

# **Menangle Park Planning Proposal**

**October 2016**

**Campbelltown City Council**

# Planning Proposal

Subject: Amendment to Campbelltown Local Environmental Plan 2015 - Menangle Park Urban Release Area (previously Draft Campbelltown (Urban Area) Local Environmental Plan 2002 – Amendment No 25 - Menangle Park Urban Release Area)

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## Introduction

Menangle Park is located approximately 5.5 kilometres to the south-west of the Campbelltown CBD. The proposed Menangle Park Urban Release Area has a total site area of approximately 958 hectares and is bounded by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Garden to the north. The Main Southern Railway Line dissects the site in a north / south direction.

The proposed release area is generally characterised by undulating hills to the north, east and southern extremities with the eastern portion of the site comprising broad rolling hills with gentle to moderate slopes (3-10%). A major tributary system flows from east to west across the northern part of the site towards the Nepean River, and three minor tributaries enter the Nepean River in the south and south west of the site. Over one third of subject site is subject to flooding under the existing 1% AEP flood event.

The existing land uses comprise predominantly rural and associated uses including horse related activities, residential and rural/residential uses in the Menangle Park village, and the Menangle Park Paceway is located on the western portion of the site.

The proposed release area aims to provide for approximately 3,400 residential allotments, a town centre, employment land, community facilities and land for public recreation. A variety of housing choices is proposed with a range of densities resulting in residential allotments with a minimum area of 300m<sup>2</sup> through to 2000m<sup>2</sup> with provision for a number of larger rural / residential allotments.

Please note that at the time that the original planning proposal was submitted to Council it was anticipated that the proposed rezoning of the subject land would be effected through an amendment to *Campbelltown (Urban Area) Local Environmental Plan 2002* (CLEP 2002). However, as Council has now replaced CLEP 2002 with *Campbelltown Local Environmental Plan 2015* (CLEP 2015), this planning proposal has been prepared as an amendment to CLEP 2015.

Council received a Gateway Determination made by the Director-General of the then Department of Planning and Infrastructure on 20 February 2012 to proceed with this planning proposal. The timeframe noted within this determination for the completion of the planning proposal has since been extended to 26 May 2017 and a copy of the Gateway Determination and latest alteration of the timeframe required for completion is included in Appendix 1.

## Part 1 – Objectives or Intended Outcomes

The objectives of this planning proposal are as follows:

- (a) to establish the Menangle Park Urban Release Area,
- (b) to rezone land within the Menangle Park Urban Release Area to enable it to be developed for urban purposes in a sustainable manner by providing for approximately 3,400 residential allotments of various sizes, a small commercial centre, employment land, community and recreation facilities, passive and active open space including protection of significant areas of riparian land (containing high quality vegetation) and items of both Aboriginal and non indigenous heritage,
- (c) to provide for the integration of development within the Menangle Park Urban Release Area with the existing urban pattern,
- (d) to identify, protect and manage environmentally sensitive areas within the Menangle Park Urban Release Area including waterways and riparian corridors, biological linkages, remnant native vegetation and associated buffers,
- (e) to establish guiding principles for development within the Menangle Park Urban Release Area to facilitate the timely provision of physical and social infrastructure, the orderly phasing of the development of land, the protection of items of environmental and cultural heritage and the management of stormwater.

## Part 2 – Explanation of the Provisions

The main environmental planning instrument (EPI) for the Campbelltown Local Government Area is Campbelltown Local Environmental Plan 2015 (CLEP 2015). The land within the Menangle Park Urban Area is identified as "Deferred matter" under CLEP 2015 and therefore retains its current zoning whereby a large proportion of the subject land falls under the provisions of *Interim Development Order No 15 – City of Campbelltown*, with a smaller section being under the provisions of *Campbelltown Local Environmental Plan – District 8*. A copy of the existing zoning map is shown in Appendix 1.

Explanation for the amendments to the EPI are as follows:

1. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Land Zoning Map shown in Appendix 1.
2. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Minimum Lot Size Map shown in Appendix 1.
3. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Height of Buildings Map shown in Appendix 1.
4. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Land Reservation Acquisition Map shown in Appendix 1.
5. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Heritage Map as shown in Appendix 1 and Schedule 5 to include a number of items of environmental heritage as shown in Appendix 2.

6. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Environmental Constraints Map as shown in Appendix 1 and clause 7.3(2) (as shown in Appendix 2) to include provisions to ensure that development does not adversely impact upon the riparian lands that are shown on the map.
7. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Lot Size for Dual Occupancy Development map shown in Appendix 1.
8. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Additional Permitted Uses Map shown in Appendix 1 and Schedule 1 (as shown in Appendix 2) to include the following additional permitted uses with development consent on land within the Menangle Park Paceway site:
  - Permanent stables for trainers, offices and accommodation for stable hands
  - Educational establishment for educating trainers, drivers and stable hands
  - Day stabling yards
  - Stock feed sheds
  - Veterinary facilities
  - Farrier facilities
9. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Floor Space Ratio Map shown in Appendix 1.
10. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Urban Release Area Map as shown in Appendix 1.
11. Amendment of *Campbelltown LEP 2015* in accordance with the proposed Terrestrial Biodiversity Map shown in Appendix 1.
12. Amendment of *Campbelltown LEP 2015* to include proposed Zone RU6 Transition in clause 2.1 and also in the Land Use Table generally in the format that was publicly exhibited in draft *Campbelltown LEP 2014* as shown in Appendix 2.
13. Amendment of *Campbelltown LEP 2015* to include provisions to ensure that Council is satisfied that arrangements have been made for the provision of local infrastructure to service the needs generated by the development, and/or to make the land suitable for urban development, before the subdivision of land, including the source of funding for such infrastructure, and compliance with an infrastructure delivery plan to be prepared by Council. This amendment is required to ensure that the infrastructure requirements that are generated by the development are provided in a timely manner, but only if the land is developed intensively for urban purposes. See proposed draft amendment in Appendix 2.

Please note that the subject land will also be subject to the provisions of clause 6.1 of *Campbelltown LEP 2015* to ensure that arrangements have been made for the provision of State public infrastructure.

14. Amendment of *Interim Development Order No 15 – City of Campbelltown* instrument and map to remove all reference and provisions relating to that portion of the subject land that is currently within the boundaries of *Interim Development Order No 15 – City of Campbelltown*.

- 15 Amendment of *Campbelltown Local Environmental Plan – District 8 (Central Hills Lands)* instrument and map to remove all reference and provisions relating to that portion of the subject land that is currently within the boundaries of *Campbelltown Local Environmental Plan – District 8 (Central Hills Lands)*.

## **Part 3 – Justification**

### **Section A – Need for the planning proposal**

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

The Menangle Park Local Environmental Study (LES) forms the basis of this planning proposal and was informed by a number of technical studies prepared by specialist consultants. The LES summarises the main issues that need to be considered in the development of the site, provides a preferred development option and recognises a number of key matters that need to be addressed in the draft amending local environmental plan (LEP), being:

- Land use – Adopt appropriate zonings which reflect the land use allocation in the proposed Structure Plan, including zonings that reflect the differing residential densities, restrictions on flood prone land, environmental and heritage conservation objectives.
- Residential densities – Provisions to ensure that the overall target of 3,400 dwellings is met for the release area.
- Preconditions to carrying out urban development – Provisions to ensure satisfactory arrangements are in place to allow urban development, eg public utility services, stormwater quantity and quality works, roadworks, etc.
- Flood prone land – Restrictions on development in flood prone land, including heads of consideration for any development that is permitted.
- Subdivision of residential land – Development controls relating to residential lot sizes.
- Protection of native vegetation – Development controls to manage the protection of native vegetation, including appropriate mechanisms to assist in the implementation of a Vegetation Offset Strategy.
- Heritage – Listing of heritage items and provisions relating to protection and conservation of heritage items both indigenous and non-indigenous.

Due to the delay in finalising the rezoning of the Menangle Park Urban Release Area the LES has now been updated through the preparation of the Menangle Park Local Environmental Study Addendum Report July 2016. A copy of this report is marked Appendix 3.

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

It is considered that an amendment to *Campbelltown Local Environmental Plan 2015* to provide for the rezoning of the subject land is the best means of achieving the objectives of this planning proposal.

## **Section B – Relationship to strategic planning framework**

### **3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The draft *Metropolitan Strategy for Sydney to 2031* was finalised in the strategy document *A Plan for Growing Sydney* which was released in December 2014. Campbelltown-Macarthur is now recognised in this strategy as one of three Regional City Centres outside of the Sydney and Parramatta Central Business Districts.

To achieve the vision for Sydney to be a strong global city *A Plan for Growing Sydney* has set the following goals:

- a competitive economy with world-class services and transport;
- a city of housing choice with homes that meet our needs and lifestyles;
- a great place to live with communities that are strong, healthy and well connected; and
- a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

It is considered that this planning proposal is consistent with these goals particularly with regard to assisting in the delivery of new housing to meet the needs of Sydney's growing population. It is noted that the subject site at Menangle Park is included in the land defined as the Macarthur South Investigation Area. However, it is assumed that as a Gateway determination has been given for the subject site, it is only included in this investigation area as a component to be considered in the overall assessment proposed to be undertaken for the Macarthur South Area.

The *Greater Macarthur Land Release Investigation* was released for public comment in October / November 2015. This document provides an investigation into the potential of land within the Greater Macarthur area that could be developed for urban purposes to assist in addressing the growing need for new housing in the Sydney Basin. It also proposes to amend *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* by including certain land within the Greater Macarthur area as part of the South West Growth Centre. The land at Menangle Park is specifically noted as having potential for future residential development, and the document includes an action to have the subject land rezoned by the end of 2015. Reference is also made to the need for the construction of the Spring Farm Link Road and new access ramps to the Hume Highway to help ease congestion on Narellan Road.

The draft *South West Sub Regional Strategy* specifically notes, within the Housing section, that the rezoning of the greenfield site at Menangle Park is well advanced. This site will make a significant contribution to the housing stock of South Western Sydney.

The Greater Sydney Commission is currently exhibiting six draft District Plans for Greater Sydney until the end of March 2017. The *draft South West District Plan*

includes the local government areas (LGA of Campbelltown, Camden, Wollondilly, Fairfield and Liverpool).

The District Plans sit in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region and will:

- implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional-level aspirations with Local Environmental Plans (LEPs) and providing a clear line of sight between these documents
- align land use decisions and infrastructure planning through better research, decision-making and collaboration with local government and key State agencies and stakeholders
- be monitored and reported on, with implementation managed by coordination across Government
- help to inform the 2017 review of Greater Sydney's regional plan (currently *A Plan for Growing Sydney*).

The draft South West District Plan includes a 20 year vision and lists priorities and action to achieve this vision.

The vision for the South West District 2036 is as follows:

*South West Sydney is a place where opportunity, success and prosperity are forged from humble beginnings, where innovation thrives, smart jobs are created, international business connections are established and global investment is supported. Local people form the basis of a highly skilled and educated workforce that continues to grow and invest in itself and its future.*

It is considered that the Menangle Park Planning Proposal is not inconsistent with the 20 year vision, priorities and actions. Specifically Menangle Park is noted as a project important to the District. It will:

- assist in meeting the 5 year housing target for Campbelltown of 6,800 dwellings
- assist in meeting the 20 year jobs target for Campbelltown of 27,000 jobs
- assist in providing housing diversity and affordability

#### **4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?**

The planning proposal is not inconsistent with the *Campbelltown 2025 Looking Forward* long term town planning strategy, nor with the *Campbelltown Community Strategic Plan 2013-2023*.

The *Campbelltown Local Planning Strategy* (CLPS) is a background document which informed the preparation of the *Campbelltown Local Environmental Plan 2015*. The aim of the CLPS is to provide a strategic land use planning direction to deliver the strategic vision documented in *Campbelltown 2025 - Looking Forward*. It also acknowledges the growth targets within the draft *South West Subregional Strategy* (SWSS) and establishes a basis for achieving those targets.

Specifically it refers to the potential of the Menangle Park site as an area that could be developed to assist in meeting the 4,700 'greenfield' dwelling target nominated in the draft SWSS for the Campbelltown LGA.

The *Campbelltown Residential Development Strategy* (CRDS) seeks to identify dwelling opportunities to address the projected population growth of the Campbelltown LGA, and has thus provided valuable input into the preparation of the CLPS. The CRDS seeks to manage the anticipated future residential growth required for the Campbelltown LGA through the forms of both 'infill' and 'greenfield' development. It further notes that the Menangle Park site could provide a potential yield of 3,500 dwellings.

**5. Is the planning proposal consistent with applicable state environmental planning policies?**

SEPP	Requirement	Proposal	Complies
SEPP 19 – Bushland in Urban Areas	SEPP 19 aims to protect bushland in urban areas identified in Schedule 1 of the SEPP. Campbelltown is listed in Schedule 1 and therefore a Plan of Management is to be developed where bushland is zoned or reserved for public open space purposes.	The planning proposal aims to maintain as much existing high quality native vegetation as possible by including such areas within the riparian or open space lands. However, certain areas of native vegetation are proposed to be removed to enable urban development to proceed, and an offsetting strategy was prepared by the consultants GHD to address this issue. A copy of the Menangle Park Vegetation Offsetting Strategy was included in the exhibition documentation.	Yes
SEPP 44 – Koala Habitat Protection	Campbelltown is identified as a local government area with the potential for providing koala habitat. This Policy aims to encourage the proper conservation and management of areas that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.	The <i>Menangle Park Flora, Fauna and Aquatic Assessments</i> prepared by Eco Logical Australia note that more than 15% of koala feed trees listed in schedule 2 SEPP No 44 have been observed within vegetation on parts of the subject land, indicating 'potential koala habitat'. As noted above, whilst most of the high quality native vegetation is proposed to be maintain within the riparian or open space lands, it is noted that an assessment would still be required for any application for development on land which is considered to be 'potential koala habitat'. A copy of the <i>Menangle Park Flora, Fauna and Aquatic Assessments</i> was included in the exhibition documentation.	Yes
SEPP 55 – Remediation of Land	SEPP 55 requires a planning authority to consider whether land is contaminated, and if so whether it is, or can be made suitable for proposed residential use.	The <i>Land Capability Study</i> prepared by Douglas Partners noted that the subject site did not indicate any evidence for significant widespread or diffuse contamination. However, it did note that more localised contamination may occur due to past and present activities conducted at specific sites. These include the old fireworks factory site on Lot 59 DP 10718 where a site audit was undertaken by Environ in 2002 which indicated that the site would be suitable for use as residential land, parks, recreational, open space, playing fields or commercial/industrial land use, pending the removal of waste materials in the buried trenches and across the site, and the removal of asbestos fibres from the surface soils. Prior to any development proceeding remediation will be required as per the provisions of this SEPP. A copy of the <i>Land Capability Study</i> was included in the exhibition documentation.	Yes

SEPP	Requirement	Proposal	Complies
SEPP (Infrastructure) 2007	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.	Future development applications within the subject land at Menangle Park will be required to take into consideration the provisions of this SEPP. However, provisions have been included within the draft Menangle Park Development Control Plan to assist with the amelioration of impacts of rail and road noise, eg orientation of living areas, acoustic insulation, double glazing, etc.	Yes
SEPP (BASIX) 2004	The overall aim of this Policy is to encourage sustainable residential development through establishing targets for thermal comfort, energy and water use.	DAs for all future residential development will need to comply with the targets established under BASIX.	Yes
SEPP (Housing for Seniors or People with a Disability) 2004	The aim of this policy is to encourage the provision of housing which increases the supply and diversity of residencies that meets the needs of seniors or people with a disability.	The planning proposal does not preclude the provision of housing for seniors and people with a disability.	Yes
SEPP Mining, Petroleum production and extractive industries 2007	The aims of this Policy are to support petroleum production and extractive industries to provide and manage development of mineral, petroleum and extractive material resources for promoting the social and economic welfare of the State.	The planning proposal in rezoning the subject land from rural to urban will impact the potential mining of coal resources. However, please note the advice from the Department of Planning in 2006 which states that " <i>mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region</i> ".	Yes
SEPP Affordable Rental Housing 2009	The aims of this Policy are to provide an overall consistent planning regime for the provision of affordable rental housing.	The planning proposal does not preclude the provision of affordable rental housing	Yes
SEPP Exempt and Comply	The aims of this Policy are to provide exempt and complying development codes that have State-wide application.	The planning proposal is not inconsistent with this SEPP which would apply to future development	Yes
SREP 20 Hawkesbury Nepean River	The aims of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.	The planning proposal aims to maximise the protection of waterways, riparian corridors, remnant vegetation etc, and manage stormwater appropriately to ensure consistency with this SREP. Copies of the <i>Menangle Park Flood Study</i> , the <i>Flooding and Stormwater Quantity Management (Detention) Report</i> , and the <i>WSUD Strategy Report</i> were included in the exhibition documentation.	Yes

**6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?**

Section 117 Direction	Summary / Implications	Proposal	Complies
1.1 Business and Industrial Zones	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone. A planning proposal must ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning	A small town centre is proposed to service the future population of this planning proposal. It is also proposed to zone approximately 30 hectares of land for employment purposes, which is part of the Glenlee Precinct land acknowledged in the draft <i>South West Subregional Strategy of the Metropolitan Plan for Sydney 2036</i> for employment generation and the <i>Greater Macarthur Land Release Investigation</i> .	Yes
1.2 Rural Zones	This direction applies when a council prepares a draft LEP that creates, removes or alters a Rural Zone or provision. Any rezoning of Rural land needs to be justified by an environmental study or is in accordance with the relevant Regional Strategy prepared by the Department of Planning and Infrastructure.	It is considered that the planning proposal is justifiably inconsistent with this direction as the subject land is recognised in the draft <i>South West Subregional Strategy of the Metropolitan Plan for Sydney 2036</i> and in the <i>Greater Macarthur Land Release Investigation</i> as a future urban release area, and has been included in the Metropolitan Development Plan as a site for future housing for many years.	Yes
1.3 Mining, Petroleum Production	Any future extraction of State or regionally significant reserves of coal, other mineral, petroleum and extractive materials are not compromised by inappropriate development.	The subject site is underlain with significant coal resources. However, correspondence was received from the Department of Planning (dated 4 May 2006) which advised that <i>"mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region"</i> . Please see copy of correspondence shown at Appendix 4.	Yes
2.1 Environment Protection Zones	This direction seeks to ensure the protection and conservation of environmentally sensitive areas.	A small portion of the subject site (within the north eastern section either side of the F5 freeway) is currently zoned Environmental Protection (Scenic) under the provisions of <i>Campbelltown LEP District 8 (Central Hills Lands)</i> . The bulk of the area on the western side of the M31 motorway has already been developed by Transgrid for the purposes of an electricity substation. The area to the east of the M31 motorway is proposed to be rezoned to provide for large residential allotments. However, this land is significantly constrained by a number of existing easements for services, eg electricity, which will impact on its development potential. Also, there are significant views to the north east in this eastern section, from Glenlee Road towards Heritage Park in Glen Alpine, which are proposed to be retained.  It is considered that the planning proposal is justifiably inconsistent with this direction as the area proposed to be rezoned being approximately 45 hectares has already been compromised by the development of the electricity substation (9.7 hectares), and that development of the rest of the site will be significantly constrained by existing easements.	Yes
2.3 Heritage Conservation	This direction applies to the conservation of heritage items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The heritage report has recommended appropriate mitigation measures to ensure that existing heritage is protected. The heritage conservation provisions within <i>Campbelltown LEP 2015</i> will apply to this planning proposal.	Yes

Section 117 Direction	Summary / Implications	Proposal	Complies
3.1 Residential Zones	This direction applies where significant residential development is proposed to be permitted and requires a variety and choice of housing types and appropriate access to infrastructure and services to be provided.	The planning proposal includes a variety of housing choices from large rural allotments to smaller residential allotments, and provision for apartment living within the town centre. However, Council is very aware of the new infrastructure required to service approximately 3,400 residential allotments, and the impact that such development would have, specifically on the existing road network, if new works were not constructed. In this regard Council notes the provisions of clause 6.1 of <i>Campbelltown LEP 2015</i> for urban release areas which aims "to require satisfactory arrangements be made for the provision of designated State public infrastructure before the subdivision of land.....".	Yes
3.3 Home Occupations	This direction encourages the carrying out of low-impact small businesses in dwelling houses.	The provisions in <i>Campbelltown LEP 2015</i> do not preclude the carrying out of low-impact small businesses in dwelling houses	Yes
3.4 Integrated Land Use and Transport	This direction aims to ensure that urban structure, building form, land use locations, development design, subdivision and street layouts achieve improved access to housing, jobs and support viable public transport.	The subject site is adjacent to the Menangle Park railway station which provides limited services to Sydney via Campbelltown, and south to Goulburn. Significant investigation was previously undertaken to explore the possibility of extending electrification of the rail line from Macarthur railway station to Menangle Park, but unfortunately advice was received that the cost is prohibitive, and that the rail corridor at Menangle Park falls under a 60 year lease agreement whereby Australian Rail Track Corporation Ltd has full responsibility for this line, and its priority is transportation of freight. However, the Greater Macarthur Land Release Investigation document proposes to investigate the electrification of the rail line to Menangle Park. Nonetheless, Menangle Park is serviced by existing bus services which are able to be augmented as required. The planning proposal also provides for a network of cycle paths and pedestrian walkways throughout the subject site.	Yes
4.1 Acid Sulphate Soils	This direction aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils	The soil samples collected across the site revealed no potential or actual acid sulphate soil material on site. No further assessment is required	Yes
4.2 Mine Subsidence and Unstable Land	This direction aims to prevent damage to life, property and the environment on land that may be unstable or subject to mine subsidence.	The subject land falls within the South Campbelltown Mine Subsidence District. However, as noted above in 1.3 Mining, Petroleum Production and Extractive Industries, the Department of Planning advised in 2006 that "mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region". Please see copy of correspondence from Department of Planning dated 4 May 2006 at Appendix 4.	Yes
4.3 Flood Prone Land	This direction aims to ensure that development is consistent with flooding policies and includes consideration of potential flood impacts.	A significant proportion of the subject land is flood prone, however the planning proposal aims to ensure that any residential, business, industrial or special purpose land use is constructed above the 1:100 year floodline.	Yes

Section 117 Direction	Summary / Implications	Proposal	Complies
4.4 Planning for Bushfire Protection	This direction aims to protect life, property and the environment from bush fire hazards, and to encourage sound management of bush fire prone areas. It also requires that the draft local environmental plan shall have regard to <i>Planning for Bushfire Protection 2006</i> , and introduce controls that avoid placing inappropriate developments in hazardous areas.	The NSW Rural Fire Service has been consulted and the provisions of <i>Planning for Bushfire Protection 2006</i> have been taken into consideration in the planning proposal.	Yes
5.10 Implementation of Regional Plans	This direction requires planning proposals to be consistent with Regional Plans released by the Minister for Planning.	The planning proposal is not considered to be inconsistent with any regional plans as noted in clause 3 above.	Yes
6.1 Approval and Referral Requirements	This direction aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	No new unnecessary referral or concurrence conditions are proposed as part of the planning proposal.	Yes
6.2 Reserving Land for Public Purposes	This direction aims to facilitate the provision of public services and facilities by reserving land for public purposes.	It is proposed to include provisions within the planning proposal to provide for the development of the proposed Spring Farm Parkway (SFP), which is a vital link from the Camden bypass to the M31 (previously known as the F5 freeway) and Menangle Road. This proposed road includes north facing ramps onto the F5 freeway with the option of south facing ramps at a later date. Whilst the construction of the eastern portion of the SFP is considered crucial in providing for adequate vehicular access to and from the Menangle Park Urban Release Area, the entire SFP will provide a regional link for traffic from western Sydney, the southern part of the South West Growth Centre and Camden to the M31, thus relieving pressure on other road links particularly Narellan Road. However, Council has consulted with Roads and Maritime Services (RMS) with regard to this matter under s62 of the <i>Environmental Planning and Assessment Act 1979</i> , but RMS has not provided any commitment to the construction of the SFP, nor any agreement to list itself as an acquisition authority for purchase of the road corridor for this significant regional road link. Nonetheless, the Regional Director of the Department of Planning and Infrastructure Sydney West (now NSW Planning and Environment) advised that Council should zone the proposed road corridor Zone 5(b) – Special Uses Arterial Roads Zone under <i>Campbelltown (Urban Area) Local Environmental Plan 2002</i> , and continue negotiations with RMS to resolve this issue. Please note that the proposed zoning of the SFP when it was publicly exhibited under draft <i>Campbelltown LEP 2014</i> was SP2 Infrastructure (Road). However, the Greater Macarthur Land Release Investigation references the need for the construction of the Spring Farm Link Road and new access ramps to the Hume Highway to help ease congestion on Narellan Road. Thus it is considered that the planning proposal is justifiably inconsistent with this direction.	Yes
7.1 Implementation of A Plan for Growing Sydney	Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.	The planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, directions, actions or priorities.	Yes

Section 117 Direction	Summary / Implications	Proposal	Complies
7.2 Implementation of Greater Macarthur land Release Investigation	Planning proposals shall be consistent with the Preliminary Strategy published September 2015.	The land at Menangle Park is specifically noted in the Strategy as having potential for future residential development and refers to the need for the Spring Farm Link Road.	Yes

It is also proposed to address a minor zoning anomaly whereby Lot 1 DP 877582 Menangle Road (area approx 1ha) is in private ownership but is currently zoned 5(a) Special Uses Railway under the provisions of IDO No 15 – City of Campbelltown. Council has consulted with the relevant rail authority (NSW Transport Railcorp) with regard to this matter, who have advised that Railcorp originally owned the subject land but sold it in 1992, and therefore raised no objection to the proposed rezoning.

### Section C – Environmental, social and economic impact.

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

The ecological values of the subject site are highly degraded due to extensive clearing, sand mining, continuing agricultural activities, weeds, feral animals, fragmentation of habitat, barriers to the movements of both terrestrial and aquatic animals, erosion and poor water quality. However, the site does exhibit some remnant Cumberland Plain vegetation, the majority of which is proposed to be retained and rehabilitated. To address impacts on vegetation which is not proposed to be retained, an off-setting strategy has been prepared. Consultation has been undertaken with the Department of Environment, Climate Change and Water (now the Department of Environment and Heritage) with regard to this matter.

Since the public exhibition of this planning proposal there has been a significant regrowth of vegetation on land owned by Urban Growth which has recently been recognised as Elderslie Banksia Scrub Forest. This vegetation is noted as an endangered ecological community under the *Threatened Species Conservation Act 1995*. At the time of the writing of the *Menangle Park Flora, Fauna and Aquatic Assessments* in 2009 there was no indication of the presence of any Elderslie Banksia Scrub Forest.

The land where this vegetation has been identified is proposed under the Menangle Park Planning Proposal to be zoned residential. In order to ensure its preservation into the future, it is recommended that further investigation be undertaken to identify a more appropriate zone. It is therefore recommended that this proposed change in zoning should be the subject of a separate planning proposal or future housekeeping amendment to CLEP 2015. The subject vegetation is protected under the provisions of the *Threatened Species Conservation Act 1995*. However, its location has been included in the amended Menangle Park Development Control Plan.

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

Other likely environmental effects have been addressed in the technical studies and resulting Menangle Park Local Environmental Study (LES), copies of which were included in the exhibition documentation.

Most notably these include the issue of flooding, as part of the subject site is affected by the 1 in 100 year flood event of the Nepean River. However, it is not proposed to develop land below the 1 in 100 year floodline, except for the purposes of recreation areas, playing fields, etc.

Bushfire hazard has been addressed within the technical studies and Menangle Park Local Environmental Study, and the Rural Fire Service has advised that appropriate asset protection zones must be defined at the development application stage.

As noted in the technical studies and draft Menangle Park Local Environmental Study, the visual impact of the planning proposal from certain areas will be significant. As such it is proposed to ameliorate this where possible by identifying and protecting important view corridors, using selective vegetative screening to minimise the visibility of the proposed development, and providing for larger residential allotments on elevated sites and adjoining heritage items, etc.

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

Social and economic effects are addressed in the technical studies and resulting Menangle Park Local Environmental Study. However, the planning proposal includes provision for the development of significant social infrastructure to meet the needs of the future residents of this proposed release area. This includes an employment precinct to provide for jobs closer to home, a small retail centre to provide for the local community, a sporting oval and playing fields, children's play equipment, community centre, large areas of passive open space which contain indigenous archaeology, cycleways and pedestrian footpaths, provision for a rural fire service station, etc.

It is recognised that the planning proposal will require the development of significant infrastructure for it to be successful. As such Council is currently preparing the draft Menangle Park Section 94 Contributions Plan to provide funding towards this infrastructure.

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

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

The provision of public infrastructure is proposed as follows:

- Sewer – connection is proposed to the existing Glenfield wastewater network.
- Water – extension from the existing Macarthur Water Supply System (Narellan inlet main).
- Electricity – a substation is proposed to be constructed on land owned by Urban Growth.
- Gas – not currently available but Council has received advice that gas can be supplied from either the Narellan or Campbelltown networks.
- Telecommunications – services on site are not sufficient to meet the expected demand but can be provided when required.
- Stormwater drainage – GHD has prepared an initial drainage strategy plus a review of drainage options report, and AECOM has prepared a water sensitive urban design strategy to accommodate stormwater drainage. Copies of both strategies and the review report were included in the exhibition documentation.

- Roads – AECOM prepared the Menangle Park Transport Management and Accessibility Plan (copy included in the exhibition documentation) which recommends a package of measures to support the planning proposal. These measures include provision for footpaths, cycle ways, bus routes, intersection treatments etc, and also major road infrastructure which includes the widening of Menangle Road to 4 lanes from a new intersection of Glenlee Road with Menangle Road to Gilchrist Road, and the construction of the Spring Farm Parkway (SFP) and ramps to the M31. As mentioned in item 6.2 of clause 5 above, Council has not received any commitment from the RMS for the development of the SFP. However, Council has entered into a Memorandum of Understanding with the Department of Planning and Environment to provide for a formal commitment to the establishment of a Special Infrastructure Contributions scheme as a means to fund the proposed Spring Farm Parkway.
- Recreation areas and community facilities – provisions are included in the planning proposal to provide playing fields, a district park, 2 local parks, 2 reserves, a bushland park and a community centre.
- Schools – consultation has been undertaken with the Department of Education and Training, and provision for the development of a primary school has been included in the planning proposal.

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

Consultation with relevant government agencies and service providers has been undertaken throughout the preparation process of the technical studies and the Menangle Park Local Environmental Study (LES). On completion of the LES Council again consulted with relevant government agencies and service providers (with regard to the technical studies and the LES). Further consultation was undertaken during the public exhibition period and the table below summarises the responses that Council received as a result of this exhibition.

## Menangle Park Submissions

<b>Submissions from government agencies and service authorities</b>	
Organisation	Issue
1. Sydney Water	<ul style="list-style-type: none"> <li>• water supply:               <ul style="list-style-type: none"> <li>- there is sufficient capacity currently for 600 dwellings</li> <li>- upsizing of the water main will be required for the next 1,600 dwellings</li> <li>- connection to the future Narellan inlet main will provide for the entire Menangle Park Urban Release Area (MPURA)</li> </ul> </li> <li>• wastewater:               <ul style="list-style-type: none"> <li>- two pumping stations will be required</li> <li>- the first will be constructed on Sydney Water land in the northern part of the precinct and will service approx. 2,000 dwellings</li> <li>- the second will be constructed in the southern part of the precinct and is dependent on development within the precinct</li> <li>- however, prior to construction of the first pumping station Sydney Water will provide a temporary pump out facility for approx. 200 dwellings to accommodate development timeframes.</li> </ul> </li> </ul>
Comment <ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>	
2. NSW Family & Community Services	<ul style="list-style-type: none"> <li>• notes proposal to prepare a draft s94 contributions plan and looks forward to commenting on this plan when prepared, to ensure adequate social and public infrastructure is provided</li> <li>• recognises the budget constraints re provision of rail services but considers that it is important to highlight the deficiencies of current transport services and hopes that the draft Planning Proposal considers the current transport issues impacting on neighbouring areas.</li> </ul>
Comment <ul style="list-style-type: none"> <li>• As there is no indication that the rail line will be electrified within the near future, it is considered that the proposed upgrading of the current bus service is appropriate at this stage. However, Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line but that the Southern Highlands Line has benefited from 55 extra weekly services since October 2013. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and Transport for NSW. The submission supports the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a new Menangle Park railway station.</li> </ul>	
3. Busways Group Pty Ltd	<ul style="list-style-type: none"> <li>• notes that the rail line will continue to provide an infrequent</li> </ul>

	<p>service and therefore recognises the need for an efficient bus service</p> <ul style="list-style-type: none"> <li>• requests an alternative bus route to that proposed in draft Menangle Park Development Control Plan (DCP) which includes bus only access from the existing Glenlee Road junction with Menangle Road</li> <li>• need to ensure that all intersections along the proposed bus route provide for standard 12.5m rigid buses</li> <li>• need to provide for bus priority in key locations</li> <li>• provides preferences for the location of bus stops and requests that indented bays not be provided as these impede re-entry of buses into the traffic flow.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The issues raised can be dealt with during the initial subdivision development stage of the release area.</li> <li>• The proposed realignment of Glenlee Road will address the safety issues associated with the current intersection of Glenlee Road with Menangle Road. Also the proposed realignment of Glenlee Road will reduce the impact of increased traffic from the release area on the Sydney Catchment Authority Upper Canal and the associated stone bridge. Thus it is not considered appropriate to permit a bus only access route via the existing junction with Menangle Road.</li> <li>• Generally the proposed road widths within the draft DCP satisfy bus movements, however road widening may be required at critical bends, and this aspect will can be dealt with during the development application/construction certificate process.</li> </ul>	
<p>4. UrbanGrowth NSW (formerly Landcom)</p>	<ul style="list-style-type: none"> <li>• notes the reference to possible future south bound ramps to the F5 freeway and questions whether these should be identified for future acquisition</li> <li>• requests amendment of the zoning map: <ul style="list-style-type: none"> <li>- to include a parcel of land (west of the proposed Spring Farm Parkway) within the General Industrial Zone as noted on the structure plan contained within the draft DCP. Also requests that this land be removed from the lot size map</li> <li>o to realign the boundaries of the proposed north facing ramps to the F5 freeway</li> </ul> </li> <li>• requests amendment of the height map by replacing the building height of 7.5m for two storey buildings with 8.5m to be consistent with the NSW Housing Code.</li> </ul>
<ul style="list-style-type: none"> <li>• Comment</li> <li>• The issue of south facing ramps from the proposed Spring Farm Parkway to the M31 (previously known as the F5 Freeway) has not been investigated in detail as part of the Menangle Park rezoning process. However, it is understood that further investigation is currently being undertaken to identify the location of future south facing ramps to the M31 by the NSW Department of Roads and Maritime Services.</li> <li>• The parcel of land west of the proposed Spring Farm Parkway was not included in the General Industrial Zone as it is generally located within the 1:100 year flood line, and is an isolated pocket of land, and it is considered that the proposed rural zoning for this</li> </ul>	

<p>land is the most appropriate. Whilst it was included in the Proposed Structure Plan for the release area, it was not included within the draft zoning map. It should therefore be removed from the draft DCP maps.</p> <ul style="list-style-type: none"> <li>• The draft zoning map has been updated with regard to the north facing ramps to the M31, as Council has now received detailed mapping information with regard to their location.</li> <li>• As CLEP 2015 includes a building height of 8.5m for two storey buildings within the proposed R2 Low Residential Zone, it is appropriate to amend the Menangle Park height map to be consistent with this document as well as the NSW Housing Code.</li> </ul>	
5. Dam Safety Committee	<ul style="list-style-type: none"> <li>• requests the submission of D1 Forms for each detention basins/dam proposed under the draft DCP.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• This issue would be dealt with when the development of the detention basins is proposed.</li> </ul>	
6. NSW Trade and Investment Resources & Energy	<ul style="list-style-type: none"> <li>• advises of the development approval granted in December 2012 for the extraction of soil and sand from land owned by Landcom (now known as UrbanGrowth NSW) and notes that the draft DCP includes a buffer distance of at least 200m between the site and residential development to address dust issues, etc. Requests Council to be sure this distance is adequate as it would generally recommend a buffer of 500m</li> <li>• advises that whilst Illawarra Coal has approval to mine (only first workings) under the Nepean River south of the MPURA, Illawarra Coal has indicated that it is unlikely to mine further north and east of the current approved area, and intends to focus its operations west of the Nepean River</li> <li>• considers that in spite of the above intention of Illawarra Coal, potential residential purchasers are informed of the implications of the South Campbelltown Mine Subsidence District</li> <li>• notes the existence of several gas wells in the vicinity of the proposal, and that allowing residential development within the Petroleum Production Lease 4 area would sterilise valuable coal seam gas resources.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• It is considered that the adequacy of the buffer distance of at least 200m to address dust issues etc. would be assessed at the time that any development application for sand mining is received.</li> <li>• Applications for s149 Planning Certificates for all properties within the Menangle Park Urban Release Area will include a reference to the South Campbelltown Mine Subsidence District, thus future residents will be aware of this matter when purchasing land within the area.</li> <li>• The draft zoning map includes five gas well sites proposed to be zoned SP2 Infrastructure Gas Wells. Council has now received advice from AGL stating it has no plans to drill three of these wells, therefore, they have been removed from the zoning map.</li> </ul>	

<ul style="list-style-type: none"> <li>AGL announced on 4 February 2016 that it will cease production through the Camden Gas Project in 2023 instead of 2035. The site and wells will be progressively decommissioned and the sites rehabilitated.</li> </ul>	
<p>7. Mine Subsidence Board</p>	<ul style="list-style-type: none"> <li>objects to the proposed four storey height limit within the proposed town centre, and considers that all improvements be limited to two storeys</li> <li>advises that single or two storey buildings are limited to a maximum length of 30m and maximum width of 18m.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>It is noted that the NSW Trade and Investment submission (number 6 above) advises that Illawarra Coal intends to focus its operations west of the Nepean River, not within the Menangle Park Urban Release Area.</li> <li>The viability of the whole release area would be put at risk if only two storey development was permitted throughout the site and no provision was made for four storeys within the local centre.</li> <li>In light of the advice from the Department of Planning in 2006 which states that "mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region" it is considered that Council should refer this objection to NSW Planning and Environment for resolution. However, Council is not satisfied that this objection can be sustained.</li> </ul>	
<p>8. Sydney Catchment Authority (SCA)</p>	<ul style="list-style-type: none"> <li>requests the replacement of the current stormwater management provisions included within the draft DCP, with the SCA standard development controls for Land adjacent to the Sydney Catchment Authority's Upper Canal which aim to ensure no detrimental impacts on the canal re stormwater runoff and security fencing</li> <li>strongly supports the realignment of Glenlee Road which will result in the closure of the current intersection of Glenlee Road and Menangle Road across the canal</li> <li>whilst it is recognised that Roads and Maritime Services will consult with SCA re any road widening of Menangle Road, it is also requested that Council ensure that no construction work will impact on SCA's ability to access the canal</li> <li>requests that the canal be referred to as the Sydney Catchment Authority Upper Canal throughout all documentation.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>The Sydney Catchment Authority's standard controls have already been included in the Campbelltown (Sustainable City) DCP as these controls affect land within other areas of the Campbelltown LGA.</li> <li>The canal will be referred to as the Sydney Catchment Authority Upper Canal in all documentation.</li> </ul>	
<p>9. NSW Health South Western Sydney</p>	<ul style="list-style-type: none"> <li>acknowledges that the draft DCP has included environmental sustainability and healthy urban planning as</li> </ul>

<p>Local Health District</p>	<p>key development objectives</p> <ul style="list-style-type: none"> <li>• notes the intention to create walkable neighbourhoods with good access to public transport, provision of active and passive open spaces with pedestrian and cycle links</li> <li>• recognises the limitations of the railway and considers that the bus system should be upgraded during the early stages of development of the site</li> <li>• requests inclusion of access to healthy food as an objective in future plans and proposals, and promotes local farmers markets, community gardens and use of nature strips for edible landscaping</li> <li>• concerned that the cost of infrastructure and noise amelioration strategies will impact on housing affordability</li> <li>• requests that equitable access to health care and social services should be considered in future plans</li> <li>• notes the Department of Planning's advice that mining of the coal resource should be restricted but considers that it may occur in the future and thus raises concerns re the impact of mine subsidence.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Comments noted</li> <li>• It is also noted that NSW Health did not make a comment with regard to any potential health risks with regard to coal seam gas (CSG) mining. However, Council has since received advice from the Environmental Health Branch of NSW Health which states: <p style="margin-left: 40px;">"We generally consider that any residential development/rezoning near existing CSG wells should be subject to the same planning controls as residential development/rezoning near other types of industrial developments."</p> <p>The recent Greater Macarthur Land Release Investigation documentation considers that land within 200m of existing coal seam gas wells is encumbered and thus not suitable for urban development until the wells have been closed and sealed and gas operations have ceased. The draft DCP has been amended to address this issue.</p> </li> <li>• The draft zoning map includes five gas well sites proposed to be zoned SP2 Infrastructure Gas Wells. Council has now received advice from AGL stating it has no plans to drill three of these wells; therefore, they have been removed from the zoning map.</li> <li>• AGL announced on 4 February 2016 that it will cease production at the Camden Gas Project in 2023 instead of 2035. The site and wells will be progressively decommissioned and the sites rehabilitated.</li> </ul>	
<p>10. Environment Protection Authority</p>	<ul style="list-style-type: none"> <li>• extensive information is provided for Council's consideration with regard to land use conflict, air quality, water quality and river flow, noise, contaminated land management and waste management. This information also directs Council to various items of documentation and guidelines which aim to assist in the management of these matters</li> <li>• notes that the site contains sand and soil resources which may be mined, and recommends that this issue be</li> </ul>

	<p>considered as part of the draft planning proposal to enable appropriate management of any potential land use conflicts</p> <ul style="list-style-type: none"> <li>• recommends that wood heaters not be permitted within the release area and that reticulated gas be made available to all residences</li> <li>• notes the detrimental impact of vehicle emissions and recommends that electrification of the rail line be further investigated to assist with minimising vehicle kilometres travelled</li> <li>• raises the issue of noise impacts from a number of sources, e.g. road, rail, sand extraction, etc. and recommends assessment be undertaken with reference to various documents and policies</li> <li>• recommends that an assessment be undertaken to determine whether monitoring will be required to ensure that there is no increase in the nutrient load on the Nepean River from either stormwater runoff or any new sewage treatment scheme.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The issue of potential land use conflicts would be addressed as part of the assessment process of any development application for the extraction of sand or soil within the locality.</li> <li>• With regard to domestic solid fuel heaters it is anticipated that gas will be available to all residences within the release area thus reducing the need for such heaters. However, it is noted that there are significant regulations currently in place within the Protection of the Environment Operations (Clean Air) Regulation 2010 to ensure that all domestic solid fuel heaters sold in NSW comply with emission limits specified in Australian Standard AS/NZS 4013:1999: Australian Domestic solid fuel burning appliances - method for determination of flue gas emission, and are marked accordingly. Advice with regard to wood heaters is also available on Council's website.</li> <li>• With regard to electrification of the railway line from Macarthur to Menangle Park it is noted that Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and to Transport for NSW. The submission supports the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a new Menangle Park railway station.</li> <li>• Development applications affected by noise impacts will be assessed against the provisions of all relevant government documents and policies.</li> <li>• The quality of stormwater will be controlled by Council's water quality objectives.</li> </ul>	

<ul style="list-style-type: none"> <li>It is considered that the water quality objectives for the management of stormwater will ensure that there is no increase in the nutrient load on the Nepean River.</li> <li>All other information is noted.</li> </ul>	
<p>11. NSW Office of Environment &amp; Heritage (OEH)</p>	<ul style="list-style-type: none"> <li>requests assurance that surveys of <i>Pimelea spicata</i> were undertaken during favourable weather conditions and if so OEH should be provided with such results</li> <li>concerned that many areas designated for offsets would be unlikely to support the same vegetation as that which is proposed to be removed</li> <li>concerned that adequate certainty is not provided for offset areas to be secured and managed in perpetuity</li> <li>considers that it is inappropriate that high value archaeological and cultural lands will fall within 6(a) Local Open Space, 1(a) Rural and 6(c) Private Open Space zones.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Surveys for <i>Pimelea spicata</i> were undertaken during favourable weather conditions and a copy of such surveys has been sent to OEH.</li> <li>OEH (previously known as DECCW) did not raise any concerns with regard to the Off Setting Strategy during previous consultation undertaken in 2010, when all the technical studies for the Menangle Park Urban Release Area were referred to government agencies for comment. However, it is recommended that prior to the issuing of any development applications for land containing high quality vegetation, all applicants must provide an Off Setting Strategy that satisfies Council that the location for offset revegetation is appropriate, and that all offsets are secured in perpetuity. It is also recommended that Council consult with OEH in assessing the contents of any Off Setting Strategy. The controls in clause 1.11.2 Flora and Fauna Conservation of the draft DCP have been amended to address this issue.</li> <li>It is recognised that the previous 6(a), 6(c) and 1(a) zonings (now RE1 Public Recreation, RE2 Private Recreation and RU2 Rural Landscape) do not include objectives that specifically aim to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. However, whilst no major development is proposed for these lands, the provisions of clause 5.10 Heritage Conservation within CLEP 2015 and clause 1.10.1 Aboriginal Heritage of the draft DCP must be complied with. Also, the majority of the land that is classified as culturally significant, or likely to have a high potential for intact archaeological outcomes, is proposed to be dedicated to Council.</li> </ul>	
<p>12. NSW Department of Primary Industries Office of Water</p>	<ul style="list-style-type: none"> <li>concerned that some corridor widths, as previously agreed with Landcom (now UrbanGrowth NSW), have been reduced, and that a riparian corridor linking the Nepean River via Howes Creek to the Australian Botanic Garden has not been included within the Land Zoning map. Requests that either the link originally proposed between Howes Creek and the Australian Botanic Garden be reinstated or that the link via creek N3b (which flows around the southern boundary of the emplacement site) be utilised instead</li> <li>requests the riparian corridors be zoned E2 Environmental Conservation</li> <li>requests a larger font size on figures in the draft DCP</li> </ul>

	<ul style="list-style-type: none"> <li>• recommends including the protecting and enhancing of wetlands on the site as a key objective within the draft DCP</li> <li>• recommends that clause 12.11.1 of the draft DCP be amended to include a table and figure which indicates creeks and riparian corridor widths, and that all riparian land is to be rehabilitated in accordance with previously negotiated riparian outcomes</li> <li>• recommends that control 3 in clause 12.12 of the draft DCP be amended to include the words riparian land or other before the word areas</li> <li>• requests amendment of Figure 4 within Appendix 15 of the draft DCP to show all agreed riparian corridors.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The Local Environmental Study was prepared in July 2010 and thus did not include the updated structure plan, which was provided to Council by consultants in 2011, and was included within the draft DCP and used to prepare the zoning map. However, the areas specified as riparian corridors were defined on the zoning map and provisions proposed to be provided within the LEP to ensure their conservation, etc. It appears that the current footprint for the riparian lands west of the railway line was determined by the outcome of work prepared to support the development application for the proposed sand mining of this land by UrbanGrowth NSW (previously Landcom). With regard to the width of creek S1c within the southern portion of the release area, it is not considered that the width of this creek corridor has been reduced. However, the scale of the maps makes it difficult to accurately assess the width of the creek. Nonetheless a clause specifically relating to protecting and maintaining riparian land and watercourses has been included within Campbelltown LEP 2015, and it is recommended that this clause be amended to specifically refer to the land identified on the Menangle Park zoning map as requiring riparian protection.</li> <li>• There is no existing riparian corridor linking Howes Creek to the Australian Botanic Garden, and Council has not agreed to any rerouting of creeks N3a and N2c (which currently flow around the southern tip of the coal emplacement site and into the Nepean River via creek N3b) to achieve such an outcome due to the impacts of extra flows into Howes Creek, e.g. scouring issues. Council acknowledges the desire to provide a vegetative link between the Nepean River and the Australian Botanic Garden, and thus proposes that the link via creek N3b be utilised. This creek falls within the boundaries of the current Glenlee Planning Proposal (coal emplacement site), and the establishment of a vegetated link from the Nepean River to the Australian Botanic Garden is acknowledged within this proposal. Thus it is proposed that this matter be dealt with as part of the Glenlee Planning Proposal, and consultation be undertaken with UrbanGrowth NSW as the adjoining property owner with regard to this matter.</li> <li>• There was no equivalent zone within Campbelltown (Urban Area) LEP 2002 for the E2 zone referred to by the Office of Water. Thus, Council identified the specific riparian corridors on the zoning map and used the 6(a) Local Open Space Zone (now RE1 Public Recreation) as the majority of the riparian lands within Menangle Park are either owned by Council or will be dedicated to Council. However, as it is now proposed that this draft Planning Proposal amend CLEP 2015 it is considered that the riparian land and watercourses clause referred to in bullet point one above will adequately address the protection and maintenance of these waterways.</li> </ul>	

- The draft DCP has been amended to:
  - increase the font size of all figures as necessary
  - include a reference to the protection and enhancement of wetlands in Key Development Objective 11
  - include "riparian land or other" before the word "areas" in control 3 of clause 1.12.
- As a clause already exists within Campbelltown LEP 2015 to address riparian land and watercourses including appropriate widths, it is not considered necessary to provide further information within the draft DCP. The riparian corridor will also be included in the proposed environmental constraint mapping proposed to be included into CLEP 2015.
- It is not considered necessary to amend Figure 4 within Appendix 15 of the draft DCP to show all the agreed riparian corridors as this appendix specifically provides guidelines for streetscape and the public domain.

13. NSW Heritage Council

- notes the heritage objectives included within the draft DCP and requests similar inclusion within the objectives of the draft Planning Proposal
- requests inclusion of a further objective within the draft DCP which addresses heritage conservation or linking appropriate character development in the vicinity of heritage items or the like
- considers that any proposed development within the vicinity of any identified sites of environmental heritage should include controls with regard to height, setback, density and site cover
- suggests that increasing the height and bulk in areas around the town centre and railway and reducing the height and bulk around Glenlee estate could deliver the same housing yield with less impact on the rural setting and functioning of Glenlee estate
- advises that detailed assessment of non-indigenous archaeological sites should be required at the DA stage of any proposed development and should comply with the requirements of s139-146 of the *NSW Heritage Act 1977*
- recommends the inclusion of the railway viaduct at Glenlee as a local heritage item in a new LEP. Suggests that further research may flesh out its heritage value and support its ongoing conservation.

Comment

- Objective (b) of the draft planning proposal provides for the protection of both indigenous and non-indigenous heritage. CLEP 2015 contains extensive existing objectives with regard to indigenous and non-indigenous heritage matters, and as the proposed rezoning of the Menangle Park Urban Release Area will create an amendment to CLEP 2015, it is not considered necessary to amend the objectives of the draft planning proposal.
- Whilst it is noted that detailed objectives are included in clauses 1.10.1 and 1.10.2 of

the draft DCP for both indigenous and non-indigenous heritage, the draft DCP has been amended to include an additional Key Development Objective in clause 1.4 which ensures the conservation of heritage items, and that any development within the vicinity of heritage items takes into consideration the significance of such items.

- In addition, an additional control has been included in clause 1.10.2 Non-Indigenous Heritage of the draft DCP, which provides for a road on the eastern and northern boundaries of Glenlee House to delineate its curtilage.
- Council would support the inclusion of the railway viaduct at Glenlee as a local heritage item within the Campbelltown LEP on the condition that sufficient supporting information was provided to Council. It is recommended that further information be requested from the NSW Heritage Council with regard to this matter.
- Other comments are noted.

14. NSW State  
Emergency  
Services

- not concerned by any future storm damage, but considers that the flooding issue is a concern and thus raises the following questions:
  - will the proposed road over Howes Creek be impacted by floodwater?
  - will the proposed Glenlee Road be able to accommodate a high volume of traffic due to a major event?
  - will the proposed Spring Farm Parkway be constructed above a major flooding event level and when will it be built?
  - concerned by the location of the land allocated for an emergency services facility in the south of the site, as this site is a known flood area. Requests consideration of a site within the northern area of the precinct.
- requests as part of this development that Council consider reconstructing the existing boat launching facilities on the Nepean River, which currently pose a very high risk to SES volunteers.

Comment

- The Spring Farm Parkway and the road over Howes Creek are proposed to be constructed above the 1:100 flood line.
- The realigned Glenlee Road is proposed to be developed as a bus route/collector road with a carriageway width of 11.6m.
- The site allocated as the location for an emergency services facility is above the 1:100 year flood line and was to be located on land that was within Council's ownership. Whilst Council no longer owns this land it is understood that provision will still be available for the construction of an emergency services facility. Council does not own any land within the northern area of the precinct, and is thus unable to offer an alternative site in this area.
- The request for the reconstruction of the boat launching facilities is not part of the planning process, and is thus irrelevant to this rezoning proposal. However, this matter

was referred to the Director of City Delivery for further investigation.	
15. Endeavour Energy	<ul style="list-style-type: none"> <li>• advises that the existing distribution network within the Menangle Park area does not have the capacity required to supply the proposed Menangle Park Urban Release Area</li> <li>• however, advises of the following infrastructure that will be required to meet future electricity needs: <ul style="list-style-type: none"> <li>○ one hectare of land for a zone substation located above the 1:100 flood level</li> <li>○ distribution substations which are generally located within an easement on individual allotments, and will be provided by the developer</li> <li>○ distribution cables which will be installed underground from the zone substation throughout the site, and will be provided by the developer</li> </ul> </li> <li>• advises of the existence of the two 66kV overhead feeders which cross the north eastern portion of the release area, and the proposal to provide an additional feeder</li> <li>• also advises that 24 hour access is required for the feeders for maintenance and repairs</li> <li>• a further submission from Endeavour Energy advised of its preference to locate the zone substation in a central position on land currently owned by UrbanGrowth NSW and requested that this site be zoned infrastructure.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Originally a site was identified for the development of an electricity zone substation that was above the 1:100 year flood line and within Council's ownership. However, in light of Endeavour Energy's decision to relocate the electricity substation and the fact that its development can be permitted through the provisions of State Environmental Planning Policy (Infrastructure) 2007, it is considered that the rezoning of the proposed substation site could be addressed in a future housekeeping amendment to Campbelltown LEP 2015. However, it is considered appropriate to include its location within the amended draft Menangle Park Development Control Plan.</li> <li>• It is noted that the objectives and controls with regard to any proposed development near or on electricity easements, has been included within clause 2.19 Volume 1 of Campbelltown (Sustainable City) DCP.</li> <li>• Other comments noted.</li> </ul>	
16. Jemena Gas Networks	<ul style="list-style-type: none"> <li>• advises that Jemena Gas Networks currently has the 850 High Pressure Trunk Gas Main and the Eastern Gas Pipeline located within the north eastern corner of the Menangle Park Urban Release Area</li> <li>• the preparation of a Pipeline Safety Management Study is required to be submitted with any proposed development application for land within the vicinity of either of these gas mains.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• It is noted that the objectives and controls with regard to land adjacent to or affected by gas easements, has been included within clause 2.20 Volume 1 of Campbelltown (Sustainable City) DCP. However, the location of the gas pipelines has been identified</li> </ul>	

<p>on the Urban Structure Plan within the draft Menangle Park DCP.</p> <ul style="list-style-type: none"> <li>• Other comments noted.</li> </ul>	
<p>17. Gorodok</p>	<ul style="list-style-type: none"> <li>• advises that Gorodok owns the Moomba-Sydney Ethane Pipeline which traverses the north eastern corner of the Menangle Park Urban Release Area</li> <li>• any future development applications for dwellings or sensitive land uses on land within 750m of the pipeline easement will require a risk assessment in accordance with AS2885.1</li> <li>• advises that the gas pipeline does not preclude development but requires assessment of any proposals in proximity to the pipeline easement.</li> </ul>
<p>Comment</p> <p>It is noted that the objectives and design requirements with regard to land adjacent to or affected by gas easements, have been included within clause 2.20 Volume 1 of Campbelltown (Sustainable City) DCP. Further, the location of the gas pipeline has been identified on the Urban Structure Plan within the draft Menangle Park DCP.</p> <ul style="list-style-type: none"> <li>• Other comments noted.</li> </ul>	
<p>18. Wollondilly Shire Council</p>	<ul style="list-style-type: none"> <li>• generally supports the methodology proposed for the Menangle Park Urban Release Area, and specifically the provision of the Spring Farm Parkway and proposed access to the F5 Freeway</li> <li>• considers that additional car parking will be required at Macarthur and Campbelltown railway stations and that the State Government should address this issue</li> <li>• notes that the expected increase in traffic movements will impact on the Campbelltown LGA and not specifically on the Wollondilly LGA</li> <li>• considers that the village of Menangle will benefit from the development of Menangle Park through the provision of a better bus service, reticulated sewer service and local shopping centre</li> <li>• notes that the population projections within the Menangle Park Local Environmental Study for Wollondilly are now out-of-date</li> <li>• suggests updating the LES to include the potential release area of Wilton Junction and Appin.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>	
<p>19. Australian Rail Track Corporation Ltd</p>	<ul style="list-style-type: none"> <li>• requests that Council consider State Environmental Planning Policy (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads–Interim Guideline (2008)</li> <li>• supports inclusion of noise management provisions within the draft DCP, however, recommends that the documents State Environmental Planning Policy (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads–Interim Guideline (2008) be referred to in clause 12.14 instead of the reference to design standards and setbacks</li> </ul>

	required by the NSW Roads and Traffic Authority and State Rail, as the names of these organisations has changed.
<p>Comment</p> <ul style="list-style-type: none"> <li>Rather than include the names of specific documents, clause 1.14 of the draft DCP has been amended to refer to the design standards and setbacks required by the relevant government road and rail authorities.</li> </ul>	
<p>20. Cubbitch Barta Native Title Claimants</p>	<ul style="list-style-type: none"> <li>concerned that there has been no correspondence or consultation since 2008 with regard to aboriginal heritage</li> <li>concerned that the loss of aboriginal heritage is not as important as the loss of vegetation</li> <li>concerned that whilst open space is proposed within high sensitivity areas the result is not conservation, as often this open space will include drainage and servicing infrastructure</li> <li>concerned that aboriginal heritage is not listed in the objectives of the draft planning proposal.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>A meeting of representatives of the aboriginal community, Council, Landcom, Ms Jo McDonald (author of the Menangle Park Indigenous heritage report) and APP (the consultancy project managing this matter) was held on 22 March 2010 at the Civic Centre, Campbelltown, and a number of issues were discussed and Ms McDonald amended her report accordingly.</li> <li>It is recognised that both aboriginal and non-indigenous heritage should be included in the objectives of the draft planning proposal.</li> <li>Ms Chalker (from Cubbitch Barta Native Title claimants) at a meeting with Council officers advised that she had no objection with the provisions included within the draft DCP, and with the updated provisions within the draft Campbelltown (Sustainable City) DCP. However, she requested that the term indigenous heritage be replaced with aboriginal heritage. As such all planning documentation has been amended to acknowledge this request.</li> </ul>	
<p>21. Transport for NSW</p>	<ul style="list-style-type: none"> <li>Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) have been working with UrbanGrowth NSW and have agreed on the alignment of the proposed Spring Farm Parkway and north facing ramps</li> <li>advises that any reference to committing TfNSW or RMS for future funding of infrastructure should be removed. TfNSW and Council should work together to determine funding options.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>It has always been considered that the proposed Spring Farm Parkway would be a road of regional significance, and therefore not infrastructure that Council should be required to totally fund. The Department of Planning and Infrastructure (now NSW Planning and Environment) instructed Council to zone the road under the 5(b) Special Uses Arterial Roads zone on the zoning map, and also requested Council to publicly exhibit the draft Menangle Park Planning Proposal (in 2012-2013) even though RMS had not agreed to be the acquisition authority for the Parkway, as required by such zoning. However, the public exhibition of draft Campbelltown LEP 2014 identified the route of the proposed Spring Farm Parkway as Zone SP2 Infrastructure and there was</li> </ul>	

no acquisition requirement for RMS to purchase the land.	
<ul style="list-style-type: none"> <li>• Council has now agreed to be a party to, and signed, the Greater Macarthur Priority Growth Area Memorandum of Understanding with the Department of Planning and Environment, which states that a new Special Infrastructure Contribution (SIC) levy will be established to cover the cost of regional infrastructure to support the development of the Menangle Park Urban Release Area. It is therefore considered appropriate for Council to now identify the acquisition authority of the route of the proposed Spring Farm Parkway and the north facing ramps onto the M31 freeway as the RMS.</li> <li>• Council has received assurance from UrbanGrowth NSW and the Dahua Group to commit to the construction of Spring Farm Parkway Stage One. A copy of a letter advising of this assurance is shown at attachment 4 including a map indicating Stage One.</li> </ul>	
22. Fire & Rescue NSW	<ul style="list-style-type: none"> <li>• recommends that all developments comply with the Building Code of Australia and relevant Australian Standards</li> <li>• recommends compliance with Fire &amp; Rescue NSW Guidelines for Emergency Vehicle Access Policy No 4.</li> <li>• provides information with regard to the installation of fire hydrants</li> <li>• recommends prominent signposting for all streets and buildings to facilitate rapid fire fighting response times.</li> </ul>
Comment	
<ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>	

### Campbelltown Local Environmental Plan 2015

As part of the public exhibition of draft Campbelltown Local Environmental Plan 2014, (which was held in 2014) Council included information with regard to the proposed rezoning of the Menangle Park Urban Release area on the maps that were publicly exhibited. As a result a number of submissions were received that are relevant to Menangle Park and those from government agencies are addressed in the following table.

<b>Submissions from government agencies</b>	
<b>Submitter</b>	<b>Issue</b>
1 NSW Trade & Investment Resources & Energy Mineral Resources Branch	<ul style="list-style-type: none"> <li>• Refers to the 3 identified extractive resource areas in the vicinity of the subject land and the implication of any detrimental impact on potential future urban development at Menangle Park from activities associated with these resources.</li> <li>• Notes that the subject land falls within the South Campbelltown Mine Subsidence District and thus would be concerned by any development that would not allow for future full extraction of the underground coal resources.</li> </ul>
Comment	

<ul style="list-style-type: none"> <li>• It is considered that the implications of any activity with regard to the 3 identified extractive resources would be assessed as part of any future development applications for either the resources or future urban development.</li> <li>• With regard to the concern raised by any development that would inhibit full extraction of the coal resource please note the advice received from the Department of Planning in 2006 which states that <i>“mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park’s contribution to land supply in the Sydney Metropolitan Region”</i>.</li> </ul>	
<p><b>2</b> NSW Department of Primary Industries Office of Water</p>	<ul style="list-style-type: none"> <li>• Concerned that the previously negotiated outcomes for riparian lands have not been included in the public exhibition material for draft Campbelltown LEP 2014. In particular the agreed width of certain riparian corridors has been reduced.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Whilst a clause specifically relating to protecting and maintaining riparian land and watercourses has been included within Campbelltown LEP 2015, this clause does not cover all the riparian land that was referred to in the public exhibition of the Menangle Park Planning Proposal. It is therefore recommended that this clause and the maps be amended to address this issue.</li> </ul>	

The following agencies/service providers were consulted but did not respond to the public exhibition, however please note that input from many of these bodies was received and included in the preparation of the technical studies, Menangle Park Local Environmental Study and exhibited planning proposal:

- NSW Department of Primary Industries – Agriculture
- NSW Department of Primary Industries - Fisheries
- NSW Department of Education and Training
- Rural Fire Service
- Interline Bus Services
- Telstra
- NSW Fire Brigade
- AGL Energy Limited
- BHP Billiton
- Tharawal Local Aboriginal Land Council
- Camden Council

## Part 4 – Community Consultation

The public exhibition of all the planning documentation for the rezoning of the Menangle Park Urban Release Area was held from Tuesday 11 December 2012 until Friday 1 February 2013 (public holidays excepted) in accordance with the provisions of the Gateway determination. All relevant government agencies, service providers and property owners were notified of the public exhibition period and invited to make a submission.

## Appendices

1. Gateway Determination and Alteration of Timeframe
2. Maps

3. Proposed amendments to Campbelltown LEP 2015
4. Menangle Park Local Environmental Study Addendum Report July 2016
5. Letter from Department of Planning

## Gateway Determination



Planning &  
Infrastructure

### Gateway Determination

**Planning Proposal (Department Ref: PP\_2012\_CAMPB\_001\_00):** to rezone land within the Menangle Park Urban Release Area to a mix of zones for urban purposes and to introduce development controls for the subject land.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Campbelltown Local Environmental Plan 2002 to:

- o Rezone the subject land from 1(a) Rural to 2(b) Residential B, 2(c) Higher Density Residential, 4(a) General Industry, 5(a) Special Uses A, 5(b) Special Uses Arterial Roads, 6(a) Local Open Space, 6(c) Private Open Space and 10(c) Local Comprehensive Centre;
  - o Include minimum lot size controls for the subject land;
  - o Include maximum building height controls for the subject land;
  - o Include provisions to ensure satisfactory arrangements are made for the provision of local infrastructure;
  - o Include provisions to protect riparian lands shown hatched on the Land Zoning Map from development;
  - o Include provisions to prohibit 'habitable buildings' from land marked "area of Restricted development" on the Land Zoning Map;
  - o Include 'service station', 'retail plant nursery' and 'landscape supply establishment' as additional permitted uses on Lots 7, 8 and 9 DP 791365, Menangle Road;
  - o Amend Schedule 1 Heritage items and heritage conservation areas to include a number of heritage items;
  - o Amend the Interim Campbelltown Order No 15 – City of Campbelltown to remove land that is subject to the planning proposal; and
  - o Amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to remove land that is subject to the planning proposal should proceed subject to the following conditions:
1. Council is to amend the planning proposal to refer to the provision of 'state' infrastructure in addition to 'local' infrastructure, and alter the planning proposal to provide additional information in relation to satisfactory arrangements, to describe how Council will provide for infrastructure requirements.
  2. Council's proposed provision to include 'service station', 'retail plant nursery' and 'landscape supply establishment' as additional permitted uses is not supported. Council is to amend the planning proposal to rezone the land to an appropriate zone being either 3(a) General Business or 3(c) Neighbourhood Business Zone under its current LEP prior to the commencement of community consultation.
  3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
    - (a) the planning proposal must be made publicly available for **28 days**; and
    - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
  4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Sydney Metropolitan Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries – Minerals and Petroleum
- Integral Energy
- Mine Subsidence Board
- Fire and rescue NSW
- Roads and Maritime Authority
- Sydney Water
- Telstra
- Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. Further to Condition 5 above, Council is to consult with the NSW Department of Primary Industries – Minerals and Petroleum and the Mine Subsidence Board prior to undertaking community consultation. Council is to take into account any comments made as per the requirements of S177 Directions 1.3 Mining, Petroleum Production and Extractive Industries and 4.2 Mine Subsidence and Unstable Land.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 20<sup>th</sup> day of February 2012.

**SIGNATURE HAS BEEN REMOVED**

**Sam Haddad**  
**Director-General**  
**Delegate of the Minister for Planning and**  
**Infrastructure**

### **Additional information with regard to the Gateway Determination.**

Condition 1 – Council has amended the planning proposal as directed.

Condition 2 – The Department of Planning and Infrastructure's advice dated 7 August 2012 stated that Condition 2 will now read: *"Council's proposed provision to include 'service station', retail plant nursery' and 'landscape supply establishment' as additional permitted uses is not supported. Council is to amend the planning proposal to retain the existing zoning of the land, being 1(a) Rural, and reduce the minimum lot size of the land to 1ha."* Council has amended the planning proposal as directed.

Condition 4 – The Department of Planning and Infrastructure's advice dated 14 June 2012 stated that Council could consult with public authorities as part of the public exhibition of the planning proposal. However, the Department did require Council to consult with Roads and Maritime Services (RMS), as it is proposed that this authority will be the acquisition authority for the reservation of land for the transport corridor of the proposed Spring Farm Parkway. The Department's further advice dated 13 November 2012 stated that Council should proceed to public exhibition, and continue its negotiations with RMS during the exhibition period.

Condition 5 – Council undertook further consultation with the NSW Department of Primary Industries – Minerals and Petroleum (DPI) and the Mine Subsidence Board (MSB) as directed and only received a response from DPI. The Department of Planning and Infrastructure's advice dated 29 October 2012 stated that as Council had sought to consult with the MSB, it was not necessary to wait for a reply prior to public exhibition of the Planning Proposal.



Planning &  
Environment

FEB09'16 09:17:27 (SUK)

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

16/01638

Dear Ms Deitz

**Extension of Gateway Timeframes for the Glenlee and Menangle Park Planning Proposals**

In response to Council's request of 23 December, 2015, as delegate of the Minister for Planning, I have, under section 56(7) of the *Environmental Planning and Assessment Act 1979*, altered the Gateway Determination by extending the timeframes under section 56(2)(f) of the Act for completion of the planning proposals, as listed below.

The alterations of Gateway determination (2) are enclosed.

Planning Proposal	Proposed extension	Proposed new due date
PP_2013_CAMPB_001_00 Glenlee	12 months	10 January 2017
PP_2012_CAMPB_001_00 Menangle Park	12 months	25 November 2016

If you have any questions in relation to this matter, please contact Ms Michelle Dellagiacoma of the Metropolitan Region (Parramatta) office of the Department of Planning and Environment on (02) 9860 1560.

Yours sincerely

SIGNATURE HAS BEEN REMOVED  
✓ 29/1/2016

Rachel Cumming  
Director Metropolitan (Parramatta)  
Planning Services



Planning &  
Environment

## Alteration of Gateway Determination

*Planning proposal (Department Ref: PP\_2012\_CAMPB\_001\_00)*

I, Rachel Cumming, Director, Metropolitan (Parramatta), at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined, under section 56(7) of the Environmental Planning and Assessment Act 1979 ("EP&A Act"), to alter the Gateway determination dated 20 February 2012, for the proposed amendment to rezone land within the Menangle Park Urban Release Area to a mix of zones for urban purposes and to introduce development controls for the subject land, as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 25 November 2016".

Dated 29<sup>th</sup> day of January 2016.

SIGNATURE HAS BEEN REMOVED

**Rachel Cumming**  
Director  
Metropolitan (Parramatta)  
Planning Services

Delegate of the Greater Sydney  
Commission



Planning &  
Environment

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Our ref: 16/14203  
Your ref:

Dear Ms Deitz

**Alteration of Gateway Determinations for the Glenfield Waste Site  
(PP\_2013\_CAMPB\_002\_00) and Menangle Park (PP\_2012\_CAMPB\_001\_00)**

I refer to your requests seeking an extension of time to complete the above planning proposals.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the above Gateway determinations. The Alteration of the Gateway Determination documents are enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Michelle Dellagiacomma to assist you. Ms Dellagiacomma can be contacted on (02) 9860 1527.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

**Catherine Van Laoren**  
Director, Sydney Region West  
Planning Services

Incl.: (2)

## Alteration of Gateway Determination

*Planning proposal (Department Ref: PP 2012 CAMPB 001 00)*

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 4 December 2015 (as amended) for the proposed amendment to the *Campbelltown Local Environmental Plan 2015* as follows:

2. Delete:

condition 7

and replace with:

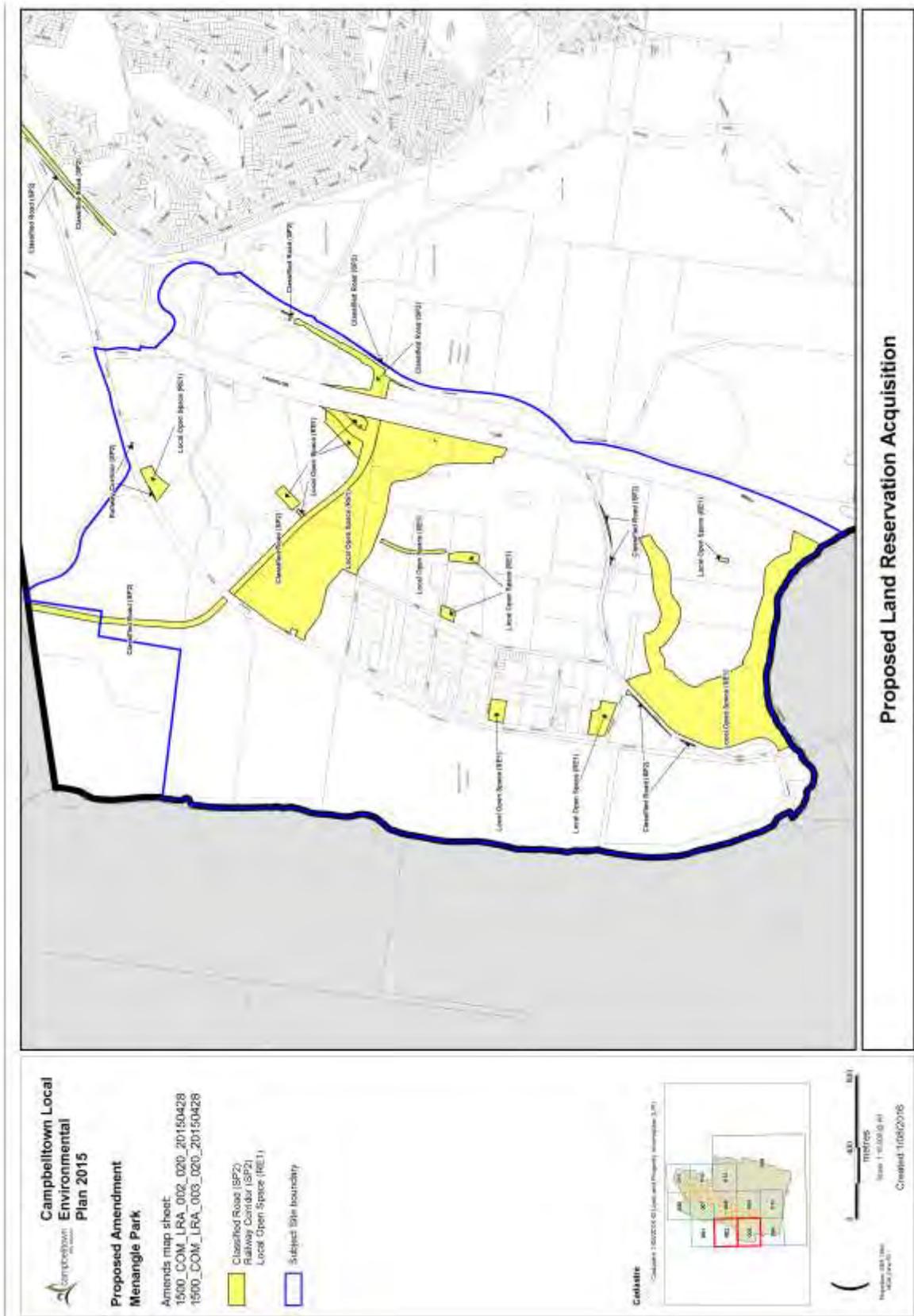
a new condition 7 "The timeframe for completing the LEP is by 26 May 2017"

Date 17<sup>th</sup> day of November 2016

SIGNATURE HAS BEEN REMOVED

— Catherine Van Laeren  
Director, Sydney Region West  
Planning Services  
Department of Planning and Environment  
Delegate of the Greater Sydney Commission

Planning Proposal Maps



**Campbelltown Local Environmental Plan 2015**

**Proposed Amendment Menangle Park**

Amends map sheet:  
1500\_COM\_LRA\_002\_020\_20150428  
1500\_COM\_LRA\_003\_020\_20150428

Classified Road (SP2)  
Railway Corridor (SP2)  
Local Open Space (RES1)

Subject Site Boundary

**Cadastral**

© Cadastre 1:500000 © Land and Property Information (LPI)



**Proposed Land Reservation Acquisition**

**Proposed Amendment  
Menangle Park**

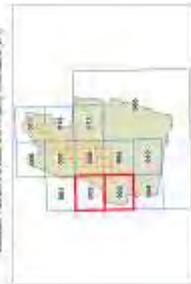
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1500\_CDM\_APU\_003\_020\_20150428

**Additional Permitted Uses**

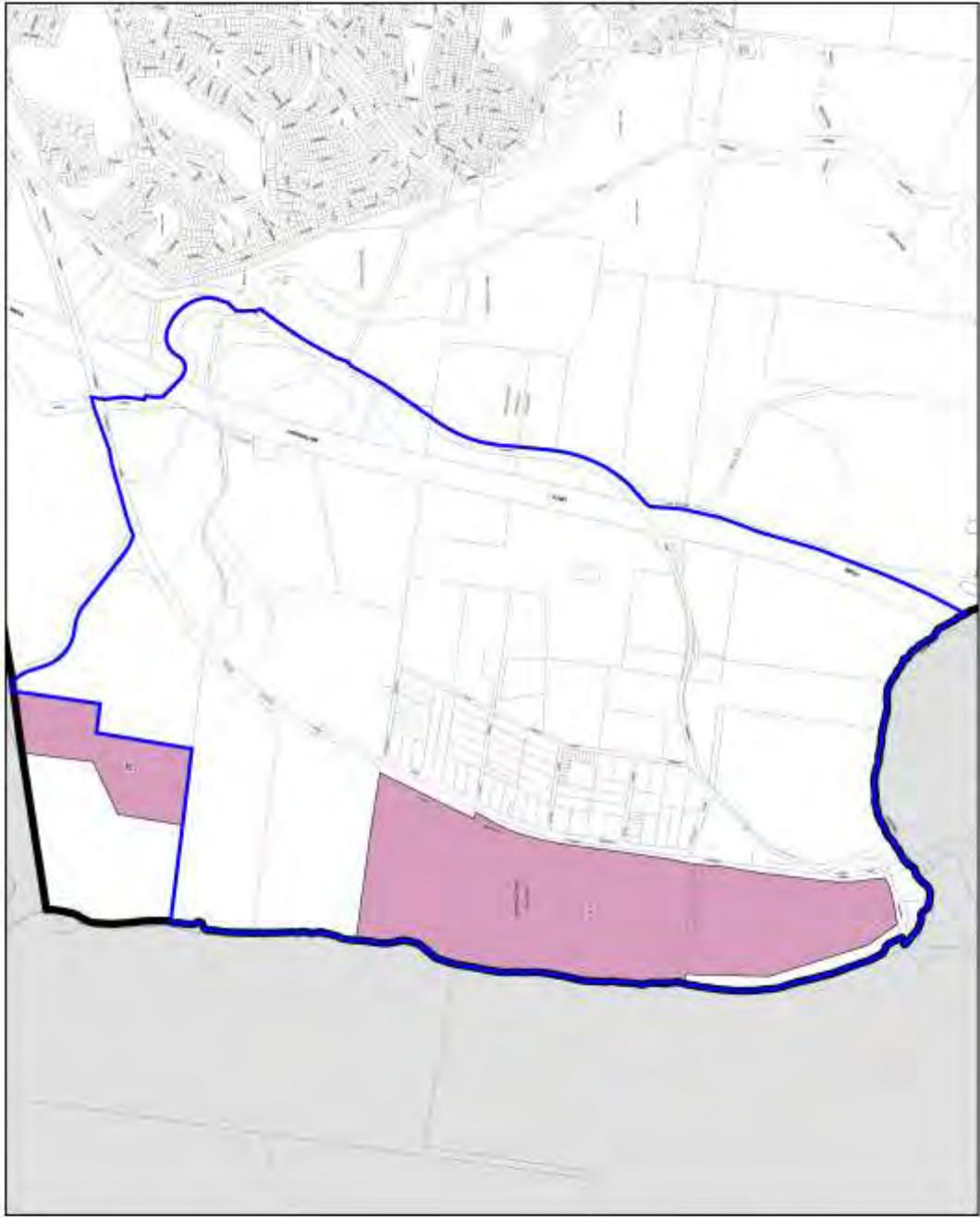
- Refer to Schedule 1
- Subject Site boundary

**Context**

Context Map 1500202 © Lend Lease Property Services (Pty)



11/07/05  
Scale 1:15000 G.A.H.  
Project 105/2016  
Created 10/5/2016



**Proposed Additional Permitted Uses**



**Maximum Floor Space Ratio (n:1)**

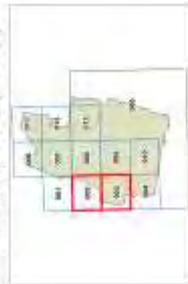
**E** 0.55

**T** 0.75

**□** Subject Site boundary

**CLASSIFICATION**

Campbeltown Local Environmental Plan 2015



Scale: 1:10,000  
Created: 10/05/2016



**Proposed Floor Space Ratio**

**Proposed Amendment  
Menangle Park**

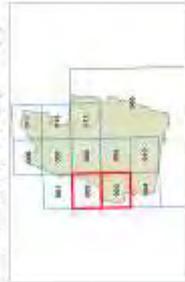
Amends map sheet:  
1500\_CDM\_HOB\_002\_020\_20150428  
1500\_CDM\_HOB\_003\_020\_20150428

**Maximum Building Height (m)**



**Context**

Context: 1500202 © Land and Property Information (LPI)



Project: 1500202  
Scale: 1:10,000 (A1)  
Created: 1/05/2016



**Proposed Height of Buildings**

**Proposed Amendment  
Menangle Park**

Amends map sheet:  
1500\_COM\_HER\_003\_020\_20150428

Creates map sheet:  
1500\_COM\_HER\_003A\_005\_2016

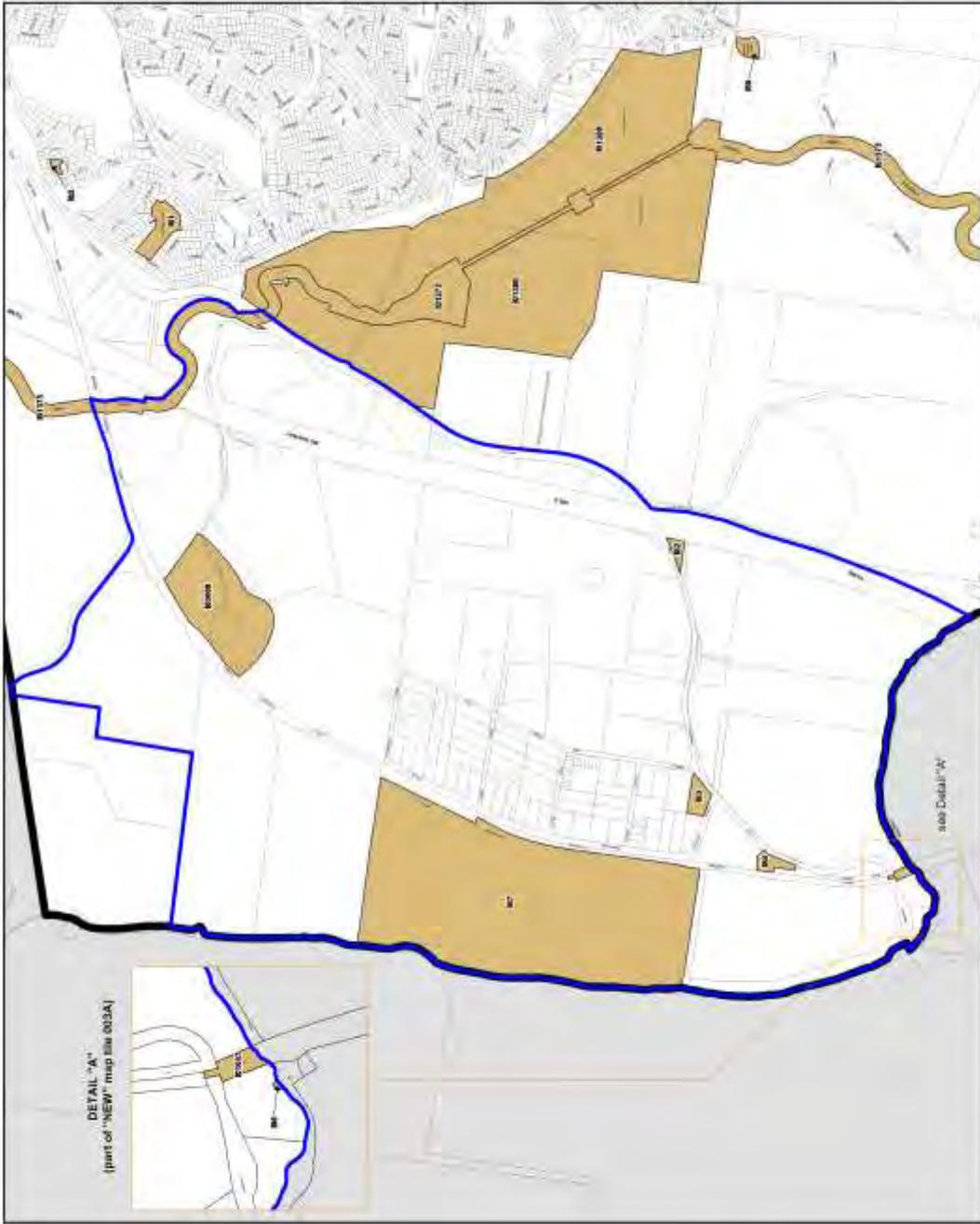
- Heritage**
- Rem - General
  - Subject Site boundary

**Context**

Copyright © 2016 G. Lovell and Property Information (PI)<sup>TM</sup>



Project: 2016-164  
Map: 1500-EP-40  
Created: 1/08/2016



**Proposed Heritage**

**Proposed Amendment  
Menangle Park**

Amends map sheet:  
1500\_COM\_LSZ\_002\_020\_20150428  
1500\_COM\_LSZ\_003\_020\_20150428

**Minimum Lot Size (sq.m)**

- D** 300
- F** 455
- PT** 450
- L** 590
- T** 900
- A** 2,000
- W** 4,000
- Y** 10,000 (1ha)
- E** 20,000 (2ha)
- ZVA** 30,000 (3ha)
- PA2** 40ha
- AO** 100ha
-  Subject Site boundary

**CELSURE**

Created / Updated by Land and Property Information (LPI)



Project ID: 2015  
Map Date: 11/15/2015  
Scale: 1:10,000  
Credited: 1/05/2016



**Proposed Lot Size**

**Proposed Amendment  
Menangle Park**

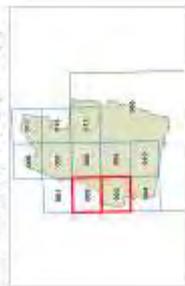
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1500\_COM\_LSD\_003\_020\_20150428

**Minimum Lot Size (sq.m)**

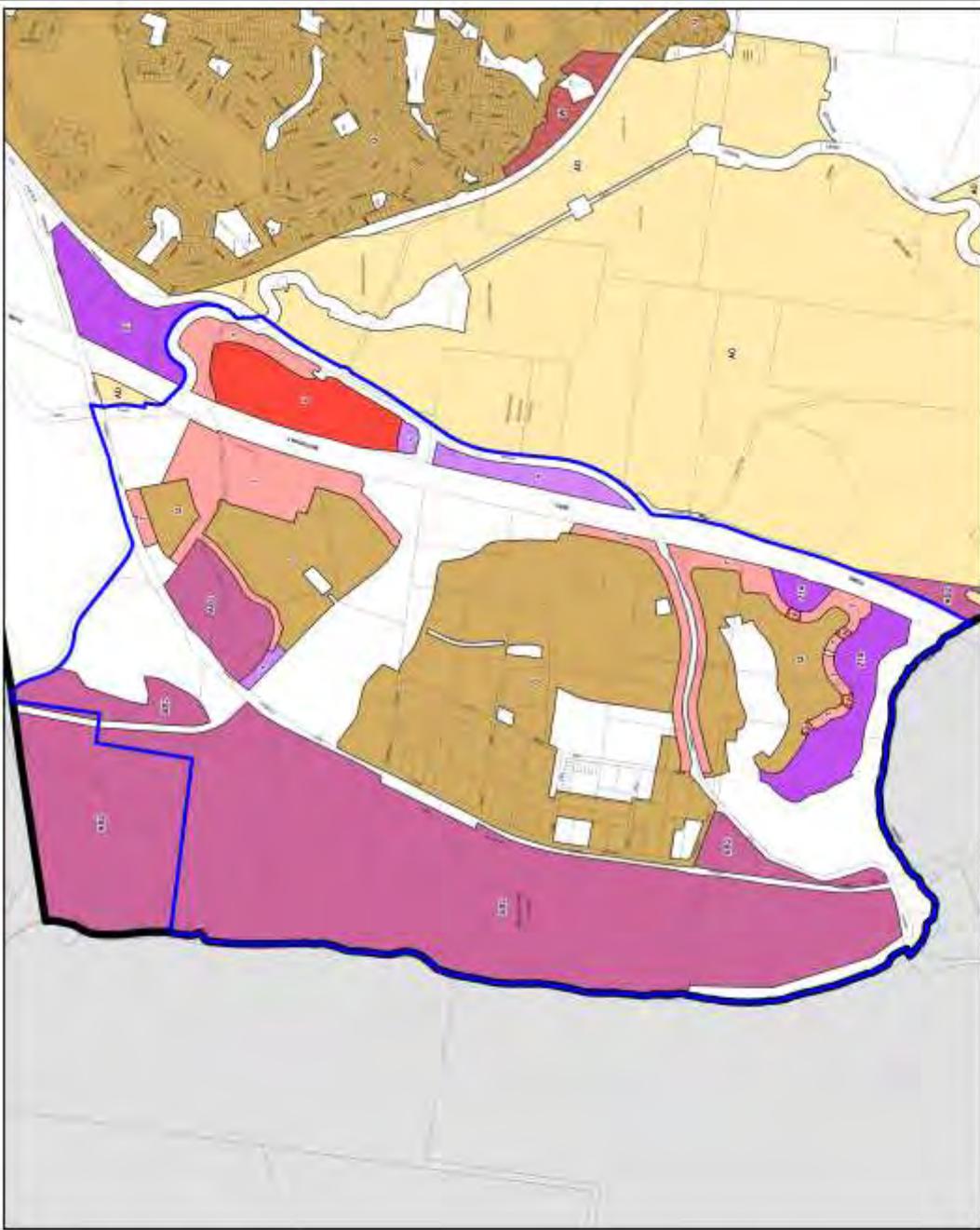
- G 700
- T 950
- V 2,000
- W 4,000
- Y 10,000 (1ha)
- Z1 20,000 (2ha)
- Z1A 30,000 (3ha)
- AB2 40ha
- AD 100ha
- Subject Site boundary

**Context**

Context: Proposed to Land and Property Information (LPI)



Project ID: 2015-001  
Date: 15/05/2015  
Credited: 10/5/2016



**Proposed Lot Size for Dual Occupancy Development**

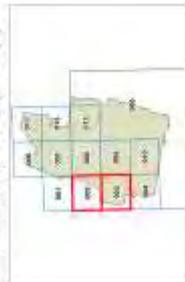
**Proposed Amendment  
Menangle Park**

Creates 'NEW' Urban Release Area map  
and map sheets:  
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1500\_COM\_URR\_003\_020\_2016

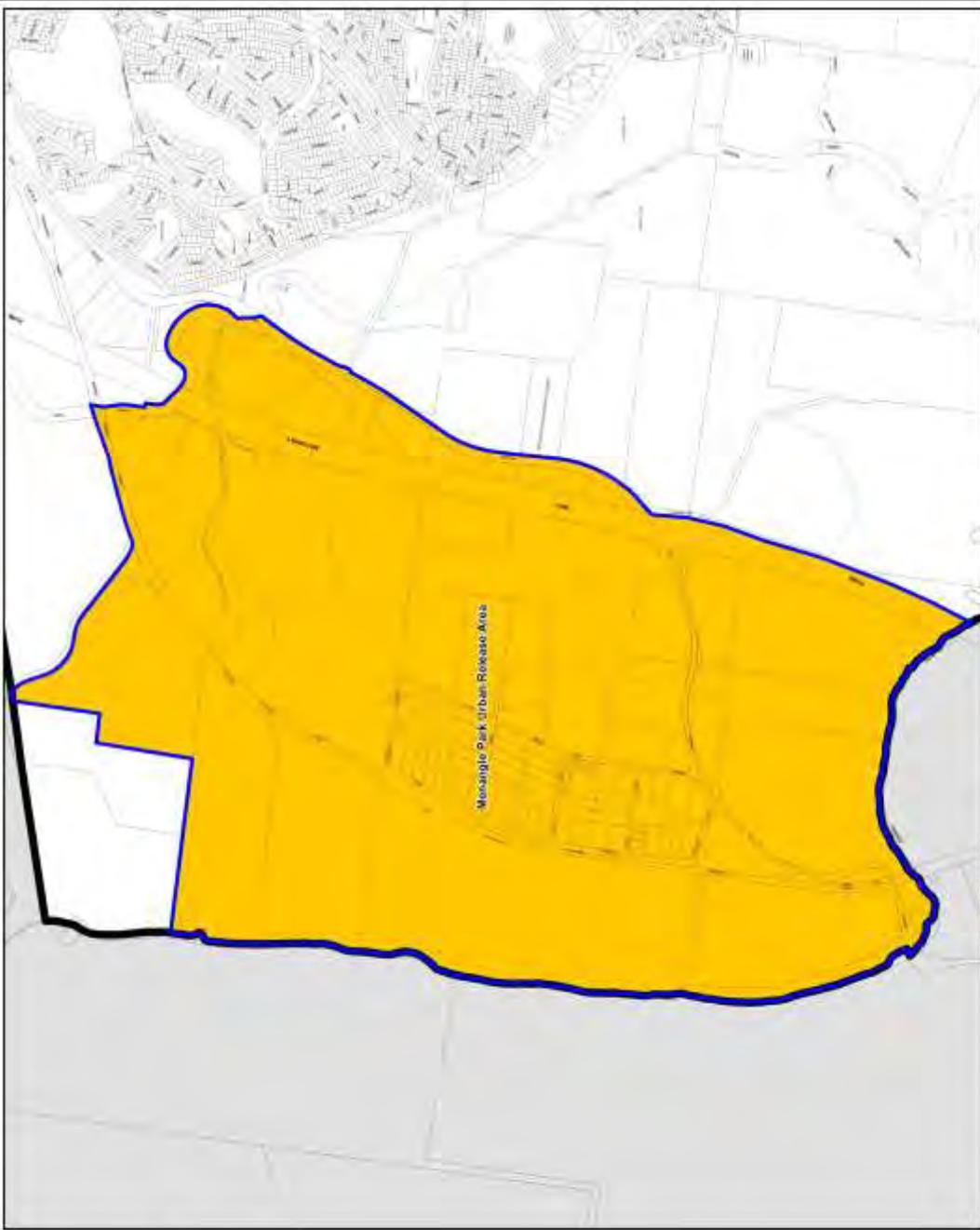
- Urban Release Area**
- Urban Release Area
  - Subject Site Boundary

**Contents**

Contains 1500202 to 1500203 (1500202 to 1500203)



Project ID: 2015-004  
Title: Local E.P.L.  
Created: 10/5/2016



**Proposed Urban Release Area**

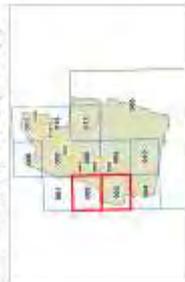
**Proposed Amendment  
Menangle Park**

Amends map sheet:  
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1500\_COM\_LZN\_003\_020\_20150428

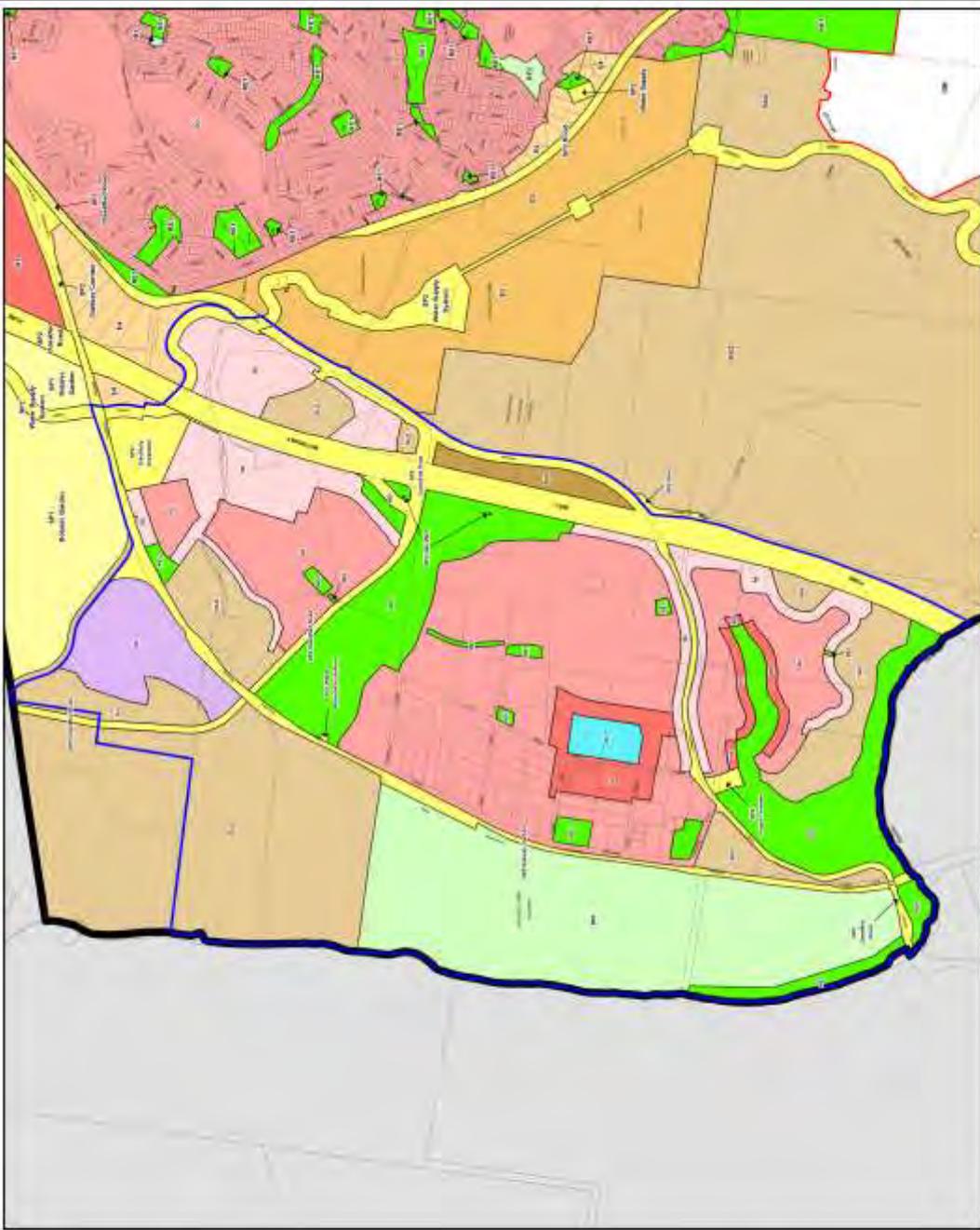
- Zone**
- R2** Low Density Residential
  - R3** Medium Density Residential
  - R4** Large Lot Residential
  - RU2** Rural Landscape
  - RU3** Transition
  - B1** Neighbourhood Centre
  - B2** Local Centre
  - RE1** Public Recreation
  - RE2** Private Recreation
  - SP1** Infrastructure
  - E3** Environmental Management
  - E4** Environmental Living
  - IN1** General Industrial
  - Subject Site boundary

**Context**

Campbeltown Local Environmental Plan 2015



Project ID: 2015-001  
Scale: 1:1000 (G.A.)  
Created: 10/5/2016



**Proposed Land Zoning**

**Proposed Amendment  
Menangle Park**

Creates 'NEW' Terrestrial Biodiversity map  
and map sheets:  
1500\_COM\_BIO\_002\_020\_2016  
1500\_COM\_BIO\_003\_020\_2016

- Terrestrial Biodiversity**
- Biodiversity - significant vegetation
  - Subject Site Boundary

**Context**

Context (1:10,000 to 1:50,000 scale) (approximate LRU)



Project ID: 201  
Title: LEP15/01/11  
Created: 17/10/2016



**Proposed Terrestrial Biodiversity**

## Appendix 3

# Proposed Amendments to Campbelltown LEP 2015

1. Insert the following in clause 2.1 after Zone RU5 Village

### **Zone RU6 Transition**

#### **1 Objectives of zone**

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable the orderly and productive use of transitional lands.
- To ensure that development does not have a detrimental visual impact when viewed from surrounding land and roads.

#### **2 Permitted without consent**

Home occupations;

#### **3 Permitted with consent**

Building identification signs; Business identification signs; Drainage; Dwelling houses; Dual occupancies (attached); Earthworks; Educational establishments; Emergency services facilities; Flood mitigation works; Garden centres; Home businesses; Landscape materials supplies; Plant nurseries; Recreation facilities (outdoor); Roads; Service Stations.

#### **4 Prohibited**

Any development not specified in item 2 or 3.

2. Insert the following in clause 7.3

#### **7.3 Riparian land and watercourses**

(2)(c) all land identified as riparian protection on the Environmental Constraints Map.

3. Insert the following after clause 6.1

#### **6.1A Arrangements for designated local public infrastructure**

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated local public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became,

or became part of, an urban release area, unless satisfactory arrangements have been made to contribute to the provision of designated local public infrastructure in relation to that land. Such arrangements will include compliance with an infrastructure delivery plan prepared Council and the source of funding for such infrastructure.

- (3) Subclause (2) does not apply to:
- (a) any lot identified in the certificate as a residue lot, or
  - (b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or
  - (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or
  - (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

4. Insert the following matter after item 40 in Schedule 1:

**41 Use of certain land at Racecourse Avenue, Menangle Park**

- (1) This clause applies to land at Racecourse Avenue, Menangle Park, being Lot 10 DP1022204, Lot 1 DP1140461 and Lot 2 DP 1187569 Racecourse Avenue, Menangle Park.
- (2) Development for the purpose of:
- o Permanent stables for trainers, offices and accommodation for stable hands
  - o Educational establishment for educating trainers, drivers and stable hands
  - o Day stabling yards
  - o Stock feed sheds
  - o Veterinary facilities
  - o Farrier facilities
- is permitted with development consent.

6. Insert the following items in Schedule 5 in appropriate order:

Suburb	Item Name	Address	Property description	Significance	Item no
Menangle Park	Glenlee House and outbuildings, garden and gate lodge	Glenlee Road	Lots 1, 2 and 3 DP 713646	State	00009
Menangle Park	Menangle House and outbuildings	Menangle Road	Lot 102 DP 7766102	Local	
Menangle Park	Menangle Park Paceway	Racecourse Avenue	Lot 10 DP 1022204	Local	
Menangle Park	Menangle Railway Viaduct	Nepean River	Menangle Rail Bridge over Nepean River	State	01047
Menangle Park	Menangle Weir	Below Menangle Railway Viaduct	Lot 1 DP 775452	Local	
Menangle Park	Riverview	Menangle Road	Lots 1 and 2 DP 589899	Local	
Menangle Park	The Pines	Menangle Road	Lot 12 DP 786117	Local	

7. Insert the following after clause 7.19

## 7.20 Terrestrial Biodiversity

1. The objective of this clause is to maximise the retention and enhancement of native biodiversity, including the following:
  - (a) protecting native flora and fauna,
  - (b) protecting the ecological processes necessary for their continued existence,
  - (c) encouraging the recovery of native flora and fauna, and their habitats, and
  - (d) maximising connectivity and minimising habitat fragmentation.
2. This clause applies to land identified as “Areas of Biodiversity Significance” and “Biodiversity-habitat corridor” on the Terrestrial Biodiversity Map.
3. Before granting development consent on any land to which this clause applies, the consent authority must consider the following matters:
  - (a) the impact of the development on native flora and fauna and their habitats,
  - (b) the condition and significance of the vegetation and other biodiversity on the land
  - (c) the importance of the vegetation to the sustainability of native flora and fauna in the locality,
  - (d) the potential to fragment, disturb or diminish the biodiversity values of the land including biodiversity structure, function and composition,
  - (e) the condition and role of the vegetation as a habitat corridor, and any adverse impact on the habitat elements providing connectivity on the land,
  - (f) whether the location, design and density of the proposed development supports the protection and enhancement of biodiversity values, and
  - (g) any proposed measures to avoid, minimise or mitigate the impacts of the development.
4. Before granting consent to development to which this clause applies, the consent authority must be satisfied that the development:
  - (a) has taken into account the objectives of this clause,
  - (b) is sited, designed, constructed and managed to avoid adverse impacts on native biodiversity or, if an adverse impact cannot be avoided:
    - (i) The development minimises disturbance and adverse impacts on remnant vegetation communities, threatened species and populations and their habitats, and
    - (ii) measures have been considered to maintain native vegetation and habitat parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors, and

- (iii) the development includes measures to offset the loss of biodiversity values.

**Appendix 4**

**Menangle Park Local Environmental Study  
Addendum Report July 2016**



MENANGLE PARK

LOCAL ENVIRONMENTAL STUDY

ADDENDUM REPORT

OCTOBER 2016



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## GLOSSARY

<b>CAMBA</b>	China-Australia Migratory Bird Agreement
<b>CSG</b>	Coal seam gas
<b>DCP</b>	Development control plan
<b>DP&amp;E</b>	NSW Department of Planning and Environment
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>ha</b>	hectare
<b>JAMBA</b>	Japan - Australia Migratory Bird Agreement
<b>km</b>	kilometre
<b>LEP</b>	Local environmental plan
<b>2010 LES</b>	Menangle Park Local Environmental Study 2010
<b>LGA</b>	Local Government Area
<b>m</b>	metre
<b>MLD</b>	megalitres per day
<b>RMS</b>	NSW Roads and Maritime Services
<b>SEPP</b>	State Environmental Planning Policy
<b>TMAP</b>	Transport Management and Accessibility Plan
<b>TSC Act</b>	<i>Threatened Species Conservation Act 1995</i>



# 1 INTRODUCTION

## 1.1 REPORT PURPOSE

The Menangle Park Local Environmental Study (LES) was prepared in July 2010. The purpose of the LES was to investigate the environmental, social and economic opportunities and constraints of Menangle Park to determine its capability to accommodate urban development. The LES also outlined the future planning framework for the release area.

This report forms an addendum to the Menangle Park LES and has been prepared to provide an update of matters that have changed since its preparation in 2010. Whilst the majority of the matters addressed in the 2010 LES remain relevant, some changes have occurred in the regulatory and policy environment applying to the site in the intervening period. These matters relate primarily to strategic planning in the Macarthur region, changes to settlement and growth patterns and changes to the applicable environmental planning instruments. This Addendum Report addresses these matters.

In addition a number of minor issues have arisen since 2010 which have necessitated changes to the Menangle Park Structure Plan and Development Control Plan. These changes are discussed in this report.

This report should be read in conjunction with the 2010 LES and relevant supporting documentation attached.

## 1.2 BACKGROUND

Planning for urban growth at Menangle Park has had a long and protracted history. In September 2004 Campbelltown City Council ("Council") in conjunction with Landcom (now UrbanGrowth NSW) initiated site investigations and a preliminary LES for the site was prepared. Whilst the preliminary LES identified that the site could support urban development, it also identified that the site is underlain by a high quality coal resource which is of State significance. Following this finding progress on the Menangle Park release area was put on hold pending a decision by the State Government regarding priorities for the site. In May 2006, the NSW Government determined that mining of the coal resources beneath Menangle Park was to be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This decision recognised the importance of Menangle Park in contributing to land supply in the Sydney Metropolitan Region.

Between 2006 and 2010 further analysis and investigations were undertaken of the site constraints to determine development viability and to confirm an appropriate development footprint. In July 2010 this culminated in a revised LES which provided a comprehensive investigation of the environmental, social and economic characteristics of the site. The LES included a proposed structure plan for the study area which in turn formed the basis for the subsequent preparation of the Draft Local Environmental Plan (LEP) amendment, Draft Development Control Plan (DCP) and Draft Section 94 Contributions Plan for the site. This work supported the recommendation that Menangle Park, generally to the east of the railway line, be rezoned for urban development.

Early in 2013 the Draft LEP amendment and Draft DCP for Menangle Park were placed on public exhibition. No major concerns were identified as a result of the public exhibition and it was considered that the site should be rezoned for urban development subject to an agreement being reached in relation to regional infrastructure provision notably major road upgrade works. Subject to infrastructure funding arrangements being agreed to between Campbelltown City Council and the NSW Government, it is proposed to proceed to rezone the study area for urban development and to adopt the site specific DCP that will guide the future development of the site.



## 2 STRATEGIC PLANS AND POLICIES

A number of strategic plans and policies have changed since preparation of the 2010 LES which have potential implications for the future development of the study area. This section provides an update of relevant documents and their implications.

### 2.1 SYDNEY METROPOLITAN PLAN

*A Plan for Growing Sydney* was released in December 2014 and forms the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and livability – including the delivery of housing, employment, infrastructure and open space. The Plan's vision for Sydney is 'a strong global city, a great place to live'. To achieve this vision, the Plan sets down goals that Sydney will be:

- a competitive economy with world-class services and transport;
- a city of housing choice with homes that meet our needs and lifestyles;
- a great place to live with communities that are strong, healthy and well connected; and
- a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Plan's focus is on providing more housing, with a greater choice of dwelling types in well-serviced locations. This will help meet changing household needs, lifestyle choices, population growth and different household budgets. It recognises that the Government must accelerate the delivery of new housing in Sydney to meet the needs of a bigger population and to satisfy a growing demand for different types of housing. Relevant directions and actions include:

- Accelerate housing supply across Sydney;
- Deliver timely and well planned greenfield precincts and housing;
- Develop a framework for the identification of new growth centres.

A key action is the establishment of the Priority Precincts program which is to coordinate planning and investment to revitalise local centres, services and infrastructure. The selection of a site for inclusion in the program is considered against five criteria:

- the site aligns with State, regional or local strategies that relate to housing, employment or urban renewal;
- there is potential to maximise existing and planned infrastructure, especially transport investments;
- the site is important to more than one Local Government Area and/or there is support from a local council;
- the precinct is environmentally, socially and economically sustainable and viable; and
- development of the precinct would be financially viable and is consistent with market demand.

The Plan notes that on preparing a framework for the identification of new Growth Centres and Priority Growth Areas the Government will identify potential locations for new greenfield development giving particular attention to investigating the potential for greenfield development south and south-west of Campbelltown-Macarthur.

Campbelltown is located within the South West Subregion identified in the Plan. The South West Subregion is identified as the fastest growing subregion in Sydney noting that the planned Badgerys Creek Airport will be a catalyst for investment in infrastructure and jobs. The Plan notes that Liverpool, Campbelltown-Macarthur, Leppington and the Western Sydney Employment Area will also contribute to the growth and diversification of the subregion's economy.



The Plan identifies priorities for the South West Subregion including in terms of housing provision to accelerate housing supply, choice and affordability and building great places to live. To achieve this, the following actions have been identified:

- Identify suitable locations for housing, employment and urban renewal – particularly around established and new centres and along key public transport corridors including the Cumberland Line, the South Line, the Bankstown Line, the South West Rail Link and the Liverpool-Paramatta T-Way;
- Continue delivery of the South West Growth Centre through greenfield housing development and the expansion of local employment;
- Capitalise on the subregion's vibrant cultural diversity and global connections;
- Implement the Western Sydney Parklands Plan of Management.

Menangle Park is identified as being within the Macarthur South Investigation Area under the plan as illustrated in Figure 1 below.

## 2.2 GREATER MACARTHUR PRIORITY GROWTH AREA

Following the release of *A Plan for Growing Sydney*, in September 2015 the Department of Planning and Environment (DP&E) released the *Greater Macarthur Land Release Investigation - Preliminary Strategy & Action Plan*. The Preliminary Strategy and related amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 were exhibited for public comment between 22 September and 18 November 2015. It is understood that at the time of writing the DP&E is progressing further investigations into the preparation of land use and infrastructure strategies for the area.

The *Greater Macarthur Land Release Investigation - Preliminary Strategy & Action Plan* identifies land that is suitable for urban development (including Menangle Park), the infrastructure required to support growth, and how Greater Macarthur would be connected to jobs and other services in other parts of metropolitan Sydney. The Action Plan notes that the northern part of Greater Macarthur adjoins the Campbelltown-Macarthur Regional City, and is a logical extension to Sydney's metropolitan urban area. It further notes that land in the precinct is relatively unencumbered by constraints to development and has less requirements for substantial transport and utilities infrastructure upgrades than other parts of Greater Macarthur, given its proximity to the existing metropolitan area.

The Action Plan indicates that there are immediate opportunities to deliver up to 35,000 homes in Menangle Park and Mount Gilead and in a new town at Wilton that will increase the provision of new homes to cater for Sydney's growing population.

Further discussion on the Greater Macarthur Land Release is provided in Section 2.2.

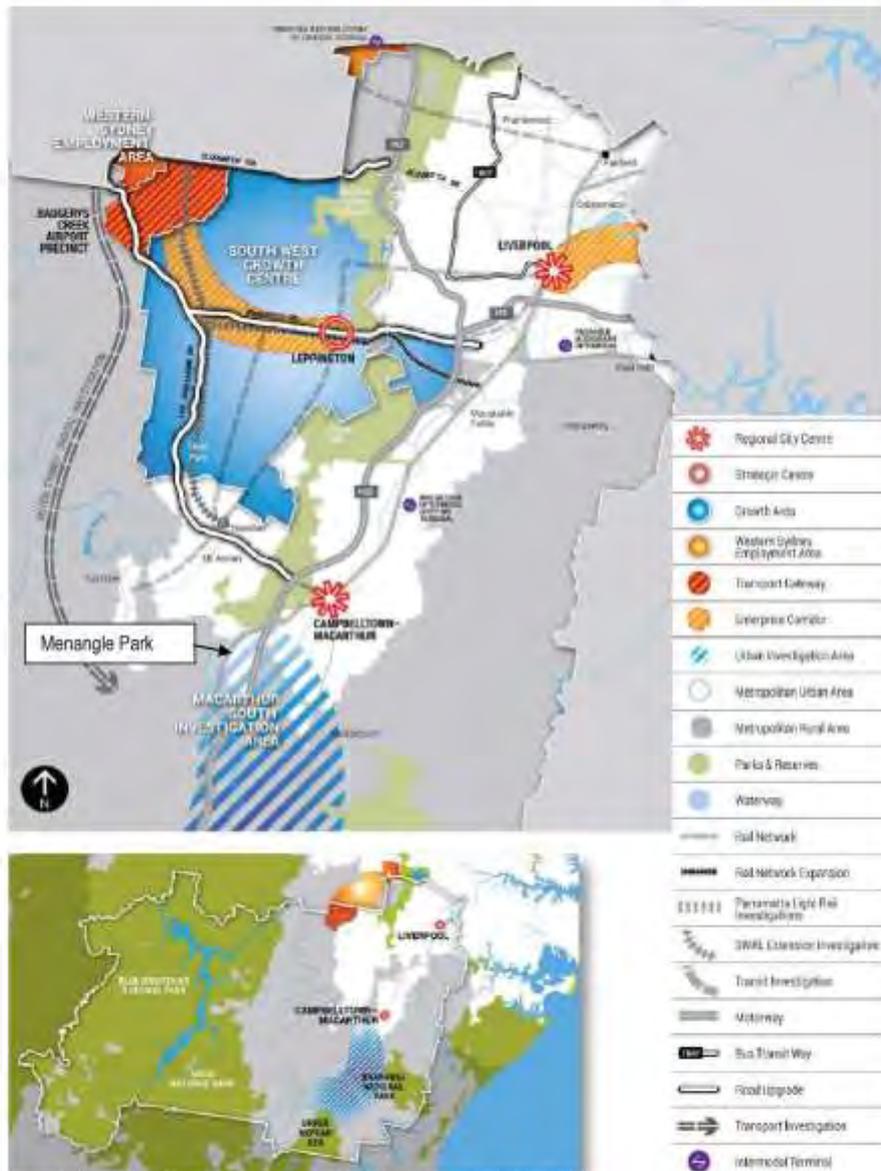


Figure 1: South West Subregion (Source: A Plan for Growing Sydney, DP&E, 2014)



### 2.3 LOCAL PLANNING STRATEGY

The Campbelltown Local Planning Strategy (LPS) is a background document which informed the preparation of Campbelltown Local Environmental Plan 2015 and the draft precursor to that instrument. The LPS was endorsed by Council at its meeting on 26 March 2013 and provides a decision making framework to guide delivery of the community inspired strategic vision for the Campbelltown Local Government Area (LGA).

In terms of population and housing the LPS notes that the Campbelltown LGA provides a range of diverse housing opportunities for an expanding population. In more recent times it has been increasingly confronted with the challenges of:

- An increasing proportion of elderly residents;
- More people living alone;
- Socially inclusive housing;
- Sustainable and adaptable housing forms.

and the related accommodation demands.

These housing trends, based on the community needs, are projected to continue into the future in an environment of increased demand as Council seeks to provide the framework for an additional 24,653 dwellings to 2031. This target is to be made up of 14,792 additional "infill" dwellings and 9,862 "greenfields" dwellings, or 60% "infill"/40% "greenfield".

The LPS includes a Strategic Outline Plan which identifies future centres and corridors to limit and structure future growth. The Strategic Outline Plan identifies Menangle Park as 'under investigation' and a 'green fields release area'. The Strategic Outline Plan is reproduced in Figure 2. Consistent with this, the LPS identifies Menangle Park as part of the medium (5-10 years) to long (10 years +) term program to meet the demand for housing in the region. Accordingly the exhibited draft Campbelltown LEP 2014 included the proposed zoning of land at Menangle Park (Note: the zoning of Menangle Park was deferred prior to gazettal of the LEP pending resolution of regional infrastructure funding arrangements).

### 2.4 LOCAL RESIDENTIAL DEVELOPMENT STRATEGY

The Campbelltown Residential Development Strategy (RDS) is a background document which informed the preparation of Draft Campbelltown Local Environmental Plan 2014 (Draft CLEP 2014). Like the LPS, it was endorsed by Council at its meeting on 26 March 2013.

The RDS notes that changing population demographics and housing stress will continue to challenge Council to ensure new housing addresses the needs of the local community in general and caters for those in the community with specific needs. It anticipates that the key housing issues likely to confront the Campbelltown LGA in the coming decades include:

- Catering for an ageing population and the consequential increase in demand for aged care housing, dementia facilities, and relevant support services;
- Addressing more people living alone;
- Ensuring new housing caters for diverse social needs;
- Addressing housing stress (including affordability);
- Ensuring new housing is sustainable and adaptable (where relevant)

In seeking to cater for the significant and diverse demand for housing in the future the RDS notes that a variety of housing types should be readily accessible, preferably in a number of different locations. It also recommends that:





Greenfield development is identified as an important contributor to housing supply and diversity in the LGA. The objective is that urban release areas develop as well planned integrated communities with a range of housing types and styles, supplied by well planned services, infrastructure and quality public transport systems and open space networks.

The RDS notes the Menangle Park 'growth area node' and identifies a yield of 3,500 dwellings towards the housing targets for the LGA. It similarly identifies the area's indicative staging or phasing as medium (5-10 years) to long (10 years +) term.



## 3 SETTLEMENT PATTERNS AND GROWTH

The 2010 LES provided a summary of the demographic profile of the Menangle Park area and identified future settlement patterns and population growth expected in the Macarthur region. This information was drawn from the *Social Sustainability for Menangle Park* report prepared by Heather Nesbitt Planning (February 2010). The following is an update of the demographic information contained in the *Social Sustainability* report, having regard to the data available from the 2011 Census. This section also updates information relating to future settlement patterns and population projections for the region.

### 3.1 DEMOGRAPHIC PROFILE UPDATE

Campbelltown's estimated population grew from 143,063 in 2006 to 145,969 in 2011, representing an average annual growth rate during that period of 0.4% (ABS Census of Population and Housing). While this represents a relatively moderate average annual growth rate, Campbelltown City remains one of the most populated LGAs in the Sydney metropolitan area.

With many of its suburbs housing large concentrations of Housing NSW tenants and the LGA lacking a strong employment base, the 2011 Census indicates that the City continues to face significant challenges including:

- Young age profile with more than one in four residents (27%) aged under 17 years old.
- Low proportion (9%) of residents aged 65 years and over.
- An age profile typical of the older outer suburbs of Sydney dominated by families with teenage children.
- Almost one in three homes (30%) are rented with almost half (11%) of these being owned by Housing NSW.
- Below average median weekly household incomes (\$1,069 compared to \$1,447 for Greater Sydney).
- Above average unemployment rate (7.4% compared to Sydney 5.7%) with those employed primarily working in retail trade and manufacturing.
- Majority (16%) employed in clerical and administrative occupations.

Campbelltown City continues to experience high social disadvantage compared to many other areas of Sydney. In terms of overall social disadvantage, Campbelltown City has a SEIFA<sup>1</sup> index of 944.8 making it the fifth most disadvantaged LGA in Sydney after Fairfield, Auburn, Canterbury and Bankstown.

There has been a significant increase in the ageing of Campbelltown's population between 2006 and 2011, particularly in those 60 years and over, as shown in Table 1.

<sup>1</sup> The ABS Index of Relative Socio-Economic Disadvantage (SEIFA) is derived from attributes such as low income, low educational attainment, unemployment, jobs in relatively unskilled occupations and other variables which reflect disadvantage.



Table 1: Campbelltown Age Structure 2011

Age Group	Number	% of total LGA population	% Change since 2006
0 to 4	10,692	7.5	2.2
5 to 11	14,558	10	-8.4
12 to 17	13,580	9.3	-10.1
18 to 24	15,552	10.7	-3.5
25 to 34	20,680	14.2	.7
35 to 49	29,207	20	-5.1
50 to 59	19,755	13.5	3.5
60 to 69	13,247	9.1	44.5
70 to 84	7,134	4.9	19.8
85 and over	1,366	0.9	37.4
Total	145,989	100.00	

Source: Australian Bureau of Statistics, Census of Population and Housing 2006 and 2011. Compiled and presented by profile.id

### 3.2 SETTLEMENT PATTERNS UPDATE

The 2010 LES noted that significant growth has occurred within south-western Sydney over the last 30 years. This growth has continued, particularly in the Camden and Liverpool LGAs. Between 2006 and 2011, Camden's population grew by 7,076 persons and Liverpool by 15,540 persons. By contrast, Campbelltown's population growth has been modest. Population growth in the region between 2006 and 2011 is shown in Table 2.

Table 2: Population Growth in the Region 2006 to 2011

Local Government Area	2006	2011	Annual Average Growth 2006-2011
Camden	49,644	56,720	2.9%
Campbelltown	143,063	145,989	0.4%
Liverpool	164,802	180,342	1.9%
Wollondilly	40,344	43,259	1.4%

\*Population figures exclude overseas visitors  
Source: ABS

Updated population projections prepared by the DP&E continue to indicate that there will be substantial population growth in Camden and Liverpool between 2016 and 2031, with Camden almost doubling its population during this period. Moderate growth is expected in Campbelltown and Wollondilly.

Table 3: Population Projections for the Region 2016-2031

	2016	2021	2026	2031	Projected % growth 2016-2031
Camden	84,400	107,700	133,700	162,350	92%
Campbelltown	167,850	186,750	201,450	215,750	29%
Liverpool	211,200	236,950	265,100	283,950	37%
Wollondilly	47,800	50,800	54,200	57,700	21%

Source: NSW State and Local Government Area Population, Household and Dwelling Projections; 2014 Final, DP&E

Much of the anticipated population growth in south west Sydney is expected to be accommodated in the South West Priority Growth Area as well as the Greater Macarthur Land Release. Since the Draft LES was prepared in 2010, the



NSW Government has identified the need for new residential development areas, both in existing and new release areas, to meet the demand for housing in Sydney. Within *A Plan for Growing Sydney*, Greater Macarthur has been identified as a potential area where urban development could occur to cater for the growing population of Sydney. The DP&E has undertaken a preliminary assessment of the suitability and infrastructure capacity of Greater Macarthur and has identified that its northern and southern precincts present opportunities to increase housing supply concurrently with the North West and South West Priority Growth Areas.

The Greater Macarthur Investigation Area (GMIA) spreads across the Campbelltown and Wollondilly LGAs and extends from Menangle Park in the north, Appin in the East, Wilton in the south and Maldon to the south west. The DP&E anticipates that the area has the capacity to deliver over 45,000 dwellings over the next 25 years, with immediate opportunities to deliver up to 35,000 homes in Menangle Park and Mount Gilead and in a new town at Wilton. Menangle Park has been identified as a priority precinct, along with Glenfield, Campbelltown-Macarthur CBD and Mount Gilead.

The NSW Government has indicated that the key steps in delivering the Greater Macarthur Land Release will involve:

- Identifying Menangle Park, Mount Gilead and Wilton as Priority Growth Areas by including them in the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP);
- Investigating declaring Menangle Park, Mount Gilead and Wilton as Special Infrastructure Contribution Areas to coordinate the funding and delivery of infrastructure that is necessary to support growth; and
- Continuing to work closely with Campbelltown City and Wollondilly Councils, and across NSW Government agencies to facilitate outcomes that deliver new communities with homes, jobs, infrastructure and services while protecting the environment and natural resources.

The Draft Vision Structure Plan for the Menangle Park/Mount Gilead release areas is shown in Figure 3. As noted in section 2.2, work on the land use and infrastructure strategies for the GMIA is ongoing. As the land use investigations and infrastructure planning are well advanced for Menangle Park, it is anticipated that rezoning of the release area will occur before the Greater Macarthur Land Release investigations are finalised. However, it is considered that the work that has been undertaken for Menangle Park is entirely consistent with the *Greater Macarthur Land Release Investigation - Preliminary Strategy & Action Plan*. The NSW Government and Council will continue to work together to ensure the delivery of infrastructure and land use outcomes for the release area within the overarching framework of the Greater Macarthur Land Release. This work will also reflect the changing demographic profile of the area as discussed above.

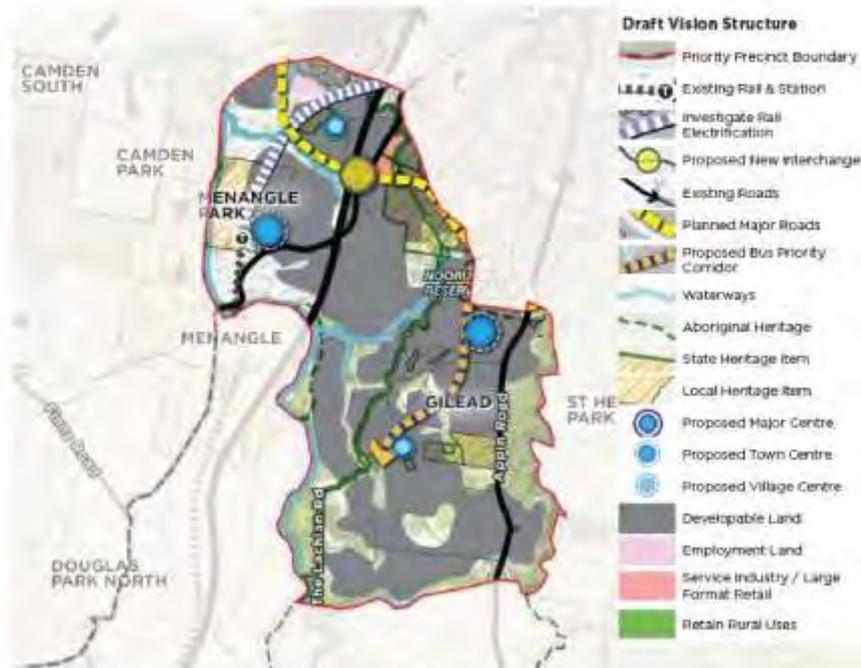


Figure 3: Draft Vision Structure for Menangle Park and Mount Glead  
 Source: Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan 2015, DP&E



## 4 PLANNING FRAMEWORK

A range of Commonwealth, State and local government legislative and policy requirements have potential implications for any urban development at Menangle Park. Legislative and policy changes since preparation of the 2010 LES are outlined below.

### 4.1 COMMONWEALTH LEGISLATION

#### 4.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The Commonwealth *Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act) stipulates that approval from the Commonwealth Environment Minister is required if a development is likely to have a significant impact on matters considered to be of national environmental significance. Cumberland Plain Woodland is listed as a matter of national environmental significance. Additionally, four of the fauna species known or likely to occur on the site are listed under the EPBC Act as well as a further seven migratory fauna species, including JAMBA, CAMBA and Bonn Convention listed species.

The 2010 LES noted that the Commonwealth Department of the Environment, Water, Heritage and the Arts (now Department of the Environment) advised Eco Logical Australia in 2004 that whilst comment by the agency is not technically required during the structure plan stage, that the species, vegetation communities, and the size of the project warrant its advice being sought on the referral and approval process. The Department also recommended the submission of a draft referral to allow any comments to be taken into consideration before the finalisation of the proposed structure plan.

Since the initial advice the Commonwealth and NSW have entered into a bilateral agreement in relation to assessments made under Part 3A, Part 4 and 5 of the EPBC Act. The changes relate only to assessment referrals and approvals are still required for controlled actions. For this process the Department of Environment will examine and review the environmental assessment prepared under NSW law. As before, consent is not required from the Department of the Environment at the structure plan stage.

The proposed changes to the structure plan do not give rise to the need for a referral to the Department of Environment however referral may be required at the development application stage.

### 4.2 STATE LEGISLATION

A number of NSW Government Acts are relevant to development activity on the site however no relevant legislative changes have occurred since the 2010 LES was prepared that impact on the proposed urban development at Menangle Park.

### 4.3 STATE ENVIRONMENTAL PLANNING POLICIES

Relevant State Environmental Planning Policies (SEPPs) are addressed in section 3.4 of the 2010 LES. Since the LES was prepared, changes have been made to the State Environmental Planning Policy for mining which are discussed below.

#### 4.3.1 SEPP (Mining, Petroleum Production and Extractive Industries) 2007

This Policy sets out the State wide planning framework for development involving mining, extraction and petroleum production. It provides for certain activities to be undertaken without consent and requires consent for other activities. It identifies exempt development and complying development provisions and overrides certain limitations applied by a LEP.



Under this Policy, mining, sand extraction and other extractive industries (e.g. gravel, clay, soil, rock), and petroleum production may generally be carried out with development consent. This includes mining and/or extractive industry in any part of a waterway, provided that it is not in an environmental conservation zone.

Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must:

*(a) consider*

*(i) the existing uses and approved uses of land in the vicinity of the development, and*

*(ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land use trends, are likely to be the preferred uses of land in the vicinity of the development, and*

*(iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and*

*(b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and*

*(c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).*

In addition, before granting consent to a proposed development in the vicinity of an existing mine, petroleum production facility or extractive industry the consent authority must:

*(a) consider:*

*(i) the existing uses and approved uses of land in the vicinity of the development, and*

*(ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and*

*(iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and*

*(b) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and*

*(c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).*

Any new proposals for sand extraction in Menangle Park would need to be undertaken in accordance with this SEPP. Further any proposed redevelopment within the vicinity of the existing coal seam gas wells located on site would need to be considered in the context of compatibility with these existing facilities.

#### **4.4 SECTION 117 DIRECTIONS**

The Section 117 Directions applicable to any proposed Draft LEP for Menangle Park are addressed at section 3.6 of the 2010 LES. In addition since preparation of the LES the following additional relevant Section 117 Directions have been issued.



**Table 4: Assessment Against Additional Section 117 Directions**

DIRECTION	EFFECT OF DIRECTION	IMPLICATIONS FOR MENANGLE PARK
<b>7. Metropolitan Planning</b>		
7.1 implementation of a Plan for Growing Sydney	Planning proposals shall be consistent with the NSW Government's <i>A Plan for Growing Sydney</i> published in December 2014.	The rezoning of Menangle Park for urban development is consistent with <i>A Plan for Growing Sydney</i> as outlined in section 2.1 above.
7.2 implementation of Greater Macarthur Land Release Investigation	Planning proposals shall be consistent with the Greater Macarthur Land Release Investigation Area Preliminary Strategy published in September 2015.	The rezoning of Menangle Park for urban development is consistent with the 'Greater Macarthur Land Release Investigation Area Preliminary Strategy' as outlined in section 2.2 and 3.2 above.

#### 4.5 LOCAL PLANS AND POLICIES

##### 4.5.1 Local Environmental Plan

The 2010 LES identified numerous planning instruments and policies that at that time applied to the study area. These plans continue to apply to Menangle Park as the land was deferred from Campbelltown LEP 2015. However to enable urban development to proceed on the site, it is intended that Campbelltown LEP 2015 will be amended to include Menangle Park and the land rezoned to allow urban development. A draft LEP has been prepared and was exhibited as part of the public exhibition of Draft Campbelltown LEP 2015. As the LEP amendment has been exhibited it is considered that re-exhibition is not necessary.

##### 4.5.2 Development Control Plan

Campbelltown (Sustainable City) DCP 2014 continues to apply to Menangle Park as the land is excluded from the application of the updated Campbelltown (Sustainable City) DCP 2015. Volume 1 of Campbelltown (Sustainable City) DCP 2014 applies generally to land within the Campbelltown LGA and Volume 2 includes site specific DCP provisions for certain areas (not including Menangle Park).

Volume 1 currently applies to the Menangle Park area and contains requirements that apply to all types of development and then specific provisions relating to residential mixed use, commercial, industrial and child care centre development. However as part of the current study it is proposed that Campbelltown (Sustainable City) DCP 2015 be amended to include a site specific section of the DCP (within Volume 2) to guide the future development of the Menangle Park release area. An amendment to Campbelltown (Sustainable City) DCP 2015 for Menangle Park has been prepared and publicly exhibited.

The DCP provisions relating to Menangle Park include an updated Structure Plan for the release area. Minor changes have been made to the Structure Plan including:

- Land previously identified for industrial zoning has been amended to rural / riparian due to flooding constraints.
- Amendment to the Motorway ramp configuration from Spring Farm Parkway and Spring Farm Parkway width.
- Minor change to the Menangle Road Intersection south of town centre, and
- Identification of a new Endeavour zone sub location coloured yellow.



## 5 COAL SEAM GAS

AGL Energy Limited has a licence to operate various coal seam gas wells within the Camden Project gas fields (refer Figure 4 below). The Menangle Park site is located within the Camden Project and contains three operating gas wells (MP 14, 22, 23). The 2010 LES was drafted prior to AGL's approval to construct and operate these gas wells. Recent correspondence from AGL has confirmed the closure of all three existing gas wells within the Menangle Park site by 2023.



Figure 4: Camden Project – AGL Well Heads and Gas Gathering Line (Source: AGL, 2013)

The operating gas wells are located as outlined below:

- MP 14 - western side of the railway line within land proposed to be zoned rural. It is approximately 300m from existing homes within Menangle village.
- MP 22 and 23 - approximately 100m west of the Hume Motorway within land proposed to be zoned Open Space. MP 22 is situated north of the proposed alignment of Spring Farm Parkway near the proposed northern on ramp to the Motorway. It is situated approximately 175m from the nearest proposed dwellings.
- MP 23 - south of the proposed Spring Farm Parkway and within approximately 100m of the nearest proposed dwellings.



UrbanGrowth NSW, the DP&E and NSW Health (Environmental Health Branch) held a number of meetings in early 2014 to confirm the appropriateness of locating new residential development in the vicinity of operating gas wells. NSW Health advised UrbanGrowth NSW and the DP&E that any residential rezoning/development near existing coal seam gas wells should be subject to the same planning controls as residential rezoning/development near other types of industrial developments.

A 200m buffer has been recommended between residential uses and coal seam gas wells in the absence of site specific impact assessment. It is proposed that a control to this effect would be included in the proposed development control plan that will guide the future development of the study area.

In respect of gas wells as a potential noise source, it is likely that ongoing road noise from the Motorway and the proposed Spring Farm Parkway will require homes built close to the gas wells to be noise insulated irrespective of the operation of the gas wells. Further site specific studies at the time of residential development applications should be undertaken to confirm whether homes could be located within 200m of the gas wells without requiring additional forms of impact amelioration. Alternatively, it is possible that subdivision and development could be staged to coincide with the planned closure of the gas wells in 2023 to avoid the possibility of any gas well impacts.



## 6 TRANSPORT AND ACCESS

Section 4.11 of the 2010 LES includes an assessment of the transport and access implications of the proposed development of Menangle Park. It is based on the Transport Management and Accessibility Plan (TMAP) prepared by AECOM Australia (June 2010) that defines the transport impacts stemming from development of the release area and includes a package of measures to manage the transport impacts. This assessment remains valid however additional work has been undertaken specifically in relation to the design of the proposed Spring Farm Parkway (SFP). This work is outlined below.

### 6.1 SPRING FARM PARKWAY

In 2013 additional work was undertaken by AECOM to further develop the strategic design and update the traffic modeling for the Spring Farm Parkway between Liz Kemohan Drive and Menangle Road. At that time a strategic design package and microsimulation for the SFP was prepared and approved by Roads and Maritime Services. The 2013 traffic modelling undertaken by AECOM modelled the future operations of the roads around the release area and confirmed that the proposed road network can accommodate the full development of Menangle Park and the Glenlee Industrial Area during the peak hours to 2031.

Since that time a number of strategic design changes to the SFP have occurred including:

- Extension of the strategic design westward to tie-in with Liz Kemohan Drive roundabout at Glenlee;
- Widening of the median from 8.0m to 9.0m between Liz Kemohan Drive roundabout to Hume Highway Interchange to be consistent with the cross-section of Liz Kemohan Drive that has been / is being constructed;
- Raising the two bridges over the existing Glenlee rail siding and the Main Southern Railway to provide a 7.1m clearance for future double decker train use;
- Including provision of two signalised intersections for access to the Mount Annan Botanical Gardens and private landholdings.

Advice has been provided by AECOM (refer Appendix I) that the proposed strategic design changes to the SFP will not result in any fundamental changes to any traffic movements to, from or along the SFP corridor and that therefore no additional traffic modelling is required to reflect the changes. AECOM has confirmed that the modelling undertaken in 2013 is still current and reflects the proposed development and background traffic growth.

The design changes to the SFP have however resulted in the need for minor amendments to the road alignment which have been reflected on the amended Structure Plan and draft LEP and DCP. The proposed amendments do not result in any significant changes that require any further assessment. It is noted that the proposed construction of the SFP will significantly improve the accessibility of the study area and will improve the viability of both the urban development and the proposed employment lands.



## 7 BIODIVERSITY

### 7.1 BACKGROUND

The 2010 LES included a detailed flora, fauna and aquatic assessment undertaken by Eco Logical Australia (April 2009) in addition to an Offsetting Strategy prepared by GHD (May 2010). These assessments resulted in an agreed approach to vegetation retention and removal within the study area as well as identifying areas of proposed vegetation offset. The findings of the reports were key inputs in the formulation of the Structure Plan for the site that was included in the LES.

The agreed vegetation strategy in essence provided for the incorporation of the majority of the high ecological value areas into riparian or open space lands however some areas of high and moderate ecological constraint were proposed to be cleared to allow for urban development. In summary the Structure Plan provided for the loss of 25.4ha of native vegetation. To offset this loss it proposed that 47.2ha of remnant vegetation be conserved with appropriate rehabilitation and a further 51.2ha of revegetation be provided. This represented offsetting for the loss of vegetation to be removed at a rate of 1:3 for vegetation of high value, 1:2 for vegetation of moderate value and 1:1 for vegetation of low value.

### 7.2 ELDERSLIE BANKSIA SCRUB FOREST

Since preparation of the LES in 2010 the Elderslie Banksia Scrub Forest (EBSF) vegetation community which is located on site has been listed as an Ecologically Endangered Community (EEC) under the *Threatened Species Conservation Act 1995 (TSC Act)*. An area of EBSF was previously identified for removal under the Structure Plan however given the listing, the removal of this high value vegetation has been reconsidered.

The Structure Plan has now been amended to ensure the street layout has minimal impact on the EBSF, with 0.7ha of EBSF able to be retained. Section 1.11.2 of the draft DCP has also been amended to identify the EBSF pocket as high quality vegetation to be retained, providing further protection for the EBSF.

To address the proposed retention GHD has updated its 2010 Biodiversity Offsets Strategy. This draft Strategy considers the potential for Council to accept responsibility for the EBSF pocket subject to a monetary contribution using the Biobanking Total Fund Deposit Spreadsheet. This includes funding for preparation of a Vegetation Management Plan and activities such as fencing, signage and weed control in perpetuity. This draft Offset Strategy and Council's potential role and contribution will be subject to further discussions with Council.

The proposed amendments to the Structure Plan, the draft DCP and the revised draft Offsetting Strategy provide for the retention of an area of high ecological value EBSF. It is considered that these amendments will have a positive ecological impact.



## 8 UTILITY SERVICES

Existing services in the Menangle Park area include potable water, electricity, and telecommunications. The villages of Menangle and Menangle Park are currently unserved and are serviced by on-site sewerage systems. No gas or recycled water facilities currently exist in the vicinity of the site. This section provides an update of the status of utility services provision having regard to advice provided by relevant service providers.

### 8.1 WATER

The existing water infrastructure within the study area can service up to 600 new lots. Sydney Water anticipates a delivery date for the first stage of additional water infrastructure in 2018/19. This is subject to further planning and approvals and demand. If a particular landowner / developer wishes to accelerate the servicing of their land ahead of Sydney Water's delivery timeframe they may enter into a commercial agreement with Sydney Water. Under a commercial agreement, the developer is required to fund and deliver the infrastructure that is needed to service their development. Sydney Water reimburses the developer for the cost of this work as lots are developed.

### 8.2 RECYCLED WATER

Sydney Water has indicated that recycled water will not be provided to Menangle Park. Given the cost it is unlikely that reticulated recycled water will be feasible on the site by any other means. However, it is proposed that rainwater tanks will be provided to satisfy BASIX requirements.

### 8.3 WASTEWATER

Two sewer pumping stations (SPS) are proposed to service the Menangle Park Release Area (SP 1185 and SP 1186 – refer Figure 5 below).

The northern SP 1185 is situated adjacent to the railway line between Fitzpatrick Street and Howes Creek. The sewer mains will run adjacent to the railway on UrbanGrowth NSW lands. The southern SPS is currently proposed to be situated on land to the south of Menangle Road. Both will eventually connect to the Glenfield sewerage system.

SP 1185 will service the majority of Urban Growth NSW current landholdings in the northern section of the release area and a small part of the Menangle Village as well as the proposed Employment zone. SP 1186 will service the majority of Menangle Village as well as Campbelltown City Council's landholdings to the south of Menangle Road.

In September 2014, Sydney Water let a contract to construct the northern SP 1185 and associated gravity and rising mains between the northern section of Menangle Village and the Glenfield sewerage system. Construction of SP 1185 is now complete with the exception of connection to electricity. The gravity and rising mains are nearing completion and are programmed to be complete by the end of 2016.

The southern SP 1186 intended to service the remainder of release area was originally forecast to be delivered by 2018/19 subject to demand (subject to approvals). No detailed planning has commenced as yet.

If a particular landowner / developer wishes to accelerate the servicing of their land ahead of Sydney Water's delivery timeframe they may enter into a commercial agreement with Sydney Water. Under a commercial agreement, the developer is required to fund and deliver the infrastructure that is needed to service their development. Sydney Water reimburses the developer for the cost of this work as lots are developed.

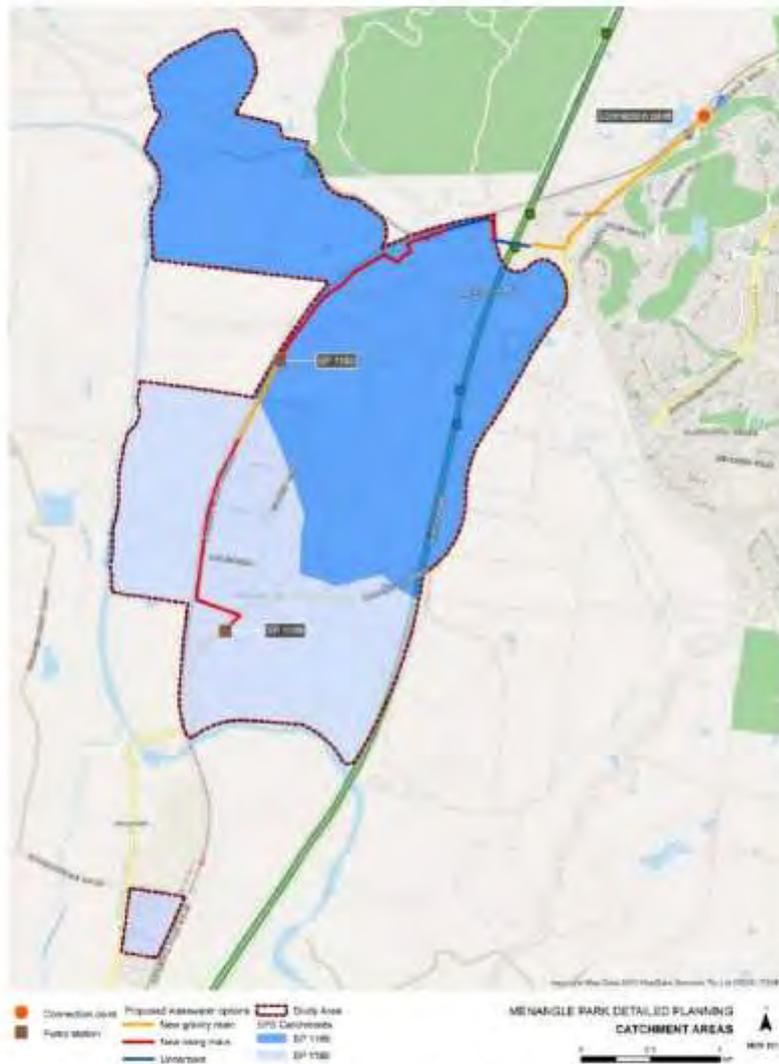


Figure 5: Wastewater catchment areas (Source: Sydney Water, Nov. 2013)



#### 8.4 ELECTRICITY AND TELECOMMUNICATIONS

A site has been allocated on land owned by UrbanGrowth NSW for a permanent zone substation near Fitzpatrick Street and adjacent to SP 1185. Acquisition negotiations are underway between Endeavour Energy and UrbanGrowth NSW.

At this stage only approximately 200 lots can be supplied from the existing network, after this either a permanent or temporary zone substation will need to be established on the proposed site. (Note: the temporary zone substation would also be situated on the same site as the permanent zone substation).

Endeavour Energy has advised that it intends to initially construct a temporary zone substation which will have the capacity to supply up to 2000 lots and could be commissioned within 2 years of site acquisition being formalised, subject to demand. A set of 2 x 66kv underground feeder cables will be required to travel north from the temporary zone substation to the main Transgrid zone substation in a 6m wide easement running parallel to the railway and adjacent to the Sydney Water sewer mains.

It is intended that the permanent zone substation will be operational within 3-5years subject to demand.

Telecommunication services on site are not currently sufficient to meet the likely demand of the development. There is no foreseeable impediment to servicing and appropriate technology and level of services will be determined closer to the date of commencement of the development.

#### 8.5 GAS

The Jemena Eastern Gas Pipeline, Jemena Moomba-Sydney Gas Pipeline and the APA Ethane Pipeline traverse the northern end of the site (refer Figure 6 below).



Figure 6: Existing Jemena Gas and APA Ethane Pipelines

Jemena completed a design and costing review and preparation of tender documents for provision of natural gas to Menangle Park in 2014.

Natural gas was programmed to be available to the site in 2016 however this has been put on hold pending rezoning of the site.



## 9 INFRASTRUCTURE PROVISION

### 9.1 SECTION 94 CONTRIBUTIONS

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Since the Draft LES was prepared in 2010, a draft Section 94 Contributions Plan has been prepared which:

- identifies the local infrastructure that will be required to meet the demands of the incoming population to Menangle Park;
- the land acquisition and construction costs for the proposed infrastructure;
- the timing for delivery of the proposed infrastructure;
- the development contributions that will be levied to fund the delivery of that infrastructure.

The technical studies have identified that the expected development in Menangle Park will generate the following impacts on local public services and amenities:

- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, walking trails and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in Menangle Park, such as meeting spaces and after school child care;
- increased demand for facilities that will support safe and convenient travel between land uses both within the release and to and from destinations outside of Menangle Park, such as new roads and public transport facilities; and
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to address the impacts of the expected development, including:

- Community facilities;
- Open space and recreation facilities;
- Transport and traffic management facilities; and
- Water cycle management facilities.

A review of the draft Section 94 Contributions Plan has recently been completed to confirm the underlying assumptions and the list of works required as well as to update the costings. This review has included the implications of the updated demographic analysis as outlined in section 3.1 above.

The contributions, as calculated in the draft Contributions Plan, exceed the cap of \$30,000 per residential dwelling/lot set by the NSW Government. As a result, a submission will need to be made to the Independent Pricing and Regulatory Tribunal (IPART) for assessment as to whether the exceedance of the cap is justified. Before this can be done, the draft Section 94 Contributions Plan will need to be publicly exhibited. Exhibition of the draft document is expected to occur in early 2017.



## 9.2 REGIONAL INFRASTRUCTURE

As detailed in the 2010 LES, there is a need for other infrastructure that is not able to be levied for, either partly or fully, via a Section 94 Contributions Plan. This infrastructure includes the Spring Farm Parkway and Menangle Road widening as well as other regional infrastructure.

As part of the work for the Greater Macarthur Investigation Area (GMIA), the DP&E has indicated that it will ensure that an appropriate mechanism is put in place to secure infrastructure needed to support growth in the region. The preferred approach is a Special Infrastructure Contribution or a series of planning agreements between the Minister for Planning and the relevant proponents. A Special Infrastructure Contribution will create a framework to share the costs and coordinate delivery of major new transport and community infrastructure.

The DP&E has identified the long term regional transport infrastructure needed for Menangle Park/Mount Gilead as well as the infrastructure upgrades required to support the precinct's growth capacity. These are identified in Tables 5 and 6 below.

**Table 5: Menangle Park and Mount Gilead Long Term Transport Infrastructure**

Item	Description	Drivers
Spring Farm Link Road	Completion of already-planned four lane arterial road from Spring Farm to Appin Road in southern Rosemeadow including new access ramps to Hume Highway	<ul style="list-style-type: none"> <li>• Provide access to new communities in Spring Farm and Menangle and main access to the northern section of Greater Macarthur</li> <li>• Improved cross-regional access to Camden</li> <li>• Provide relief to the at-capacity 599 corridor in Campbelltown-Macarthur</li> </ul>
Appin Road Upgrade	Upgrade from two lane arterial to four lane arterial between Rosemeadow and the southern extent of the precincts	<ul style="list-style-type: none"> <li>• Provide sufficient capacity to accommodate development in northern GMIA</li> </ul>
Menangle Road Upgrade	Upgrade from two lane arterial to four lane arterial between Macarthur and Douglas Park	<ul style="list-style-type: none"> <li>• Support growth in Menangle Park, Menangle and Douglas Park</li> </ul>
Hume Highway upgrade	Upgrade the Hume Highway, between Picton Road and Raby Road	<ul style="list-style-type: none"> <li>• Accommodate external impact of GMIA on trunk road network</li> </ul>
Bus Priority Corridor	Construction of Bus Priority Corridor and corridor protection for future extension	<ul style="list-style-type: none"> <li>• To support development, and self-contained GMIA trips, from Gilead to South Appin</li> <li>• Promote public transport links to Campbelltown-Macarthur</li> <li>• Relieve pressure from Appin Road</li> <li>• Provide opportunity as a trunk cycle route</li> </ul>
Southern Highlands Rail Line	Investigate the feasibility of the electrification of the Southern Highlands Rail Line to Menangle Park	<ul style="list-style-type: none"> <li>• Integrate the study area with Sydney Trains network to provide greater public transport connections to employment areas in the Sydney Metropolitan Area</li> <li>• Reduce car dependency and alleviate traffic on road network</li> </ul>

Sources: Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis, NSW Department of Planning and Environment, 2015



**Table 6: Merangle Park and Mount Gilead Long Term Services Infrastructure**

Infrastructure type	Upgrades
Education	<ul style="list-style-type: none"> <li>• 6 primary schools</li> <li>• 2 high schools</li> <li>• Expansion of Mary Brooksbank School</li> <li>• Investigate the potential for a special purpose school (i.e. agricultural)</li> </ul>
Electrical	<ul style="list-style-type: none"> <li>• Upgrades to Macarthur Bulk Supply Point</li> <li>• Establishment of zone substations at Gilead and Merangle Park</li> </ul>
Water	<ul style="list-style-type: none"> <li>• Connection of existing potable water mains within Merangle Park to the Rosemeadow Water Supply Zone</li> <li>• A new 5ML water storage tank</li> </ul>
Sewer	<ul style="list-style-type: none"> <li>• Major works to develop the trunk, branch and reticulation networks</li> <li>• Lead-ins from the Clerfield Water Recycling Plant</li> <li>• Three new pump stations</li> </ul>
Emergency services	<ul style="list-style-type: none"> <li>• Ambulance standby points</li> <li>• Police shootfront in town centres</li> </ul>
Health	<ul style="list-style-type: none"> <li>• Primary health care clinic</li> </ul>
Open Space	<ul style="list-style-type: none"> <li>• District parks</li> </ul>

Sources: *Greater Macarthur Land Release Investigation Land Use and Infrastructure Analysis*; NSW Department of Planning and Environment, 2015

The work being undertaken by the DP&E on the Special Infrastructure Contribution for the Greater Macarthur region is ongoing and is likely to lag behind the rezoning process for Merangle Park. For this reason, the NSW Department of Planning and Environment, Roads and Maritime Services, UrbanGrowth NSW and Dahua are coordinating the design and funding for the Stage One of Spring Farm Parkway.

As well as the construction of that part of the Spring Farm Parkway that traverses the eastern side of Merangle Park, the Stage 1 works are expected to involve the provision of north facing ramps onto, and a bridge over, the Hume Highway as well as the upgrade of a section of Merangle Road, as shown in Figure 7.

UrbanGrowth NSW has prepared a draft strategic concept design and cost estimate for the Stage 1 works and UrbanGrowth NSW and Dahua have committed funding toward planning and construction. The NSW Government has also agreed to provide \$30 million in funding as part of NSW 2016-17 Budget.

It is expected that the provision of the Stage 1 road works will be delivered by the Roads and Maritime Services and may involve a Voluntary Planning Agreement.

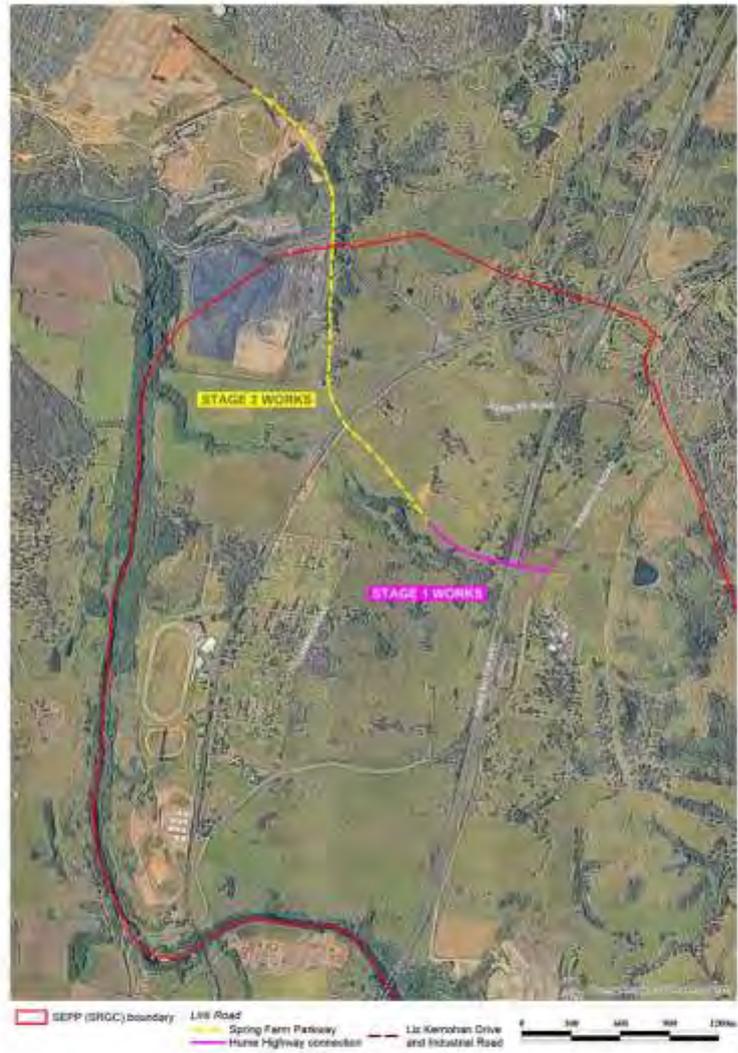


Figure 7: Stage 1 Spring Farm Parkway



## 10 EMPLOYMENT

A number of changes have occurred since preparation of the 2010 LES that have implications for employment and employment lands as outlined below.

### 10.1 VIABILITY OF EMPLOYMENT LANDS

Section 4.14 of the 2010 LES includes a detailed economic and employment analysis based on the Employment Lands and Retail Study prepared by SGS Economics and Planning (2007). The report was prepared to determine the viability of providing for employment lands at Menangle Park having regard to the advantages and disadvantages of the site and the supply and demand for employment lands in the region.

The assessment concluded that the provision of employment land at Menangle Park is an important opportunity to provide jobs close to future residents however it also identified a number of significant constraints on the establishment of employment lands on site. The most significant issue raised was the lack of direct motorway access which SGS identified would act as a considerable disincentive for time-sensitive industries or those requiring high volume vehicle movements.

It is now proposed that direct access to the motorway would be available to Menangle Park through the construction of the proposed Spring Farm Parkway (refer section 6 above) and associated on and off ramps. Accordingly it is considered that the viability of employment lands at Menangle Park is considerably improved from the assessment provided in the SGS analysis.

# APPENDIX 1

AECOM Advice



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17 June 2016

Pat Coleman  
Acting Development Director  
UrbanGrowth NSW  
Level 14, 60 Station Street  
Parramatta NSW 2150

Dear Pat

#### **Spring Farm Parkway - Strategic Design Development Update and Traffic Modelling**

AECOM was engaged by UrbanGrowth NSW (UGNSW) to further develop the strategic design and to update traffic modelling if necessary for Spring Farm Parkway between Liz Kernohan Drive and Menangle Road to support the rezoning of the Menangle Park Urban Release Area (MPURA).

In 2013 AECOM developed a strategic design package and micro simulation modelling for Spring Farm Parkway from the vicinity of the now roundabout at the termination of Liz Kernohan Drive to Menangle Road. The design and traffic modelling were approved by the Roads and Maritime Services.

This letter has been prepared to summarise the changes that have been applied to the 2013 strategic design and traffic modelling.

#### **Strategic design changes**

As a result of recent consultation with relevant stakeholders by UGNSW, the following design changes were applied to the 2013 strategic design:

- Extend the strategic design westward to tie-in with the Liz Kernohan Drive roundabout at Glenlee.
- Widen the median from 8.0m to 9.0m between Liz Kernohan Drive roundabout to Hume Highway Interchange to be consistent with the cross-section of Liz Kernohan Drive that has been / is being constructed.
- Raise the two bridges over the existing Glenlee rail siding and the Main Southern Railway to provide 7.1m clearance for future double-decker train use.
- Include provision of two signalised intersections for access to the Mount Annan Botanical Gardens and the Tripodi landholdings.

The updated strategic design drawing set showing the alignment, typical cross-sections, longitudinal sections and turning paths at the key intersection is attached to this letter.

#### **Traffic modelling changes**

In 2013, AECOM was engaged by UGNSW to conduct traffic microsimulation (VISSIM) modelling to assess the future road operation around the MPURA, especially intersections along the Spring Farm Parkway between the collector road and Menangle Road. The modelling undertaken in 2013 confirmed that the proposed road network can accommodate the full development of the MPURA and Glenlee Industrial Area during the peak hours of year 2031. The proposed road network that has been modelled to support the rezoning of MPURA includes:

- Spring Farm Parkway between the collector road and Menangle Road.
- Signalised intersections at Spring Farm Parkway with the collector road and Menangle Road.
- North-facing ramps to the Hume Highway at Spring Farm Parkway.
- A collector road extension of Glenlee Road that connects between Spring Farm Parkway and Menangle Road.



The design changes stated above have not fundamental changes to any traffic movements to, from and along the Spring Farm Parkway corridor that have been modelled using VISSIM in 2013. Therefore, no additional traffic modelling is required to reflect the design changes.

AECOM confirms that the modelling undertaken in 2013 is still current to reflect the assumptions of the MPURA development and background traffic growth in order to support the rezoning of the MPURA development.

Yours faithfully

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