



Family &  
Community  
Services

# Claymore Urban Renewal Project

**Section 75W Modification to Concept Plan - MP 10\_0011 MOD 2**

Environmental Assessment Report

Submitted to the NSW Department of Planning & Environment

22 November 2018

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# 1 Introduction

## 1.1 Executive summary

This environmental assessment report has been prepared by the NSW Land and Housing Corporation (LAHC) for submission to the Minister for Planning and Environment to accompany an application to modify the concept plan approval for the LAHC owned Claymore Urban Renewal project in the Campbelltown LGA. The application is made in accordance with the now repealed Section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act), which continues to apply to Part 3A approvals under the transitional arrangements in Schedule 6A of the EP&A Act.

NSW Land and Housing Corporation (LAHC) is seeking an amendment to the Claymore Renewal Project Further Assessment Requirements regarding Development Contributions (Schedule 4, Item 7 of MP11\_0010).

The Further Assessment Requirements (22 October 2013) placed on the Concept Plan approval require that a Planning Agreement be negotiated and executed prior to lodgement of any development application for Stage 3. Since this time, delivery of the Project has progressed significantly:

- Construction of Stages 1 and 2 of the Project, inclusive of the Planning Agreement items associated with these project stages, have been successfully completed. The respective subdivision certificates have been approved by Campbelltown City Council (**Council**) and registered by Land Registry Services.
- LAHC has submitted a letter of offer to Council to enter into a Planning Agreement (dated 19 January 2018) to deliver all roads, social and community infrastructure, drainage and open space facilities and amenities, consistent with the Statement of Commitments. LAHC and Council are currently working together to progress this offer to public exhibition as soon as practicable.
- LAHC has executed a Project Delivery Agreement with Landcom (dated 29 June 2018), for their delivery of Stages 3 to 6 of the Project on behalf of LAHC over the next 5-6 years.

The development application for Stage 3 was lodged with Council on 2 June 2017, with the exhibition period occurring in late 2017. After completing its assessment, Council forwarded its final report and draft conditions of consent to the Campbelltown Local Planning Panel (**LPP**) meeting in September 2018, with a recommendation for approval.

Notwithstanding Council's recommendation for approval, the Panel formed the view that the application could not be approved given the non-compliance with the timing for Planning Agreement execution specified within the *Further Assessment Requirements*.

As part of the Stage 3 development application currently awaiting determination, LAHC and Council have agreed the timeframe for execution of the Planning Agreement, as being required to occur prior to Council's approval of the Stage 3 subdivision certificate. This timeframe was recently reflected in Council's report to the LPP.

Council have also reconfirmed their agreement to this modification request through the attached letter of support (refer Appendix B)

LAHC and Council are both in agreement on this modification request and it is observed that there are no environmental impacts arising. The earliest approval of this matter would enable the swift determination of the Stage 3 development application by the LPP and also allow Landcom to continue on with the next phases of the Project's successful ongoing delivery.

## 1.2 Background

### **Original concept plan (MP 10\_0011)**

Concept Plan approval was granted on 24 May 2013 by the Minister for Planning for the Claymore Urban Renewal Project ("CURP") providing generally for approximately 1,490 dwellings, including 100 seniors housing units, the creation of a new town centre, a revised street layout, public areas, and upgrades to existing utilities (refer to Figure 2).

The Concept Plan will deliver demolition and redevelopment of approximately 1000 poorly performing townhouse/villa dwellings, with the remaining 120 cottages to be selectively upgraded and adjoining poorly maintained open space areas to be incorporated as new and improved open space. Upon completion it is anticipated that 30% of the final yield will be retained as social housing.

In short the approved Concept Plan is for the long term rejuvenation of the estate involving:

- The increase in dwellings from around 1,120 to approximately 1,490 dwellings;
- The retention of approximately 120 existing dwellings on separate lots;
- An integrated social mix of 70% private and 30% social housing;
- Creation of a new retail centre;
- New or upgraded urban infrastructure such as pathways, lighting, open space, community uses, drainage and interconnecting public roads;
- Staging plan;
- Utilities and infrastructure delivery plan;
- Claymore Development Control Guidelines;
- Street layout and building typologies; and
- Street tree and landscaping strategy.

### **Modification 1 (MOD 1 MP 10\_0011)**

Approval was sought to extend the timing for the execution of the VPA until prior to the commencement of Stage 3. Approval was granted on 15 October 2013 by the Department of Planning and Environment (**DPE**) noting that the Project's Statement of Commitments was quite specific and any deferral of the Planning Agreement execution timeframe did not have a negative impact on the project's delivery.

## 2 Site description

### 2.1 Site description

The subject site is located 2km to the west of the Campbelltown CBD, within the Campbelltown LGA and is bounded by Badgally Road to the south and the Hume Highway to the east.



Figure 1: Claymore Renewal Project Context Plan



**Figure 2: Claymore Renewal Project Approved Concept Plan (2013)**

## 2.2 Project status

Stages 1 and 2 of the CURP were announced by the then Minister for Housing in February 2014, with development consent subsequently issued by Council in October 2014. Landcom commenced the Stage 1 and 2 redevelopment works on behalf of LAHC in early 2015, with Stage 1 completed and sales commenced in February 2016. By mid 2017, the Stage 2 works were also completed and all 247 lots within Stages 1 and 2 had been sold.

In June 2018, LAHC commenced construction of its new social housing supply in Stages 1 and 2, which are being delivered in the form of two seniors housing complexes comprising a total of 55 units. Also in June 2018, LAHC executed a commercial agreement with Landcom for delivery of Stages 3 to 6 of the project, including the completion of 128 new social homes. The Stage 3 civil works are expected to commence on site in early to mid 2019 (refer to Figure 3 for current Staging Plan).



Figure 3: Claymore Renewal Project Staging Plan (2018)

### 3 Proposed modification

The *Further Assessment Requirements (22 October 2013)* placed on the Concept Plan approval require that a Planning Agreement be negotiated and executed prior to lodgement of any development application for Stage 3. This Agreement is required to be consistent with the Project's *Statement of Commitments*, which are outlined in detail at Schedule 5 of the Concept Plan approval.

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## 4 Statutory and policy considerations

### 4.1 Modification of Concept Plan

This modification application is made in accordance with the now repealed Section 75W of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, which continues to apply to Part 3A approvals under the transitional arrangements in Schedule 6A of the EP&A Act.

Concept plans may still be amended under clause 3BA (5) of Schedule 2 to the *Environmental Planning and Assessment (Saving, Transitional and Other Provisions) Regulation 2017*.

### 4.2 Environmental considerations

The proposed modification to Concept Approval varies the timing for the VPA only with regard to stage 3. No material impact on the proposed works or contributions will result from the change in timing. Council who is the beneficiary of most of the works has provided written support for the application.

### 4.3 Community considerations

There is no community impact arising from a timing shift for the VPA execution: The change does not affect the timing or level of commitment to the various contributions and works proposed as part of the Concept Approval.

## 5 Conclusion

Given Councils support for the modification, the development application and the substantial progress made in negotiating the Planning Agreement there appears to be no impediment to the approval of the modification request.

## **APPENDIX A: AMENDED STATEMENT OF COMMITMENTS**

### **Development Contributions**

- Delete future assessment requirement 7 and replace with the following;

7. Prior to the issue of any subdivision certificate for Stage 3, a planning agreement to provide roads, social and community infrastructure, drainage, open space facilities is to be negotiated and Executed with Campbelltown City Council. The Planning agreement should include the nature of any dedications or works in kind and must be consistent with the Approved Statement of Commitments.

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