for proposed Lot 13

(ix) Has the planning proposal adequately addressed any social and economic effects?

This planning proposal request is accompanied by an independent Social & Cultural Assessment conducted by Urbis Pty Ltd. This is provided at Appendix 7. The Assessment considers the existing uses and the significant contribution these uses make to the Campbelltown LGA.

As to the economic effects, the potential future loss of a secondary school of this size would be substantial. As well as the obvious impact to the direct and indirect employment that the school contributes to the local economy (at circa 100 full time equivalent persons in total), proximity to schooling drives residency decisions for families and carers. With an average of 1,100+ students in attendance at Mt Carmel College, and an average household composition of 3 persons per household based on ABS data for the LGA, there are likely to be around 2,250 local residents that are either directly or indirectly impacted by decisions concerning the investment or demise of that College at any one time. This estimate allows for 30% of the student population comprising two or more students from the same household.

In addition to the direct employment of over 80 employed staff, the College is a significant enterprise adding inestimable value to the local and regional economy. In 2021 the College recorded a turnover of \$17,434,685 and was supported by over 75 local businesses providing a range of services such as cleaning, facility/ grounds



maintenance, equipment management, bus hire, office supplies and food supply, just to name a few. The contribution to the local economy in therefore significant.

Another broad benefit that the College provides is the after hours use that is made of its facilities by a range of community groups. These include a dance group, a drama club and various sporting teams and occasional cultural associations.

The ultimate objective of the planning proposal outcomes is to ensure the sustainment of Mount Carmel Catholic College and Varroville Catholic Church in their existing locations. In the case of the Monastery, the end objective affords the Carmelite Nuns the ability to age with security and ensure the ongoing purpose-built use of the facility inclusive of a large chapel for other Orders of Nuns. At the time of writing, the Carmelite Nuns have an occupancy arrangement in place with a younger female Order known as the MGL (Missionaries of God's Love) Sisters so that the Monastery and its house of worship is not otherwise abandoned.

(x) Is there adequate public infrastructure for the planning proposal?

No aspect of the planning proposal will result in an outcome that stimulates new development over what is presently possible without approval of the planning proposal request. The public (and private) infrastructure that is in place has met the needs of the land users and no further infrastructure would be needed to support or sustain the outcomes of the proposal.

(xi) What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

This planning proposal request provides the initial case for Campbelltown City Council to firstly resolve whether or not it endorses the proposal to be forwarded to NSW Planning & Environment for a Gateway determination. Accordingly, this specific question (xi) can only be responded to by Council itself once the s.117 directions under such a determination are known inclusive of specific agency consultation requirements. Should any such issues, questions or further matters arise, these would be addressed by way of an updated/revised planning proposal, and the proponents will of course provide any assistance needed in that regard.



PART 4 - MAPPING

The planning proposal does not require any amendments to any of the prevailing development control maps that accompany CLEP2015. The proponent is only seeking a site-specific concession to appear at Schedule 1 'Additional permitted uses' for the 100ha minimum lot size requirement that attaches to its zoning for the three specific addresses that are the subject of this planning proposal request.

We would anticipate that the revisions to Schedule 1 would simply be added in after the existing clause 40 as it is noted that the addresses all appear in alphabetic order by suburb. The second last suburb/property mentioned in the Schedule is item 40 'Use of certain land at Racecourse Avenue, Menangle Park'. The last prevailing item 41 refers to Western Sydney University, and hence, references to a Varroville address would appear between these two existing items. We would therefore suggest that the amendments to Schedule 1 of CLEP2015 would appear as set out in Table 11 below.

Table 11 - Extent of amendments to CLEP2015 as justified by this planning proposal request

Schedule 1	Proposed Wording	
Clause 41	Revised wording (existing clause 41 moves to new clause 44)	
(replaced)	Use of certain land at 210 Spitfire Drive, Varroville	
	(1) This clause applies to land at 210 Spitfire Drive, Varroville, being part of	
	Lot 20, DP 712018.	
	(2) Development for the purpose of subdividing the existing part use of the	
	land occupied by the educational establishment is permitted with	
	development consent for a minimum lot size of no less than 8.0ha.	
New	Use of certain land at 193 St Andrews Road, Varroville	
Clause 42		
	(1) This clause applies to land at 193 St Andrews Road, Varroville, being part	
	of Lot 20, DP 712018.	
	(2) Development for the purpose of subdividing the existing part use of the	
	land occupied by the Church is permitted with development consent for	
	a minimum lot size of no less than 2.0ha.	
New	Use of certain land at 345 St Andrews Road, Varroville	
Clause 43		
	(1) This clause applies to land at 345 St Andrews Road, Varroville, being part of Lot 1, DP 121046.	
	(2) Development for the purpose of subdividing the existing part use of the land occupied by the Retreat Centre is permitted with development consent for a minimum lot size of no less than 4.5ha.	
New	Existing clause 41 now appears here, with wording to remain as is.	
Clause 44	"Use of certain land at Western Sydney University Campbelltown Campus,	
	Narellan Road, Campbelltown"	



PART 5 - COMMUNITY CONSULTATION

The process of community consultation in the preliminary planning phases of this proposal has included the following eight key stakeholder groups, comprising individuals and organisations.

- The Australian collective of The Discalced Carmelite Fathers
- The Carmelite Nuns (for Carmel House Monastery)
- Catholic Education Office for the Diocese of Wollongong (for Mount Carmel College)
- Ms Jacqui Kirkby and Mr Peter Gibbs (owners of Varroville House)
- Diocese of Wollongong (for Varroville Catholic Church)
- Ms Jacqui Kirkby (Chair of the Scenic Hills Association)
- The NSW Department of Planning, Infrastructure and Environment (NSW DPIE)
- Campbelltown City Council

A summary of the process, outcomes and position of each stakeholder group follows.

(i) The Australian collective of The Discalced Carmelite Fathers

The planning proposal has the full support of the national collective of Discalced Carmelite Fathers. It is important to note that this Group (being in effect the Landowner Group) gains no advantage from the outcomes of the planning proposal. Any future land transfer to the stakeholder parties will be for the assurance of public benefit and/or to honour a historical promise only. They will not gain financially in the case of the land transfers associated with Monastery and the Church.

In the case of the College, use of the land has been subject to an annual Licence arrangement since 1985 for the 8.245ha land area presently occupied by the College within Lot 20. The parties will either look to formalise that Licence as a registered lease following subdivision, or effect a transfer of the land at market value in consideration for the expiration of the Licence. As the land already affords them an annual income from the Licence which has a clear nexus with the value of the land, the financial outcome will be neutral such that there is again no financial gain to the landowners expected from either scenario in future.

It is emphasised that from the perspective of the landowner, the outcome of the planning proposal is inconsequential to them. They are choosing to be a co-proponent of this proposal to support the needs of their stakeholder establishments only.



(ii) The Discalced Carmelite Nuns (Varroville)

The interests of this stakeholder group are concerned with the Monastery building at 345 St Andrews Road, being one of the premises that is subject to this planning proposal. The Carmelite Nuns constructed their Monastery on an area of land set aside for them by the Friars in 1986, under an arrangement whereby the Friars would transfer the land to the Nuns when it became legally possible to sub-divide and do so. The Nuns also fully support the proposed subdivision of the College and Church from the Friar's land. Sister Jennifer Jones, the Nun's community leader, has expressed support for the proposal on behalf of her community and confirmed a successful outcome would substantially assist her community. The Carmelite Nuns have engaged Tim Lynch of Beswick Lynch Lawyers to assist them on all matters related to this proposal.

(iii) Catholic Education Office for the Diocese of Wollongong

The interests of this stakeholder group are concerned with Mount Carmel College at 220 Spitfire Drive Varroville, being one of the premises that is the subject of this planning proposal. They are a joint-proponent of the planning proposal request, along with the landowner. This Office has also confirmed with the author that they have no objection to the proposed subdivision of the Church or Monastery on the adjoining site.

(iv) Diocese of Wollongong

The interests of this stakeholder group are directly concerned with Varroville Catholic Church (inclusive of Kindergarten) at 193 St Andrews Road Varroville, being one of the premises that is the subject of this planning proposal. As the Catholic Education Office above is one of their entities, they are (by virtue of their reporting lines) also fully supportive of the Mount Carmel College subdivision. The Diocese has also advised that they have no objection to the proposed subdivision of the Monastery on the adjoining site. Should Council require evidence by way of a letter of support or similar from the Bishop for the Diocese of Wollongong regarding this support for the proposal to apply to all three facilities, there will be no issue sourcing this.

(v) Ms Jacqui Kirkby and Mr Peter Gibbs (owners of Varroville House)

Council will be well aware of both these significant persons in their LGA as the owners of the heritage listed Varroville House, and for their significant contribution to the LGA in their personal quest to preserve the Scenic Hills Area. At the time of writing, Ms Kirkby and Mr Gibbs remain committed to their personal appeal against the State Government approval of the Catholic Cemeteries Trust development approval that will engulf the lands that surround their site on the eastern side of St Andrews Road.



Through her separate role as Chair of the Scenic Hills Association, we have engaged and written to Ms Kirkby directly so as to engage her in both capacities, with the earliest of our consultations occurring in March 2022. We have also summarised the proposal for her in a separate letter dated 10th June 2022 setting out all the elements of this planning proposal request and with reference to the previous consultations that have occurred with Ms Kirkby directly.

(vi) Scenic Hills Association

Ms Kirkby leads the community-group known as the Scenic Hills Association as explained above. Ms Kirkby has been directly advised of this planning proposal request and spoken to prior to this submission by invitation from representatives of the proponents on 10th March 2022. Further constructive dialogue has occurred since, most of which has been directly with a DCF representative on behalf of the Landowner group. Ms Kirkby has been made aware that the amendments sought will have no impact on Scenic Hills zoning or anything that may cause demonstrable or perceived detriment to Scenic Hills. The right for Ms Kirkby or the Scenic Hills Association to provide any submission is nonetheless appreciated and respected. At the time of writing, we are unaware of any particular objection to the proposal on environmental planning grounds.

(vii) NSW DPIE

The planning proposal intention was discussed with representatives from NSW DPIE in early-mid 2021, primarily for the purposes of understanding if an expedited process would be available via section 3.22(1)(c) of the Environmental Planning and Assessment Act 1979. The Department acknowledged that while the specific section of the Act is seldom used in their experience, the conditions precedent may be justified. In light of the absence of any clear mechanism within the Department to make that application in the first instance, they suggested that the best approach would be to make such application via the planning proposal itself to enable Campbelltown City Council to also consider that request.

For the sake of completeness of this part, section 3.22(1)(c) states that:

- "(1) An <u>amending environmental planning instrument</u> may be made under this Part without compliance with the provisions of this Act relating to the conditions precedent to the making of the instrument if the instrument, if made, would <u>amend</u> or repeal a provision of a principal instrument in order to do any one or more of the following--
- (c) deal with matters that the Minister considers do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the <u>environment</u> or adjoining <u>land</u>.



(2) A reference in this section to an <u>amendment</u> of an instrument includes a reference to the <u>amendment</u> or replacement of a map adopted by an instrument."

Based on the discussions that were had about the planning mechanism to apply, it was clear from the feedback provided by NSW DPIE that there were no initial concerns or objections raised by anyone there about the substance of the amendments proposed for CLEP2015. Indeed it was acknowledged that the planning proposal process appeared excessive given the minor nature of the amendment proposed and that fact that no planning maps will be amended.

(viii) Campbelltown City Council

Historical approvals information was obtained from Campbelltown City Council following a Formal GIPA request in June 2021. The landowner declares that all improvements upon both their sites were historically approved by Campbelltown Council and properly constructed in accordance with those approvals.

A planning proposal pre-lodgment meeting with Council was held on Monday 23rd August 2021. This was attended by:

- Mr Fletcher Rayner Executive Manager Urban Release and Engagement
- Mr Graham Pascoe Senior Strategic Planner
- Ms Alexandra Saprun Strategic Planner
- Ms Belinda Borg Co-ordinator, Urban Engagement and Release.

A written response by Council was provided on 20th September 2021, the elements of which are captured in Table 12, together with a summary of the proponent response as to where and how this planning proposal request has incorporated the feedback and suggestions from Campbelltown Council.

Table 12 - Planning proposal reconciliation with pre-lodgement guidance

Council suggestions for inclusions in	Proponent Response
justification case	
Planning for Bushfire Assessment	Agreed and expert report provided
Greater Sydney Region Plan	Agreed and addressed
Western [Sydney] District Plan	Agreed and addressed
Campbelltown Local Strategic Planning	Agreed and addressed
Statement	
Other relevant Council Strategies	We have considered the Employment
	Lands Review (2011) to be relevant and
	have addressed this
Section 9.1 Directions	Agreed and addressed



Council suggestions for inclusions in	Proponent Response
justification case	
State Environmental Planning Policies	Agreed and addressed
Regional Environmental Plans	Agreed and addressed
Site description and context	Agreed and provided
Traffic/transport, public transport,	Agreed and expert report provided
parking, cycle/pedestrian movement	
Bushfire Hazard	Agreed as above
Biodiversity	Agreed and expert report provided
Water cycle management	Not applicable ¹
Soil stability	Not applicable ¹
Land contamination	Agreed and expert report provided
European and indigenous heritage	This information is widely publicised and
	readily available on the Scenic Hills
	Community Association website. The
	historical European (Carmelite)
	occupation of the Lots since the 1960's
	discussed and further historical
	environmental assessment is provided
Servicing and utilities/infrastructure	Agreed - a servicing arrangement plan
	has been provided with the concurrent
	subdivision proposal application
Social and cultural	Agreed - expert report provided
Visual analysis	Council has extensive Scenic Hills visual
	analysis material published on its
	website. We do not consider it of value
	to replicate that material. No changes in
	potential development outcomes are
	anticipated.

¹proponent disagrees as land use permissions and zoning are unchanged, nor will paper subdivision impact, hence the suggested reporting is of no relevance to the planning proposal objective or outcomes.

The direct environmental sensitivity of the planning proposal itself is considered to be neutral or insignificant consequence at worst, however, the social, cultural and economic consequences of the failure to endorse this planning proposal are considered to be substantial for the Campbelltown LGA in the medium to longer term future. It is appreciated that political interests or perspectives may play a part in public perception because of the history and sensitivity of the Scenic Hills in general. It is for that reason that we emphasise the importance of ensuring that the assessment of this proposal be entirely on its specific merits in in consideration of the objectives of Environmental Planning and Assessment Act 1979.



PART 6 - PROJECT TIMELINE

The project timeline ultimately depends upon whether Campbelltown Council chooses to deal with the requested amendment under:

- (i) the expedited provision of section 3.22(1)(c) of the EP&A Act 1979; or
- (ii) the prevailing NSW process for planning proposals as at April 2022; or
- (iii) an expedited approach that is consistent with the NSW DPIE December 2021 Discussion Paper 'A new approach to rezonings'

The rest of this part therefore addresses the three different planning pathways and project timelines that align with each assuming the same (actual) lodgement date in all three cases.

6.1 Section 3.22(1)(c) of the EP&A Act 1979

The proponents strongly make the case that the process steps, effort, resource consumption and cost of option (ii) is wasteful given that the proposal is simple, has no mapping changes, has no contravention with zoning objectives and will have no development outcome not otherwise already permissible with consent in the absence of the amendment. Accordingly, the proponents implore Campbelltown City Council to make the amendment requested by way of a section 3.22(1)(c) EP&A Act application direct to NSW DPIE. It is considered that the process time for a modification and determination/amendment by NSW/DPIE should not take more than 13-weeks (ie, 3-months) end-to-end. Assuming a 15th June Council lodgement date, this would suggest the CLEP2015 amendment could occur by 16th September 2022.

A very recent experience with another NSW Council where s.3.22 was applied for an LEP drafting error resulted in an LEP amendment occurring within 10-weeks of the first notification (Jan-March 2022). The timeframe is therefore considered realistic.

6.2 <u>The prevailing NSW process for Planning Proposals</u>

The suggested timetable for the processing of this planning proposal via the usual contemporary process is based upon our reasonable judgments and experiences of it under the provisions of the EPAA and the prevailing NSW DPIE *Guide to preparing planning proposals*. The department's guidelines note that the timeframe for the completion of the planning proposal will depend on the complexity of the matter, the nature of any additional information that may be required and the need for agency and community consultation. This is a non-complex proposal.

The project timeline in Table 13 below sets out an indicative timetable to effect the rezoning and other amendments sought by this planning proposal request assuming that the request is handled as a standard non-complex planning proposal.



Table 13 - Suggested planning proposal processing timeline (worst case)

Project stage	Time period allowed	Estimated completion date
Initial Lodgement with Campbelltown Council	N/A	Jun 2022
Anticipated date for consideration and endorsement of the planning proposal by Campbelltown City Council	3 months	Sep 2022
Anticipated approval and reporting period (Council to NSW P&E)	1 month	Oct 2022
Anticipated date of Gateway determination and commencement date	2 months	Dec 2022
Allowance of time for government agency consultation (pre exhibition)	3 months	Mar 2023
Anticipated timeframe for the completion of any further technical information	1 month	Apr 2023
Commencement and completion dates for public exhibition period including any public hearing period (if necessary)	2 months	Jun 2023
Allowance of time for government agency consultation (concurrent with public exhibition)	Within the 2- months above	Jun 2023
8. Consideration of submissions and agency feedback	1 month	Jul 2023
Resubmission of final planning proposal and Council process to achieve final endorsement.	1 month	Sep 2023
Anticipated date Campbelltown City Council will forward to the department to amend LEP	3 months	Nov 2023
Likely timing for CLEP2015 Schedule 1 amendment	5 months	Apr 2024
Total duration	1 year, 10 months	

Assuming a 15th June 2022 Council lodgement date, this would suggest the CLEP2015 amendment would occur by the end of April 2024 at the latest.

6.3 <u>A new approach to rezonings</u>

At the time of writing, it is noted that the NSW Government is seeking to overhaul the approach to rezonings to enable a faster and simpler planning system as part of the Planning Reform Action Plan. Their intention is for the new approach to start at some point this year. Public input to this was sought via an exhibited discussion paper between 15th December 2021 and 28th February 2022. The intention of the reforms is to:

- Cut the time it takes to process a proposal to change planning rules by a third (by 2023); and
- Establish an appeals pathway for planning proposals to overcome delays and progress rezonings that are consistent with strategic plans.



Appendix 4 of this document provides our contextual assessment of the December 2021 discussion paper 'A new approach to rezonings' published by the NSW Department of Planning, Industry and Environment. It also provides our perspective as to which of these approaches would apply if the new approach to rezonings was already in place as at the date of lodgement. It is our view that the Category 1 (Basic) process would apply as this is the most consistent with the s.3.22 modifications and planning pathway as discussed at 6.1 above, and as expressly identified in the Discussion Paper. The suggested timeline for the end-to-end process under this scenario would be only 26.5-weeks (ie. 6-months).

The project timeline in Table 14 below therefore sets out an alternative indicative timetable to effect the rezoning and other amendments sought by this planning proposal request assuming that the request is handled as a Category 1 (Basic) planning proposal. This would suggest the CLEP2015 amendment could occur by 16 December 2022.

Table 14 - Suggested Category 1 (Basic) planning proposal processing timeline as per the December 2021 Discussion Paper, 'A new approach to rezonings'

Project stage	Time period allowed	Estimated completion date
1. Proponent scoping & lodgement at Council	n/a	15 June 2022
2. Council Processing	1.5-weeks	24 June 2022
3. Exhibition	4-weeks	22 July 2022
4. Post-exhibition (allow one-month for Christmas/New-year)	10-weeks	30 Sep 2022
5. Assessment and finalisation	11-weeks	16 Dec 2022
Total, excluding scoping	26.5 weeks (6-months)	

Based on the three approaches explained at sections 6.1 - 6.3 above, the entire end-to-end process could therefore be achieved in as little as 3-months, 6-months or as much as 22-months. We again implore Council to see the sense in adopting a process that avoids the wastage of resource time and money for this non-complex request which is of neutral environmental impact as demonstrated throughout this document. Indeed, the NSW DPIE planning reforms scheduled for this year would require this process to be completed within 6-months, or at worst 8.5-months if a revised Standard (37-week) process was applied.



CONCLUSION

This planning proposal request seeks an outcome for the Campbelltown LGA that will secure the social and cultural significance and importance for three locally iconic institutions situated in Varroville NSW. This document has explained and considered the substantial community contributions provided by the existing facilities and operating organisations on land locally referred to as the Carmelite Precinct in Varroville. The proponents are significant stakeholders in the Campbelltown LGA in terms of their combined social, community, monastic, well-being and educational contribution.

All four facilities examined within this document provide unquestionable social and cultural contributions not just in their immediate locality, they are also known and valued by the wider Macarthur and metropolitan communities as well. These include the provision of:

- high quality co-educational secondary learning to an average of 1,100+ students of all denominations every year. Mount Carmel Catholic College has existed for nearly 37 years and is at capacity with a waitlist for most year groups.
- places that have social value and deliver positive social outcomes. Our Lady of Mount Carmel Catholic Church and Carmel House Monastery and Chapel provide for structured prayer services for their Church and monastic communities, as well as non-structured prayer, support, outreach and ministry services to both Catholic and non-Catholic communities including hospitals and prisons.
- the provision of places that foster community wellbeing and connection.

Mount Carmel Catholic College provides inclusive education opportunities for people of all religious affiliations and cultural backgrounds. This includes supporting Indigenous students, recent migrants and students of non-Catholic backgrounds. Access to inclusive education opportunities enhances community awareness, education and acceptance around different cultural and religious backgrounds. The Mount Carmel Retreat Centre is similarly inclusive offering retreats for a wide user group including schools, churches, corporates and others.

The proposed subdivision will support and enable the ongoing operation and investment of the four facilities provided on the site by providing Mount Carmel Catholic College, Our Lady of Mount Carmel Catholic Church and Carmelite Monastery with their own legal titles in a subdivision pattern that is consistent with the existing fencing of these properties. This means that no physical changes will occur. Subdivision and transfer of titles will provide greater certainty to the existing facilities to continue to operate, including their various community outreach programs. It will especially strengthen Mount Carmel Catholic College's ability to access funding pathways from the NSW Government and Commonwealth Government by being able to attest to their tenure at Varroville, the minimum period of which is at least 20-years each time such application is made.



A planning proposal is expected to deliver a considerable net public benefit because:

- the sustainment of the existing land uses is enabled via a neutral environmental planning outcome, with no environmental consequences from the changes proposed to CLEP2015;
- the current use of the proponent sites and permissibility of use is already consistent with the development objectives of the C3 zoning of these sites;
- there is no way that the proposed amendment could become a catalyst (or stimulate rezoning or other ambitions) for other Varroville landowners due to the unique community focus of these land uses and the fact they already pre-exist; and
- the outcome will assist to sustain and seek to meet the growing educational centre needs
 of the city. The existing license arrangement in place between the school owner and
 separate landowner is unsustainable for the future investment and renewal of school
 infrastructure on this site. Unresolved, this will be to the detriment of Campbelltown.

The proposal has compelling strategic planning merit and will deliver a more sustainable environmental planning outcome for the Campbelltown LGA because:

- the landowner proponent has the largest Varroville landholding between St Andrews Road and Raby Road and has been a vocal advocate for the sustainment of Council's environmental planning objectives for Scenic Hills;
- none of what is proposed by this planning proposal request modifies the existing realm
 or will confer a new development right for the legal division of boundaries sought that
 would not otherwise be possible without the re-organisation of boundaries;
- the ability to transfer legal ownership of the landholding beneath the community assets sought for subdivision to the actual provider and owner of those facilities will serve to reinforce and assure their sustainment and on-going investment into the future; and
- there are no environmental hazards or constraints of any significance that would otherwise provide any reason not to approve the planning proposal.

Given all the above reasons demonstrating the strategic planning merit of what is proposed, we kindly request that Campbelltown City Council endorse this planning proposal request and either address the requirement via a s.3.22(1)(c) EP&A Act application direct to NSW DPIE or prepare/provide a formal planning proposal to the Minister for Planning for a Gateway determination in accordance with section 56 of the EP&A Act.





Order number: 74682132 Your Reference: 9636301 08/06/22 10:31



NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 20/712018

SEARCH DATE TIME 8/6/2022 10:31 AM EDITION NO 7/6/2022 4

LAND

LOT 20 IN DEPOSITED PLAN 712018

AT INGLEBURN LOCAL GOVERNMENT AREA CAMPBELLTOWN
PARISH OF MINTO COUNTY OF CUMBERLAND
TITLE DIAGRAM DP712018

FIRST SCHEDULE

THE TRUSTEES OF THE DISCALCED CARMELITE FATHERS

(TZ AS194888)

SECOND SCHEDULE (8 NOTIFICATIONS)

RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

EASEMENT FOR WATER PIPELINE AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE TITLE DIAGRAM

EASEMENT FOR WATER SUPPLY AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE 3 K89573 TITLE DIAGRAM

4

AD807532 EASEMENT FOR ENERGY TRANSMISSION LINE 60 WIDE
AFFECTING THE PART DESIGNATED (B) IN PLAN WITH AD807515
DP1179363 EASEMENT FOR PADMOUNT SUBSTATION 2,75 METRE(S) WIDE
AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1179363
DP1179363 RESTRICTION(S) ON THE USE OF LAND 5

DP1179363 EASEMENT FOR UNDERGROUND CABLES 1 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1179363 DP1179363 EASEMENT FOR OVERHEAD POWER LINE(S) 9 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1179363 R

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 8/6/2022



^{*} Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register



Order number: 74682132 Your Reference: 9636301 08/06/22 10:30



NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/121046

SEARCH DATE	TIME	EDITION NO	DATE
8/6/2022	10:30 AM	3	7/6/2022

LAND

LOT 1 IN DEPOSITED PLAN 121046 AT WEST MINTO LOCAL GOVERNMENT AREA CAMPBELLTOWN PARISH OF MINTO COUNTY OF CUMBERLAND TITLE DIAGRAM DP121046

FIRST SCHEDULE

THE TRUSTEES OF THE DISCALCED CARMELITE FATHERS (TZ AS194689)

SECOND SCHEDULE (5 NOTIFICATIONS)

4	DECEDIZATIONS	ANID	CONDITATIONS	TAT	mun	CDOMN	CDANIE (C)
1	RESERVATIONS	AND	CONDITIONS	TIM	THE	CROWN	GRANT (5)

2 H52671 EASEMENT FOR WATER SUPPLY 6.095 AFFECTING THE PART OF THE LAND SHOWN SO BURDENED IN THE TITLE DIAGRAM

H65033 EASEMENT FOR WATER SUPPLY 6.095 AFFECTING THE PART OF THE LAND SHOWN SO BURDENED IN THE TITLE DIAGRAM

K89573 EASEMENT FOR WATER SUPPLY AFFECTING THE PART OF 4 THE LAND SHOWN AS PROPOSED EASEMENT 6.095 WIDE IN DP222267

5 AD807515 EASEMENT FOR ENERGY TRANSMISSION LINE 60 WIDE AFFECTING THE SITE DESIGNATED (B) IN PLAN WITH AD807515

NOTATIONS

UNREGISTERED DEALINGS: NIL

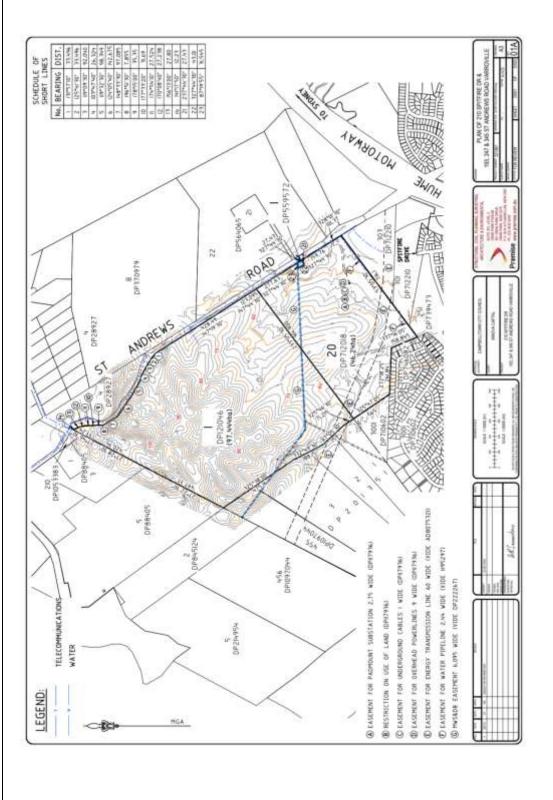
*** END OF SEARCH ***

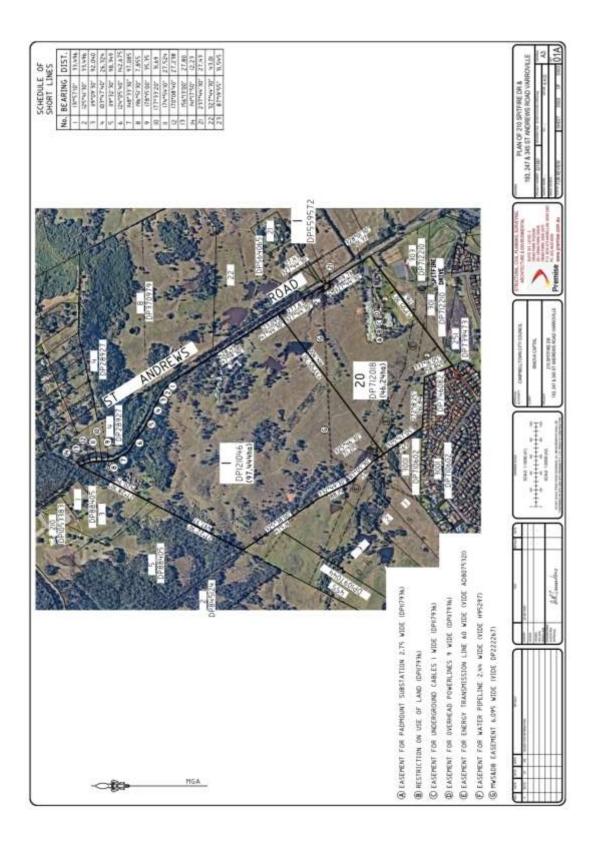
PRINTED ON 8/6/2022

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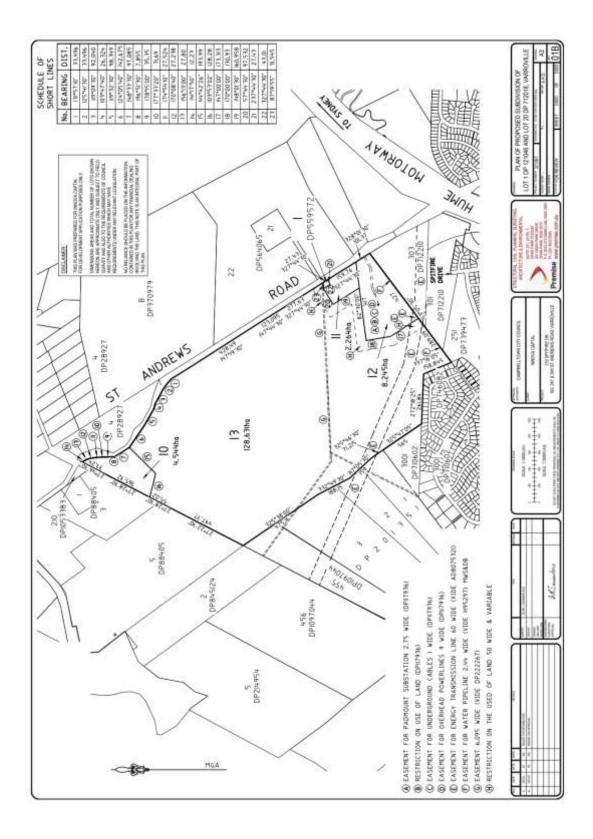


Appendix 2Site survey and plan of proposed subdivision



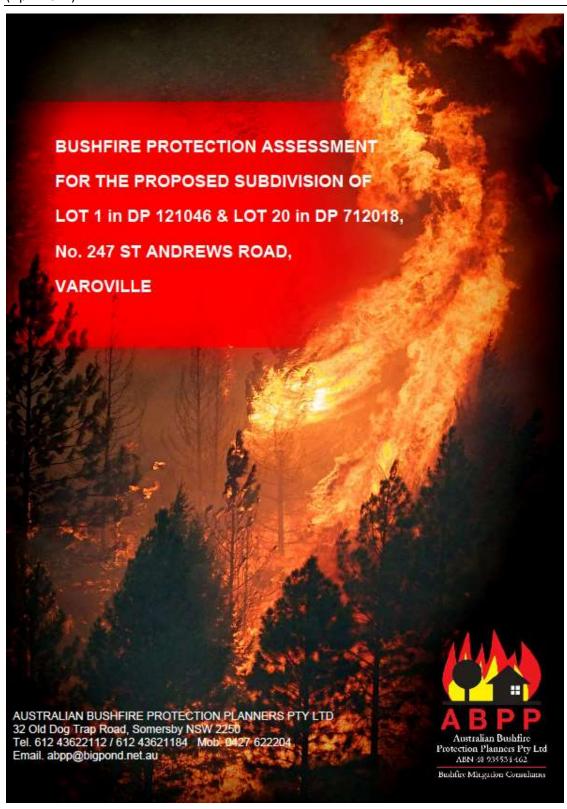








Appendix 3Planning for Bushfire Protection Assessment - Australian Bushfire Protection Planners (April 2022)



Appendix 4

Contextual assessment of December 2021 Discussion Paper 'A new approach to rezonings'

Reference is made to the abovenamed paper published by NSW Department of Planning, Industry and Environment.

The proponent supports the direction of that discussion paper in the context of this particular planning proposal request for the following reasons:

- assessment option or procedural concessions. This planning proposal demonstrates that the outcomes maintain consistency with strategic the procedural complexity of the existing NSW Guideline does not afford simple proposals such as this one a streamlined processing and plans, hence if Council is satisfied this is the case, there should be no need for a simple planning proposal to be further assessed by state government, particularly where it is clear that the proponent will not benefit from any material financial gain as a consequence of the LEP amendment sought. \equiv
- the process which presently sees both local and state government effectively duplicating the assessment effort for the simple matter of a site specific concession which has no direct or indirect environmental impact compared to the status quo is considered a waste of human, financial and other resources between the layers of local and state governments. \equiv
- authority staff and elected officials, and should be agreed or acknowledged within the scope of the pre-lodgement process. It is otherwise the strategic merit test is considered to be poorly defined or undefined and largely left to the subjective differences of opinion amongst consent. absurd to have a strategic test measured at the end of a production process. Process should follow strategy, not the other way around. \equiv
- the proposed new approach allows Councils to receive and determine private proponent-initiated LEP amendments, with no or minimal departmental involvement in assessment, and affords private proponents a right of appeal against the final decision. <u>(</u>
- consistency with the section 3.22 justification that has been expressed in this specific planning proposal. This section of the EP&A Act deals with fast-tracked changes of environmental planning instruments. It is not considered that category 2 (Standard) would apply here because the t is considered that this planning proposal would fall under the proposed new category 1 (Basic) planning proposal because it seeks to attain planning proposal is not seeking to alter the land-use zone or the principal development standards and otherwise maintains consistency with he local strategic planning statement as demonstrated in this planning proposal request. \geq

SIA Ecological & Environmental Planning Pty Ltd

Suite 56, 8-24 Kippax St Surry Hills NSW 2010

ABN: 32 636 794 477 Mob: 0403 233 676

Email: mjames@siaeep.com.au Http://www.siaeep.com.au

Mr Wayne Camenzuli Managing Director Capital Syndications Pty Ltd (t/a 'Innova Capital') PO Box 370 CRONULLA NSW 2230

27th January 2022

Dear Wayne

Re: Proposed Planning Proposal – Lot 1 DP 121046 and Lot 20 DP 712018 (No. 247) St Andrews Road, Varroville

I have examined the NSW Government's Biodiversity Values Map (BVM) and determined that part of the above property is shaded on the BVM. However, it is my understanding that no 'works' are proposed as part of the planning proposal. Consequently, there would be no impacts from the planning proposal on vegetation, or on biodiversity. I conclude that no Flora and Fauna Impact Assessment report and no Biodiversity Development Assessment Report (BDAR) would be required for the planning proposal.

Should you have any questions or wish to discuss any aspects of this letter please contact me.

Yours sincerely

Martin James

Director/ BAM Accredited Assessor

SIA Ecological & Environmental Planning Pty Ltd



29 March 2022

Campbelltown City Council PO Box 57 Campbelltown NSW 2560

Attention: The General Manager

Dear Sir/Madam,

ASSESSMENT OF PARKING, TRAFFIC & TRANSPORT IMPACTS ASSOCIATED WITH PLANNING PROPOSAL TO SUBDIVIDE A PARCEL OF LAND FRONTING ST ANDREWS ROAD & SPITFIRE DRIVE, VARROVOLLE

This Practice has been engaged by Catholic Education Office of the Diocese of Wollongong to undertake an assessment of the potential parking, traffic and transport impacts associated with a planning proposal seeking a modification to Campbelltown Local Environmental Plan (CLEP 2015) with respect to a large parcel of land fronting both St Andrews Road and Spitfire Drive, Varroville.

SITE DETAILS & EXISTING DEVELOPMENT

The site is situated on the western side of St Andrews Road, to the north of Spitfire Drive, Varroville. This location is illustrated overleaf within a local and aerial context by Figures 1 and 2, respectively.

The subject site comprises two allotments, as follows:

- Lot 20 DP 712018; and
- Lot 1 DP 121046.

Collectively, the allotments form an irregularly shaped parcel of land providing approximate frontages of 1900m and 300m to St Andrews Road and Spitfire Drive. The parcel of land provides an approximate area of 143.4ha.



Appendix 8

Stage 1 Preliminary Site Contamination Investigation prepared by Geo-environmental Engineering (October 2021)



STAGE 1 PRELIMINARY SITE CONTAMINATION INVESTIGATION

193, 247 & 345 ANDREWS ROAD & 210 SPITFIRE DRIVE VARROVILLE NSW

PREPARED FOR THE DISCALCED CARMELITE FRIARS
REPORT ID: E21010VAR-R01F

Date: 29th October 2021 Revision No. 0

Client:

Fr Bernard Hancock OCD Regional Vicar Discalced Carmelite Friars Mount Carmel Priory 247 St Andrews Road VARROVILLE NSW 2566

Author: S. McCormack (B.Eng.) – CEnvP (Contaminated Land Specialist No. SC40929)
Field Engineer / Scientists: S. McCormack





