



## Old Mill Properties Pty Limited

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The Secretary  
NSW Department of Planning & Environment,  
23-33 Bridge Street,  
Sydney NSW 2000

Dear Brendan,

### **GREATER MACARTHUR LAND RELEASE INVESTIGATION SUBMISSION IN RESPONSE TO EXHIBITION OF DOCUMENTS**

We represent Mt Gilead P/L, the owner of a large landholding in the north of the Greater Macarthur Land Release Investigation Area (including some within the Mt Gilead MDP land).

We have prepared this submission to the documents exhibited for the Greater Macarthur Land Release Investigation (GMLRI). The submission focusses on the implications of proposals within the documents on the MDP area. Separately, we understand, Lend Lease (who have an interest in the broader Mt Gilead lands), will make a submission on the overall Mt Gilead land.

It should be noted that the proposal for rezoning of the MDP land through the Gateway process with Campbelltown City Council (CCC) is at an advanced stage. In particular:

- The Planning Proposal (with the accompanying detailed technical studies as required under the Minister's Gateway Determination of 7 September 2012) were completed and submitted to CCC (19 September 2014);
- The Planning Proposal has been publicly exhibited and consultation held with relevant agencies (28 April to 30 June 2015);
- Submissions have been received and reviewed and the proposal and instrument amendments modified where appropriate;
- A Regional VPA offer has been made to the department, primarily covering necessary upgrades to Appin Rd (7 August 2015);
- A draft Local VPA offer (submitted September 2015) is with CCC for agreement and finalisation;
- Applications for two bio banks within the MDP land, to ensure self-contained vegetation offsets for development, have been submitted to Office of Environment & Heritage (OEH, 29 October 2015);
- Application for a biodiversity certification agreement for the MDP land is with CCC for submission to OEH; and
- EPBC referral for the MDP land has been submitted (29 October 2015)

The advanced stage of progress will allow rezoning in early 2016 and registration of subdivisions and housing construction in 2017 if the current Gateway process for rezoning and the execution of Regional and Local VPA's is allowed to proceed unhindered by the GMLRI process. This would not preclude the later incorporation of the MDP land into GMLR.

The GMLRI is supported by our client with the suggested amendments as noted in the accompanying documents.

Thank you for receiving our submission.

Yours sincerely  
OLD MILL PROPERTIES PTY LTD

A handwritten signature in blue ink, appearing to read 'Darryl Kite', with a stylized, cursive script.

DARRYL KITE  
DIRECTOR  
17 November, 2015

# **GREATER MACARTHUR LAND RELEASE**

## **INVESTIGATION**

### **MT GILEAD MDP AREA SUBMISSION**

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This submission is limited to the implications of the proposals in the documentation released by the Department of Planning & Environment (DPE) on the Greater Macarthur Release Investigation (GMLRI) on the Mt Gilead MDP area. The submission has been prepared on behalf of the major landowner in the MDP area, Mt Gilead Pty Ltd.

#### **MDP land ownership and status**

The MDP land has been identified for urban development in the former Metropolitan Development Program for in excess of 20 Years. The MDP land is located in the north east corner of the Menangle Park/Mt Gilead Priority Precinct as defined by DPE in the GMLRI.

The total area of the MDP land is 210ha. Mt Gilead Pty Ltd is the landowner of 176ha of the MDP land, the balance being owned by S&A Dzwonnik.

The MDP land received a positive Gateway Determination from the Minister in September 2012. The Planning Proposal (and accompanying technical studies) has been publicly exhibited and is now with Campbelltown City Council (CCC) for a resolution to forward to DPE and the Minister for rezoning of the MDP land. Offers have been made to DPE, for a Regional Voluntary Planning Agreement (VPA), and CCC for a Local VPA. Negotiations to achieve execution of these VPA's is expected to commence shortly. In addition, applications for registration of bio banks have been submitted and an application for a biodiversity certification agreement will shortly be submitted by CCC.

The MDP land has significantly progressed through the Gateway Determination pathway and we recommend that this land continues to progress to rezoning through this process.

#### **Submission Matters**

##### **Statutory Planning Framework**

The use of a State Environmental Planning Policy (SEPP) amendment to provide a coordinated clear pathway for the rezoning of land in the Menangle Park/ Mt Gilead Priority Precinct is supported for those lands not currently on the Gateway path.

As noted above, the Mt Gilead MDP land is at an advanced stage in the Gateway process. This process should be allowed to continue to its logical conclusion.

This would allow rezoning to be achieved by early 2016 with subdivision registrations and housing construction commencing in 2017. This would be significantly earlier than the SEPP amendment pathway for the Mt Gilead MDP land. This will shall satisfy the Minister's objectives of achieving housing within 2 years in the Menangle Park/Mt Gilead Priority Precinct.

We understand the MDP land is within the precinct boundary of the GMLRI and we support this on the basis it assists in future coordination of future land release precincts and coordination and apportionment of Infrastructure.

### **Special Infrastructure Contributions (State Infrastructure)**

The implementation of a Special Infrastructure Contribution (SIC) for GMLRI is supported.

However as noted above, the Mt Gilead MDP landowners have made an offer for a Regional VPA to DPE, to cover its contribution to state infrastructure. The offer made included:

- Construction of part of the upgrades of Appin Rd, identified in the traffic study (supporting the Planning Proposal) at the landowners cost, as works in kind;
- Provision of land for the road widening of Appin Rd along the full frontage of the MDP land at no cost to government; as works in kind; and
- The allocation of a 2ha site for a primary school (at government cost)

The works in kind offer on Appin Rd works represented the proportion of traffic generated by the development of the 1700 lots on the MDP land to capacity generated by the upgrade works. The balance of traffic (to be funded by government) was represented by background growth, traffic from other recent developments (Appin Valley) and spare capacity for further developments. As such the offer represented an 'at no cost to government' offer.

DPE subsequently advised the landowners that the Department of Education & Communities did not require the provision of a school site.

As this amended offer (excluding the school site) is capable of being negotiated and agreed within months it is recommended that the Regional VPA be finalised and executed and its particulars incorporated into the SIC.

Again we support the MDP land to be included in the GMLRI precinct to assist in future funding of the Appin Rd upgrade as the upgrade provided for by the MDP VPA offer is enabling works and a nexus for future housing in the GMLRI.

### **Local Infrastructure Contributions (Local Infrastructure)**

As noted above, the landowners of the Mt Gilead MDP land have made an offer for a Local VPA to CCC.

The negotiation process with CCC and the landowners has been progressing since the offer was made in September 2015.

It is expected that negotiations should be concluded in principle by the end of 2015 and that the document will be put on public exhibition in early 2016 (following despatch of the Planning Proposal and LEP amendments to DPE).

It is recommended that the current process for the conclusion of an executed Local VPA be allowed to continue for the MDP lands and that the MDP lands be excluded from the GMLRI land arrangements.

### **Delivery of Utility Infrastructure**

The landowners of the MDP land, with Lend Lease, have made considerable progress for the servicing of the MDP lands with electricity supply and potable water supply and wastewater services.

The MDP land is able to connect to existing services or provide for service upgrades within the MDP Land and is not reliant on any infrastructure upgrades relating to the GMLRI.

Thus the servicing of the MDP land is not affected by the servicing of the wider GMLRI lands and can progress ahead of land releases within the GMLRI.

### **Roads & Public Transport**

The proposed route of the north-south arterial/sub-arterial road with bus priority, extending from Menangle Rd to Picton Rd, is supported, but not on the line shown in the GMLRI documents.

Whilst it is understood that the path of the road as shown in the documents is approximate, what is shown is impractical. The terrain traversed from Kilbride/ south Rosemeadow to the northern end of the MDP area would be an economically inferior solution. It would require overcoming a natural gradients of approximately 1 in 10 and would have to cross a significant gully (see attached interpreted route and cross section prepared by Cardno).

In addition the path of the road as shown would destroy two bio bank areas being established in the MDP area as vegetation offsets for development (see attached figure). These two bio banks are to be established on some of the remaining native vegetation communities in the MDP lands.

An alternate route to the west the Mt Gilead homestead that follows the line of Menangle Rd (as shown on the attached figure) is recommended. This route:

- Affects less existing native vegetation
- Involves less terrain challenges and would hence be more economic
- Provides a better alignment for longer term extension south to the more southern sections of the GMLRI lands

### **Ecology & Biodiversity Certification**

As noted above, the landowners of the MDP land, have completed a study of the flora and fauna of the land, to assess the status of native flora and fauna and effects of development. The Concept Plan for development has been guided by the study and:

- Two bio bank areas and an area of managed lands have been identified to provide full offsetting of vegetation effects within the MDP lands. Applications have been made for the two bio banks and the Managed Land is to be incorporated into the Local VPA and transferred to CCC
- An application for a biodiversity certification agreement has been prepared for submission by CCC to OEH for the MDP lands
- An EPBC referral has been submitted to the Commonwealth Department of the Environment

It is recommended that the MDP land proceeds with the current strategy of securing bio bank registration and a biodiversity certification agreement to allow development to proceed and that the MDP land be excluded from any SIC allowance arrangement for biodiversity certification in the balance of the GMLRI lands.

### **Agricultural Land**

It is understood that DPE has relied on a broad desktop study for its assessment of agricultural land in the GMLRI. This study has identified portions of land within the MDP land meeting the criteria of Land & Soil Capability Class 2, resulting in an encumbrance.

As required by the Minister as part of the Gateway Determination, the landowners commissioned AgEconPlus to undertake an agricultural land study. The study concluded that at best the MDP land is suited to cattle grazing. The study determined that the loss of land for this use was unlikely to have a significant impact on food production, being able to support only 0.002% of the total head of cattle in NSW.

In addition the two areas of encumbered lands are quite small and not contiguous with any larger parcel of land with the same soil characteristics.

It is recommended that the encumbrance be removed.

### **Centres**

The GMRLI documents show a Village Centre on the MDP land. Although the location is understood to be indicative only, a proposal for this location is not supported.

As required by the Minister as part of the Gateway Determination, the landowners commissioned MacroPlan to undertake a social and economic impact assessment for the MDP land. The study determined that there was no need for a retail centre but that a community hub with a small amount of retail could be supported. Thus the development of the MDP land cannot support any development interest for the village centre on its own and would leave the site as an undeveloped lot in the middle of a residential community.

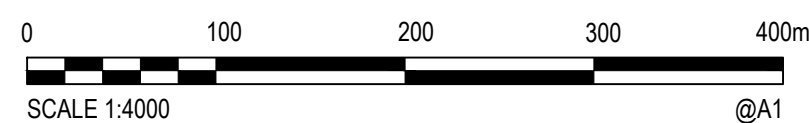
The village centre would be best located to the west where it would be more central and would be aligned with the recommended location for the north-south bus priority route (see above).

In conjunction with Lend Lease we have developed a plan locating superior alternate locations for the Town centre and Village centre for the wider Gilead precinct for the GMLRI. This plan also indicates alternate locations for the future Schools and education precincts on the GMLRI land (refer to attachment)





1	17/11/2015	ISSUED FOR INFORMATION	LC	LC	
Rev.	Date	Description	Des.	Verif.	Appd.

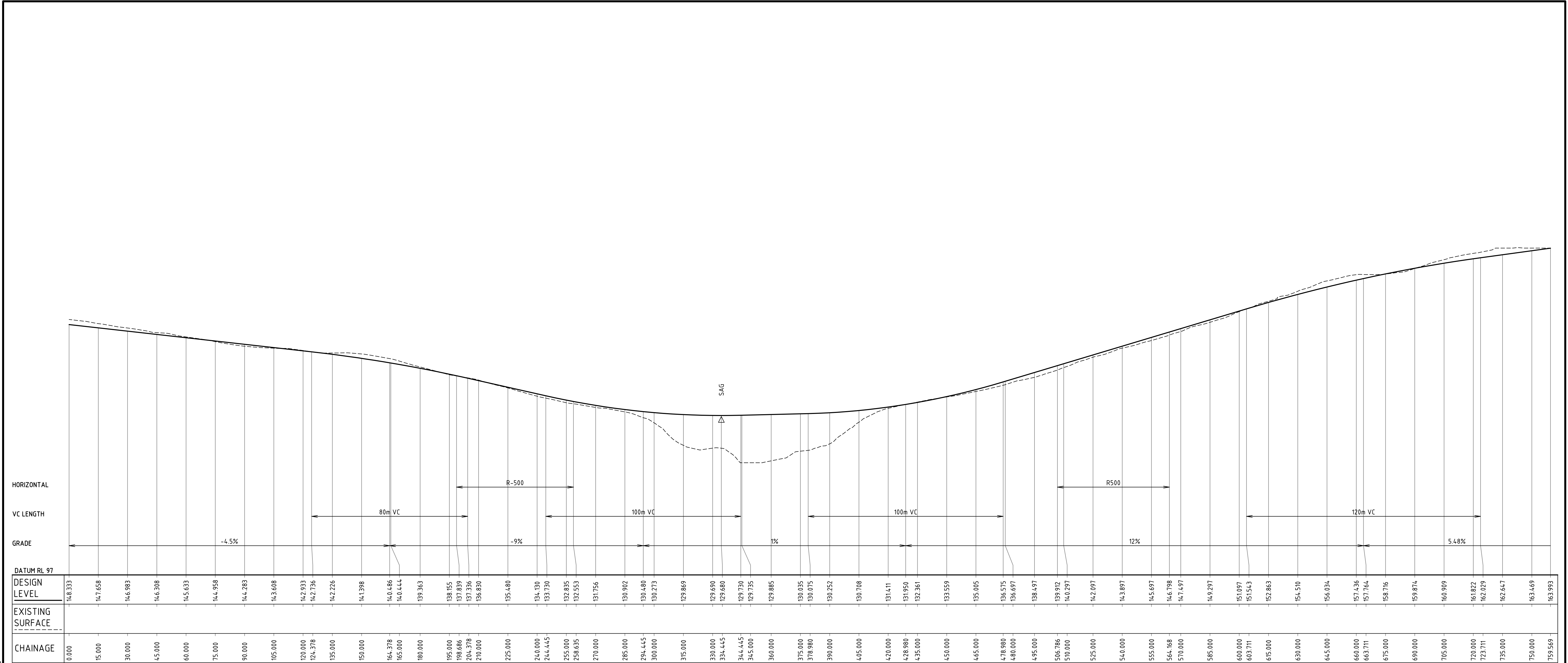


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Drawn DB	Date 17/11/2015	Client LEND LEASE COMMUNITIES		
Checked LC	Date 17/11/2015	Project MT GILEAD	Status	<b>FOR INFORMATION ONLY</b> NOT TO BE USED FOR CONSTRUCTION PURPOSES
Designed	Date			
Verified	Date			
Approved	Date	Title MDP N-S COLLECTOR ROAD DPE ALIGNMENT ROAD 1 PLAN	Drawing Number 89914069-003-SK012	A1 Revision 1

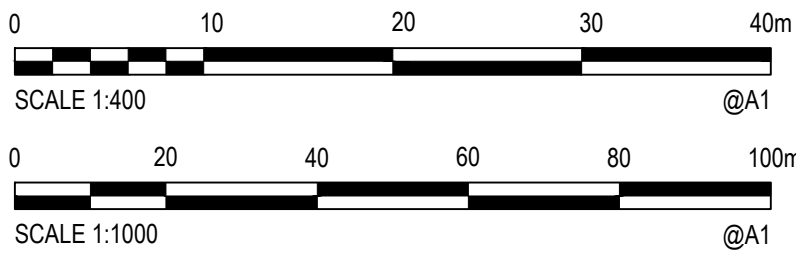




ROAD 1 LONGITUDINAL SECTION

1:1000 HORL  
1:400 VERT.

1	17/11/2015	ISSUED FOR INFORMATION	LC	LC
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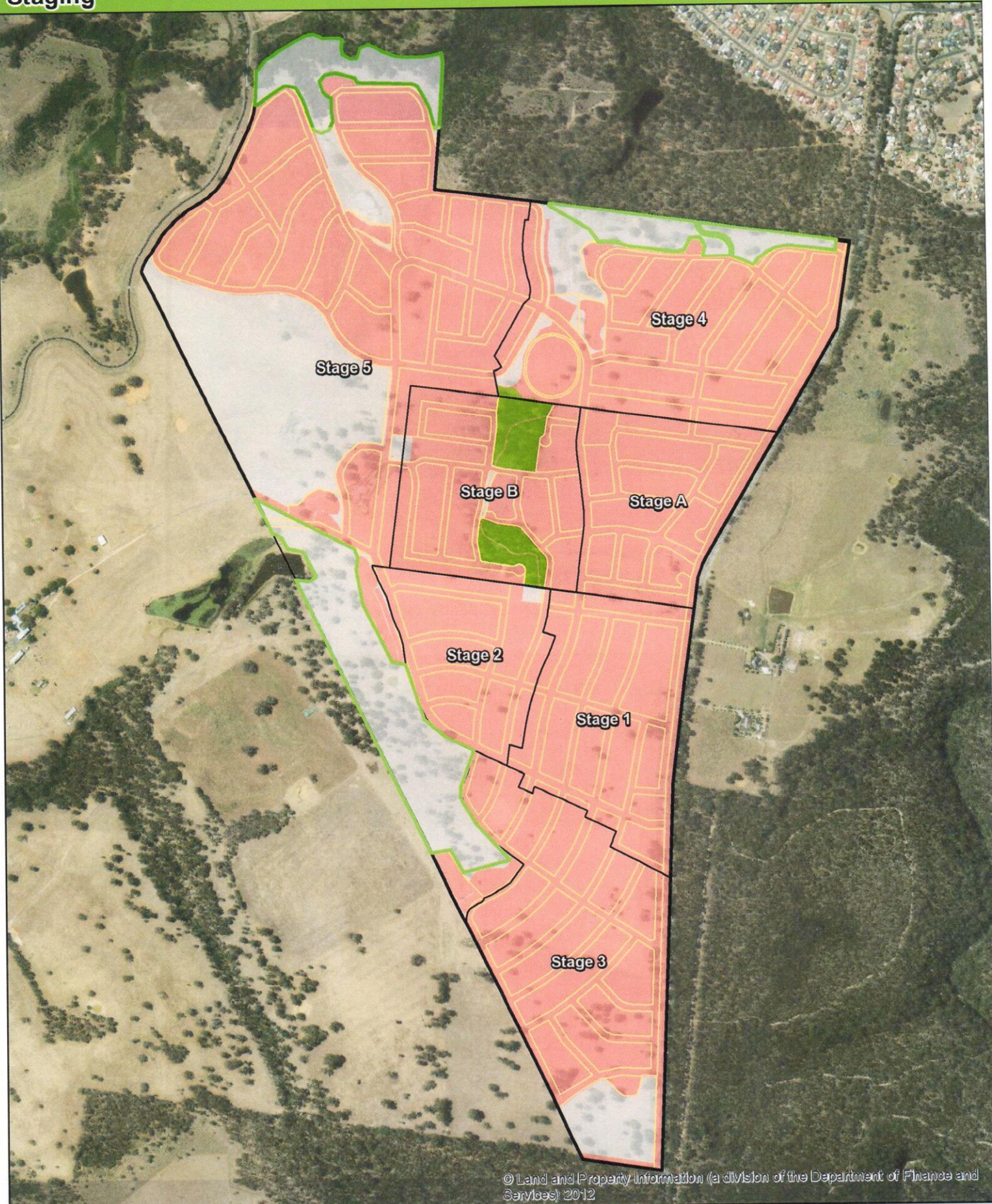
**Cardno**  
Shaping the Future

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Drawing Number 89914069-003-SK013		Scale AS SHOWN Size A1
		Revision 1



# Staging



## Legend

Biodiversity Certification Assessment Area

Staging

Proposed Lot Layout

Future Biobank Sites (Application submitted)

Land to be Certified

Land Subject to Conservation Measures

Retained Land

0 100 200 400  
Metres

Projection: GDA 1994 MGA Zone 56

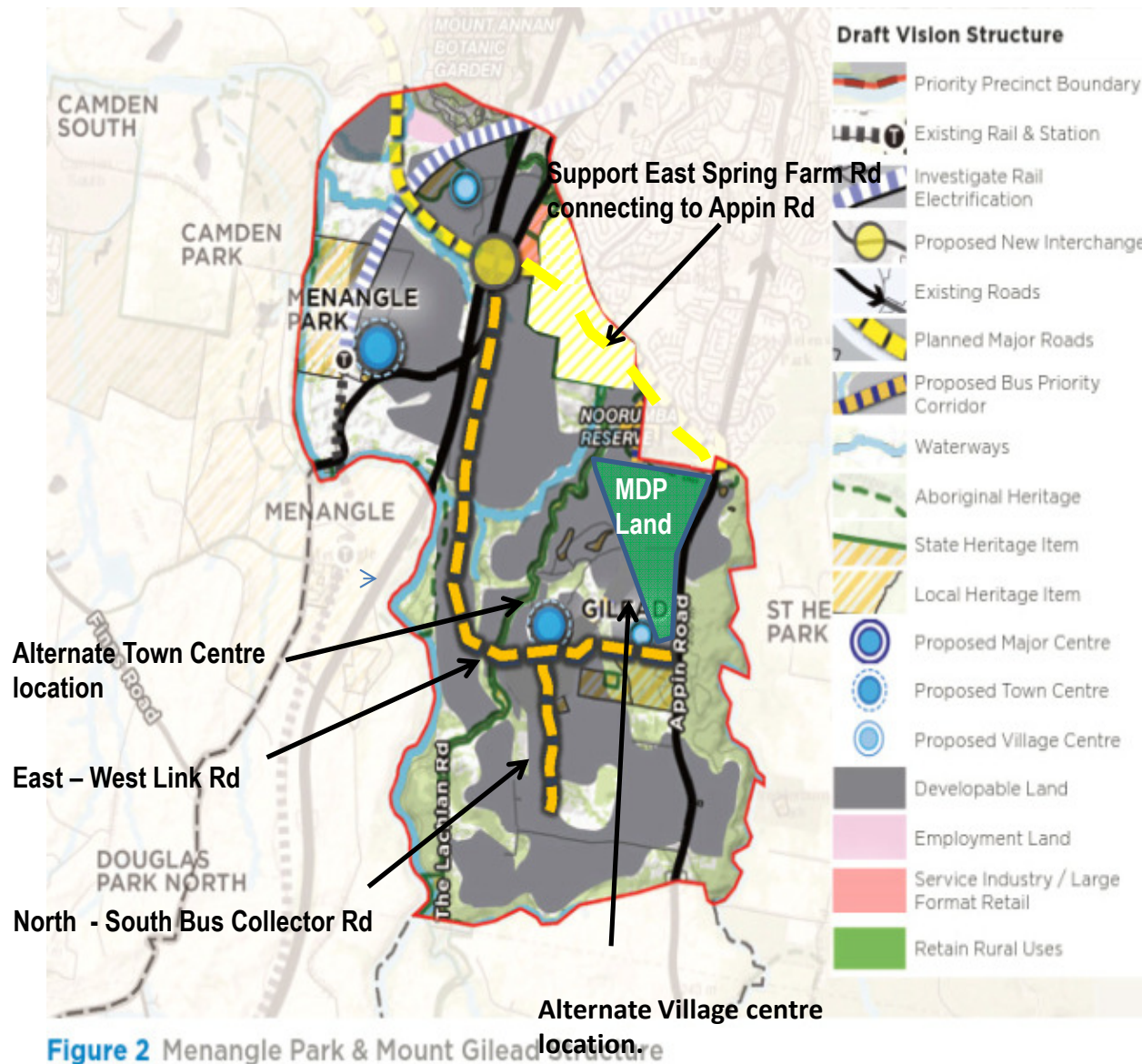


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## GILEAD PRECINCT: ALTERNATE STRUCTURE PLAN (Transport and Amenity location)



### ALTERNATE TRANSPORT ROUTES

- **Supportive of “East” Spring Farm Rd Linking Hume Highway to Appin Rd** to reduce existing traffic congestion on Appin Rd and Narellan Rd from Rosemeadow demand.
- **Alternate East - West link** through centre of Gilead precinct. Better serving future demand from Gilead precinct. and reducing demand on Appin Rd.
- **Alternate North – South Bus priority Route.** Utilising existing Medhurst and Menangle Park Rd.
- **Removal of the North – South Collector through the MDP land.**

### CENTRE LOCATIONS.

- **Alternate Town centre location** at the T - Junction in the centre of the precinct.
- **Alternate Village Centre location** in East – West link in early stages of housing supply. (off Appin Rd)

### EDUCATION / REGIONAL SPORTING PRECINCT

- **Locate Education and Regional Sporting Ovals adjacent to Town centre.**