



**CAMPBELLTOWN  
CITY COUNCIL**

# **LOCAL PLANNING PANEL**

**23 October 2019**

## **MEETING NOTICE**

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

The meeting of the Campbelltown City Council Local Planning Panel will be held in the Civic Centre, Campbelltown on **Wednesday, 23 October 2019 commencing at 3.00pm** .

## **MEETING AGENDA**

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

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

### **2. APOLOGIES**

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

### **4. REPORTS**

**6**

#### **4.1 Menangle Park Planning Proposal**

**6**

## **General Information**

The role of the Local Planning Panel is to determine development applications and provide advice on planning proposals.

When the panel is considering a report relating to a development application, the panel will receive and consider verbal submissions from the applicant and from any person that made a written submission in regard to that development application (during the notification or exhibition period).

As required by the Minister's Local Planning Panels Direction, when considering a planning proposal, the role of the panel is to provide advice to Council. The panel is the first step in the evaluation process before Council and the State Government (through the Gateway process) to decide whether to support a formal public exhibition or consultation period on the proposal. It is possible that the proposal will be modified before or as part of the consideration by Council and/or through the Gateway process. The panel will consider verbal submissions made in relation to the matter from the applicant, if there is one, and from any other person. The panel will not consider written submissions tabled at the meeting, however they will be accepted and passed on to Council officers for consideration in their report to Council.

Any person who makes a verbal submission to the panel must identify themselves and must also accept that their presentation will include their images and sounds and will be webcast and stored on Council's website for future viewing. Any person who makes a verbal submission to the panel must also declare before their submission any political contributions or donations they have made over the last four years exceeding \$1,000 to any political party or candidate who contested the last Ordinary Election of Council.

If you would like to make a verbal submission to the panel, it is necessary to submit the "request to address – community access to meetings" form available on Council's website by midday the day prior to the meeting. The panel chair will invite the registered speakers to the table at the appropriate time in the agenda. Verbal submissions to the panel will be limited to 5 minutes each. The chairperson has the discretion to extend the period if considered appropriate. Panel members will have the opportunity to ask you questions at the end of your submission.

### **Recommendations of the Panel**

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

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

### **Information**

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

The following report is referred to the Local Planning Panel Panel for its consideration and recommendation.

Lindy Deitz  
General Manager

## 4. REPORTS

### 4.1 Menangle Park Planning Proposal

#### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.2 - Create safe, well maintained, activated and accessible public spaces

#### Referral Criteria

Pursuant to Section 2.19 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the Campbelltown City Council Local Planning Panel (the Panel) is required to advise Council on any planning proposal that has been prepared or is to be prepared by the Council under section 3.33 of the EP&A Act and that is referred to the Panel by the Council.

#### Executive Summary

- Dahua Group Australian Pty Ltd (Dahua) has submitted a Planning Proposal Request (PPR) that seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in respect of land within the Menangle Park Urban Release Area (MPURA). The PPR does not apply to land within the existing village that is under separate fragmented ownership.
- The PPR is based upon the proponent's revised vision for the MPURA and seeks to expand and rationalise the current urban zonings, realign some existing zones, introduce the R4 High Density Residential zone, expand and relocate the B2 Local Centre zone, introduce a B1 Neighbourhood Centre zone and zone two critically endangered ecological communities for conservation.
- The PPR is supported by a revised development control plan that upon review, would replace the existing version of the Menangle Park DCP in Volume 2 of the Campbelltown Sustainable City Development Control Plan 2015 (CSDCP 2015).

The key elements of the proposed DCP / Masterplan amendments include:

- a. Approximately 4,000 dwellings (an increase of 1,000 dwellings in the site) in a range of densities, lot sizes and dwelling types across the Dahua holdings to increase gross dwelling density from approximately 12 to 18 dwellings per hectare.
- b. The relocation and expansion of the local centre comprising 30,000m<sup>2</sup> of retail/employment within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway, adjacent to Howes Creek and associated open space.
- c. The introduction of a new neighbourhood centre (adjacent to the proposed new school and open space) providing approximately 3,500m<sup>2</sup> of retail floor space.

- d. A revised road and street network to provide improve permeability throughout the site including a new north-south green active transport link (approximately 1.25ha in total area).
- e. A total of 34.81 hectares of active and passive open space, including a new 5 ha site for new sporting fields.
- f. A total of 43.96 hectares of land for environmental conservation.
- g. Opportunity to enhance and relocate the community facility within the town centre to support the proposed increase to the population.
- h. A two-hectare primary school site adjacent to the neighbourhood centre and associated open space.

It is considered that the PPR has strategic merit and would allow a more diverse and sustainable urban release outcome, with an enhanced range of dwelling opportunities, supporting commercial and community facilities, greater conservation of sensitive ecological areas, increased open space and appropriate road and stormwater management infrastructure supported by a local voluntary planning agreement.

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### **Officer's Recommendation**

That the Campbelltown Local Planning Panel:

1. Support in principle the PPR that seeks to amend the Campbelltown Local Environmental Plan 2015 subject to the following key amendments:
  - a) The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living.
  - b) Areas of critically endangered Elderslie Banskia Scrub community to be zoned RE1 Public Recreation should be zoned E2 Environmental Management.
  - c) Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31.
  - d) Amend the Floor Space Ratio standard in Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.
2. Note that Dahua have committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure within its land holdings.
3. Acknowledge that the PPR has strategic merit in regard to the natural environment, dwelling diversity, commercial centres and consistency with relevant requirements of the Regional and District Plans.

**Purpose**

To assist Council in its decision whether to support the progression of the subject application for Gateway Determination in accordance with the provisions of the EP&A Act.

**Property Description**

The land affected by the PPR comprises a total of 36 properties. The legal description of the land affected is provided below:

Lot 3 DP 236059  
Lot 1 DP 727098  
Lot 7 787284  
Lot 1 DP 249393  
Lot 1 707225  
Lots 31 and 33 DP 1101983  
Lot 1 DP 708770  
Lot 124 DP 1097090  
Lot 125 DP 1097138  
Lot 641 DP 600334  
Lot 1001 DP 1219028  
Lot 32 DP 1101983  
Lot 1 DP 598067  
Lot 11 DP 584016  
Lot 1000 DP 1219023  
Lot 1 DP 1219023  
Lot 1 DP 1091474  
Lot 2 DP 554242  
Lot 59 DP 1071B  
Lot D DP 19853  
Lot X DP 378264  
Lot 2 DP 790254  
Lot 2 DP 737485  
Lots 5, 8 and 9 DP 249530  
Lots 12, 15 and 17 DP 251335  
Lot 4 DP 628052  
Lot 1 DP 349475  
Lot A DP 380033  
Lot 642 DP 600334

**Application Number**

4106/2018/E-PP

**Applicant**

Dahua Group Sydney

**Land Owner**

Dahua Group Sydney 3 Pty Ltd  
Dahua Group Sydney 2 Pty Ltd  
Landcom  
Water Board  
John Robert Brownlee & Marion Brownlee  
Troy Barrie Martin & Jason James Young  
Field Developments Pty Ltd  
Rogan Property Group Pty Ltd  
Shirley Lorraine Cocker & Helen Margaret Martin

**Provisions**

- Campbelltown Local Environmental Plan 2015
- Section 9.1 Ministerial Directions
- Greater Sydney Region Plan
- Western City District Plan
- Greater Macarthur: An Interim Plan for the Greater Macarthur Growth Area.
- Campbelltown Community Strategic Plan
- Campbelltown Draft Local Strategic Planning Statement
- State Environmental Planning Policies
- Campbelltown (Sustainable City) Development Control Plan 2015

**Date Received**

11 April 2019

**History**

The Menangle Park Urban Release Area (MPURA) was rezoned in November 2017 after a decade long planning phase. The relevant LEP amendment and site specific Development Control Plan amendment provided comprehensive planning controls for development of approximately 3,400 dwellings, support infrastructure and conservation outcomes.

Since rezoning, the proponent and other land owners within the precinct have commenced the process of seeking development consent to enable commencement of works as per the applicable planning framework. The subject applications and their current status is summarised in Table 1 below.

<b>Development Application</b>	<b>Details</b>	<b>Status</b>
DA 3885/2017	Stage 1 – Subdivision of 255 residential lots and 7 super lots including works	Under Assessment
DA 292/2018–SW	Stage 2A – Civil works and subdivision into 89 Torrens title allotments	Under Assessment
681/2018/DA –SW	Stage 2B – Subdivision into 90 Torrens title allotments and 3 residue allotments	Under Assessment
2023/2018/DA–CW	Temporary Sales Office - construction of a temporary sales office on land to the south of the intersection of Cummins and Menangle Road, Menangle Park	Approved
2393/2018/DA–CW	Landscaping works and associated civil works – design and construction of two parks (Hill Top Park on the northern side of Menangle Road; and Linear Park along the northern side of Menangle Road and western side of the Hume Highway).	Under Assessment



2807/2018/DA-CW	Cummins and Menangle Road Intersection - design and construction of a new four leg roundabout at the intersection of Cummins and Menangle Road	Approved
3199/2017/DA-A	Advertising/Signage – construction of eight freestanding pylon signs	Approved
3315/2018/DA-DW	Vegetation Management – development of vegetation management on site including removal, proposed offset areas and areas that will be retained.	Under Assessment
4057/2018/DA-SW	Stage 3 - Subdivision to create 355 residential lots, within 6 sub stages and works	Under Assessment

In addition to the above applications, the proponent lodged a Planning Proposal Request in May 2018 with supporting technical studies. Councillors were briefed on the proposal by the proponent on 16 October 2018 and formal lodgement occurred on 19 November 2018.

### The Site

The MPURA comprises both the fragmented Menangle Park Village holdings and the larger properties principally owned and/or controlled by the Dahua Group.

The land subject to the PPR (the site) is located approximately 5.5km south west from the Campbelltown CBD. The site is generally bound by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the North. The Main Southern Railway Line dissects the MPURA in a north south direction and the planned Spring Farm Parkway is planned to be constructed along the northern edge of Howes Creek.

The site comprises 34 lots of variable size and has a total area of 507 hectares (76 percent of the MPURA) and excludes land known as the Village as illustrated in figure 1 within attachment 1.

The site has an overall relief of approximately 60m from the highest part of the site to the Nepean River, the lowest part.

There are two gas wells in the open space/riparian area adjacent to Howes Creek, in the eastern portion of the site. AGL has confirmed that these gas wells are anticipated to cease production in 2022 and following this will be scheduled for rehabilitation.

The site does not contain any items of State or local heritage significance and is not located within a heritage conservation area. The Glenlee House Estate is a State Heritage Listed Item and is located to the immediate north-west of the site.

## Proposal

The proposal is comprised of three parts being the Planning Proposal Request, Development Control Plan Amendment and informal commitment to infrastructure delivery via a proposed Voluntary Planning Agreement as summarised below.

The Planning Proposal Request (PPR) seeks to comprehensively amend Campbelltown Local Environmental Plan 2015 (the CLEP 2015) to:

- Amend the land use zones and principle development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development. Further detail is provided in Section 1.9 below.
- Relocate and expand the local centre from around 15,000m<sup>2</sup> of Gross Floor Area (GFA) to permit 30,000m<sup>2</sup> of GFA of commercial uses within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway.
- Introduce a new neighbourhood centre (adjacent to the proposed new school and open space) to permit 3,500m<sup>2</sup> of GFA for commercial uses.
- Relocate and provide for a two-hectare primary school site adjacent to the proposed neighbourhood centre and associated open space.
- Adjust the provision of public open space consisting of sporting fields and local parks from 31.37 hectares to 43.77 hectares.

The Development Control Plan Amendment proposes to:

- Deliver a more diverse range of housing types and densities in proximity to the proposed local centre, neighbourhood centre and local open spaces to facilitate approximately 4,000 dwellings (an increase of 1,000 dwellings in the site).
- Amend the road and street network and introduce a new major north south green spine/active transport link.
- Relocate and increase the provision of passive and active open space comprising sporting fields, local parks, pocket parks and a riparian corridor network.
- Introduce the provision of conservation lands arising from detailed site investigations to support the making of development applications.
- Introduce a precinct based approach to guiding dwelling mix and density based on existing and future place characteristics.
- Update built form controls for residential development to ensure controls are suitable for development of a range of lot sizes and dwelling types.
- Update street design, road hierarchy and cycle way links to provide a logical and connected street network.
- To provide landscape controls that seek to address tree canopy and heat island effect measures.

The approach to infrastructure delivery seeks to:

- Progress a local voluntary planning agreement for Dahua lands based on a revised Section 7.11 plan.
- Apply to all works in kind and land dedications included in the new s7.11 plan that are situated on the Dahua Land.
- Demonstrate there will be no additional financial risks or costs to Council for the balance lands of the MPURA above and beyond what is in the current Section 7.11 Contributions Plan.
- Deliver works generally to coincide with the adjacent stage of development or based on yield triggers for phases of works.

According to the proponent, the VPA would be negotiated and prepared to coincide with a review of the current Menangle Park Development Contributions Plan which is required as a result of the current proposal.

As the Panel is only required to provide advice on the proposed amendment to the CLEP 2015, this report does not assess or provide a recommendation in relation to the proposed DCP amendment or proposed VPA.

The PPR is supported by the following specialist technical studies. The findings of the specialist technical studies have been incorporated into the PPR Report, as provided in attachment 1.

<b>Specialist Technical Studies</b>	<b>Author</b>	<b>Date</b>
Preliminary Site Investigations with Limited Intrusive sampling, Menangle Park North	Douglas Partners Pty Ltd.	April, 2017
Detailed Site Investigations for Contamination with Limited Sampling Menangle Park South	Douglas Partners Pty Ltd.	April, 2017
Menangle Park Master plan – Preliminary European Heritage Assessment	Extent Heritage Pty Ltd.	November, 2018
Menangle Park – Proposed Masterplan Assessment of Impact on Aboriginal Cultural Heritage	Kelleher Nightingale Consulting Pty Ltd.	November, 2018
Menangle Park Urban Design Report	Roberts Day	November, 2018
Menangle Park Open Space and Landscape Strategy Report	Place Design Group	November, 2018
Masterplan Water Cycle Management Menangle Park Urban Design	SMEC	November, 2018
Masterplan – Master Plan Biodiversity Assessment	Cumberland Ecology	November, 2018
Menangle Park Planning Proposal Bushfire Management Strategy	Eco Logical Australia	May, 2018
Menangle Park Planning Proposal Traffic Impact Assessment	GTA Consultants	November, 2018 amended December, 2018
Menangle Park Social Infrastructure Study and Social Impact Assessment	Elton Consulting	May, 2018
Menangle Park Urban Release Area Acoustic	TTM	November, 2018

Report		
Menangle Park Masterplan Economic Impact Assessment	AEC Group Ltd	November, 2018
Menangle Park Target Market and Dwelling recommendations – Summary of Highlights	Colleen Coyne Property Research	February, 2018
Service Infrastructure Report- Menangle Park	SMEC	November, 2018

Since submission of the PPR, elements of the supporting studies may no longer be relevant due to iterative amendments to the PPR arising from Council Officer review.

## Discussion

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

### 1. Strategic Context

The following State and local planning policies are relevant to the Proposal as discussed below.

#### 1.1. Greater Sydney Region Plan

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PPR against the relevant Directions and Objectives of the GSRP is provided in attachment 2. The PPR is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

#### 1.2. Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Menangle Park as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principle environmental planning instrument that applies to the land. Therefore, the MPURA has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PPR against the relevant Directions and Priorities District Plan is provided in attachment 2. The PPR is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

### 1.3. Greater Macarthur Growth Area

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including Menangle Park.

Greater Macarthur 2040 identifies that Menangle Park will be:

- rezoned and release land for urban development
- deliver around 4,000 new homes
- create a new town centre providing local retail and commercial services

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including:

- sub-regional shopping centre at Wilton providing around 52,600m<sup>2</sup> Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600m<sup>2</sup> GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000m<sup>2</sup> GLA overall

The Menangle Park centre is proposed to be located in close proximity to the Menangle Park Railway Station.

The PPR is supported by an Economic Impact Assessment that justifies a total 33,500m<sup>2</sup> Gross Floor Area (GFA) for the proposal, comprising:

- a new local centre (Town Centre) comprising 30,000m<sup>2</sup> of retail and employment
- a new neighbourhood centre comprising 3,500m<sup>2</sup> of employment

However, the figures within the Economic Impact Statement are based on the Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan, which precedes Greater Macarthur 2040. This Plan identifies Menangle Park as having a local centre with approximately 20,000 to 30,000m<sup>2</sup> of GFA.

In summary, the PPR is seeking an increase and redistribution of retail and commercial floor space within the Menangle Park urban release area. Although the increase in GFA is larger than proposed within the relevant State strategies, it provides a significant opportunity to meet market requirements and achieve good spatial urban design outcomes within the Town Centre.

The PPR proposes to relocate the Town Centre closer to the Spring Farm Parkway connection to ensure that a full-line supermarket and associated retailers are provided the best opportunity to achieve a high sustainability level and to be open at the earliest possible time. The retention of a neighbourhood centre within the southern portion of the release

area, and integrated with the future primary school and open space, will provide retail choice for future residents.

The proposed increase and redistribution of retail and commercial floor space is supported on the grounds that the primary trade area for Menangle Park will expand upon the future extension of the Spring Farm Parkway to connect with Liz Kernohan Drive.

#### 1.4. Consideration of State Regional Environmental Plans

State Regional Environmental Plan 20 – Hawkesbury Nepean River applies to the Menangle Park Urban Release Area. The aim of the SREP 20 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 PPR is generally consistent with SREP 20 as it aims to protect the environment of the Hawkesbury-Nepean River with appropriate development controls in place for development impacted by the probable maximum flood.

#### 1.5. Consideration of State Environmental Planning Policies

The PPR is consistent with relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and statement of consistency is provided at attachment 3.

#### 1.6. Consideration of Section 9.1 Ministerial Directions

The PPR is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions forms attachment 4.

#### 1.7. Campbelltown Community Strategic Plan 2017-2027

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

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PPR is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

CSP Outcome	Statement of Consistency
<b>Outcome 1</b>	
A vibrant, liveable city.	<ul style="list-style-type: none"> <li>The community will be afforded the opportunity to review the Planning Proposal and engage at key stages in the decision-making process.</li> <li>The proposal seeks to revise the masterplan to improve place making, public domain and open space outcomes.</li> <li>Provides for the interpretation of historical uses and ownership of the site.</li> <li>Provides for greater housing choice and diversity.</li> </ul>
<b>Outcome 2</b>	
A respected and	<ul style="list-style-type: none"> <li>The proposal seeks to preserve additional areas of critically</li> </ul>

protected natural environment	<ul style="list-style-type: none"> <li>endangered ecological communities that were incorrectly identified during the previous plan making process.</li> <li>Is consistent with Council's Natural Assets Corridor Map.</li> </ul>
<b>Outcome 3</b>	
A thriving, attractive city	<ul style="list-style-type: none"> <li>Delivery of infrastructure is supported by Council's Menangle Park Development Contributions Plan and the proponents offer to enter into a Voluntary Planning Agreement.</li> </ul>
<b>Outcome 4</b>	
A successful city	<ul style="list-style-type: none"> <li>The proposal seeks to implement a more permeable road network and transport system that will serve a greater walking catchment within the site.</li> <li>The proposal seeks to implement an iconic 'Green Spine' to provide a connected pedestrian link through the site with opportunity to form part of a regional connection to the Western Sydney Parklands.</li> </ul>

### 1.8. Draft Local Strategic Planning Statement 2019

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- outline the characteristics that make our city special
- identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is consistent with the draft LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

### 1.9. Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are illustrated in attachment 5 and discussed below:

CLEP 2015 Current	Proposed Amendment	Comment
<b>Land Use Zoning Map (Attachment 5)</b>		
The zoning of land in the MPURA uses the R2 Low Density Residential, R3 Medium Density and RU5 Large Lot Residential zones	The PPR seeks to introduce or amend the spatial location of land use zones to: <ul style="list-style-type: none"> <li>• Relocate and enlarge the</li> </ul>	The updated land use strategy is based on providing a greater address to Howes Creek and the future Spring Farm Parkway

CLEP 2015 Current	Proposed Amendment	Comment
<p>to control density and residential housing form. Commercial uses are supported by a B2 Local Centre zone.</p>	<p>B2 Local Centre adjacent to Howes Creek and the future Spring Farm Parkway.</p> <ul style="list-style-type: none"> <li>• Introduce a B1 Neighbourhood Centre to provide for convenience retailing and local place making adjacent to a proposed primary school.</li> <li>• Increase the area zoned R3 Medium Density Residential along the Green Spine and around the relocated B2 Local Centre and proposed B1 Neighbourhood Centre.</li> <li>• Introduce the R4 High Density Residential zone along the southern side of the Howes Creek.</li> <li>• Replace the RU2 Rural Landscape zone with R5 Large Lot Residential zone.</li> <li>• Increase the provision of RE1 Public Recreation land to support additional passive and active recreation.</li> </ul>	<p>which will become the main arterial road that supports the precinct.</p> <p>The expansion of R3 Medium Density Housing and introduction of the R4 High Density Housing Zone is supported on the basis that housing diversity will be required to align with locations that either have good access to services, education or public open space. The provision of a diverse range of housing will also assist in providing appropriate density in the right locations.</p> <p>The R4 High Density Residential zone allows for residential flat buildings within walking distance to the town centre and would provide certainty to future residents regarding the agreed location for this form of housing.</p> <p>The replacement of the RU2 Rural Landscape zone with the R5 Large Lot Residential zone is proposed by the applicant on the grounds that agricultural uses are not appropriate and that the land does not have special environmental or scenic value.</p> <p>This element of the proposal is not supported as a signification portion of the land has frontage to the Nepean River and is highly visible from the M31. Therefore, it is recommend that this land be zoned E4 Environmental Living such that any future application for a dwelling would require</p>



CLEP 2015 Current	Proposed Amendment	Comment
		<p>submission of a development application to Council and could be considered as complying development.</p> <p>Finally, as further discussed in Section 2.1 (biodiversity) below, areas of the critically endangered Elderslie Banksia Scrub community have been identified by the proponent for conservation within open space.</p> <p>It is recommended these areas (known as parks K and L within the proponents supporting material) be part zoned pat E2 Environmental Protection. This would support offsetting as part of future development applications.</p>
<b>Minimum Lot Size Map (Attachment 5)</b>		
<p>The current minimum lot sizes are:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420m<sup>2</sup></li> <li>• R3 Zone: 300m<sup>2</sup></li> <li>• R5 Zone: 950 &amp; 2,000m<sup>2</sup></li> <li>• RU2 Zone: 3ha</li> </ul>	<p>The PPR seeks to amend the Minimum Lot Size Map as follows:</p> <ul style="list-style-type: none"> <li>• R2 Zone: 420m<sup>2</sup></li> <li>• R3 Zone: NA</li> <li>• R4 Zone: NA</li> <li>• R5 Zone: 750m<sup>2</sup></li> <li>• R5 Zone: 2,000m<sup>2</sup></li> </ul> <p>The PPR also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes "Area 1" which would apply to the R3 Medium Density Residential zone and "Area 2" which would apply to the R2 Low Density Residential zone as discussed under the Principle Development Standards</p>	<p>The PPR does not proposed to amend the existing Minimum Lot Size Map for the R2 zone.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and R4 High Density Residential zones is to provide consistency with a proposed new subdivision clause to provide for a diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p> <p>The proposal to reduce the minimum lot size for the R5 Large Lot Residential zone to 750m<sup>2</sup> will ensure a reasonable transition in built form to the R2 Low Density Residential and provide greater opportunity for increased dwelling setbacks,</p>

CLEP 2015 Current	Proposed Amendment	Comment
	below.	<p>particularly adjoining Menangle Park Road.</p> <p>Subdivision of 2,000m<sup>2</sup> lots in the E4 Environmental Living Zone (as recommended above) would support the provision of homes within a landscape setting and would require a development application to be lodged for any dwelling. The provisions of the Exempt and Complying SEPP would not apply due to the sensitive interface with the Nepean River.</p> <p>The proposed identification of specific areas for reduced lot sizes will allow dwelling diversity within the release area. This approach is supported on the grounds that proposal would only apply to the proponents land holdings.</p> <p>As the proponent has control of the site, there is greater opportunity to provide a master planned estate that is supported by high quality open spaces, green streets and active commercial areas</p>
<b>Height of Building Map (Attachment 5)</b>		
<p>The current maximum buildings heights are:</p> <ul style="list-style-type: none"> <li>• B2 Zone: 15m</li> <li>• R2 Zone: 8.5m</li> <li>• R3 Zone: 8.5m</li> <li>• R5 Zone: 8.5m</li> <li>• RU2 Zone: 8.5m</li> </ul>	<p>The PPR seeks to amend the Height of Building Map as follows:</p> <ul style="list-style-type: none"> <li>• B2 Zone: 24m (6–8 sty)</li> <li>• R2 Zone: 9m (1-2 sty)</li> <li>• R3 Zone: 12m (2-3 sty)</li> <li>• R4 Zone: 18m (4-6 sty)</li> <li>• E4 Zone: 8.5m (1-2 sty)</li> </ul>	<p>The proposal seeks to apply a 9m height of building control for the R2 Low Density Residential Zone. This control is 0.5m higher than the standard 8.5m control applied by the Codes SEPP and is considered appropriate for development on sloping land.</p> <p>The proposed 12m height limit on R3 Medium Density Land is commonly applied in similar land release settings and ideally supports terrace</p>

CLEP 2015 Current	Proposed Amendment	Comment
		<p>style housing. Clause 4.3A of the CLEP would continue to apply and limit development to two storeys.</p> <p>Within the B2 Local Centre and R4 High Density Residential zones, opportunity to provide developments up to 6 and 8 storeys is supported on the grounds that the subject land will generally be within a town centre setting, have excellent access to services and lifestyle opportunities. Development of this scale would also be consistent with other centre locations along the Growth Area corridor.</p>
<b>Floor Space Ratio Map</b>		
<p>The current maximum floor space ratios are:</p> <p>R2 Zone: 0.55:1</p> <p>R3 Zone: 0.55:1</p> <p>No FSR standard applies to the B2, R5 or RU2 zones.</p>	<p>The PPR seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates.</p>	<p>The application of an FSR control within a land release context is uncommon. The usual approach is for floor area to be addressed via building envelope and site coverage controls within a DCP.</p> <p>The proponent is seeking to control bulk and scale using building footprint limits, minimum landscaped area, maximum site coverage, solar access controls and minimum boundary setbacks. These matters will be appropriately dealt with in the revised Menangle Park DCP.</p> <p>This outcome would provide a consistent approach with the Greenfield Housing Code for Complying Development and would improve the customer experience for land owners seeking to either lodge a Development Application with Council or to seek a Complying Development Certificate from</p>

CLEP 2015 Current	Proposed Amendment	Comment
an Accredited Certifier.		
<b>Land Reservation Map</b>		
<p>The land reservation map identified land required for a public purpose such as open space roads and utilities.</p>	<p>The PPR seeks to update the land reservation map based on the updated Land Zoning Map where reserved exclusively for a public purpose, including the provision of open space and environmental conservation land.</p>	<p>The proposed amendments are generally supported on the grounds of an appropriate provision of open space.</p> <p>Funding for acquisition via the Menangle Park Development Contributions Plan will require an update and further review by the Independent Pricing and Regulatory Tribunal.</p> <p>In progressing the amendment, it is recommended that Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31 as these form batters to the road structure.</p>
<b>Principle Development Standards: Subdivision</b>		
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> <li>• Dual occupancy</li> <li>• Semi-detached dwelling</li> <li>• Attached dwelling</li> <li>• Multi Dwelling Housing</li> <li>• Centre based child care facilities</li> <li>• Residential Flat Buildings</li> </ul> <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PPR seeks to insert additional subdivision clauses to enable development consent to be granted for subdivision of land to achieve the following:</p> <p>On R2 Low Density Residential land, to permit 150 lots no less than 375m<sup>2</sup> subject to meeting the following criteria:</p> <ul style="list-style-type: none"> <li>• Each lot has a minimum lot size of not less than 375m<sup>2</sup>,</li> <li>• Each lot has a minimum primary road frontage of 11.5m,</li> <li>• Each lot is not a corner allotment,</li> <li>• No more than 150 lots have a lot size of less</li> </ul>	<p>On 11 June 2019, Council adopted amendments to CLEP 2015 to prohibit multi dwelling housing in the R2 Low Density Housing Zone. This will provide certainty that subdivision for dwellings and dual occupancy development may only occur.</p> <p>However, for development in the R3 Medium Density Residential zone, CLEP 2015 does not currently have controls that would be suitable for Menangle Park. Therefore, the inclusion of a new subdivision clause is appropriate to support medium density development in specified areas.</p> <p>This approach would position</p>

CLEP 2015 Current	Proposed Amendment	Comment
	<p>than 420m<sup>2</sup> within (defined area of R2 zoned land);</p> <ul style="list-style-type: none"> <li>• No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and</li> <li>• each lot is located not more than 200m from a bus stop or open space area.</li> </ul> <p>On R3 Medium Density Residential zoned land, to permit a variety of low rise dwelling types with the following minimum lot sizes:</p> <p>Dwelling House: 250m<sup>2</sup>  Semi detached dwellings: 250m<sup>2</sup>  Dual Occupancy: 500m<sup>2</sup>  Secondary Dwellings: 450m<sup>2</sup>  Attached Dwellings: 200m<sup>2</sup>  Multi Dwelling Housing: 1,500m<sup>2</sup></p> <p>It is intended that the Menangle Park Development Control Plan guide the applicable built form and site requirements in relation to driveways, parking and access.</p>	<p>Menangle Park to provide a similar housing product to the Willowdale Precinct whilst providing certainty that this housing may only occur in the R3 zone in locations close to open space, services and public transport.</p> <p>It would also enable these forms of development to occur as either local development (CLEP 2015) or complying development (State Environmental Planning Policy (Exempt and Complying Development) 2008.</p> <p>The proposal to allow some lots below 420m<sup>2</sup> in the R2 Low Density Zone is already applied in the Mt Gilead Urban Release Area and provides for a 'salt and pepper' approach to delivering lot diversity. On the grounds that only 150 smaller lots are proposed, this amendment is supported as it will support a diversity of lot widths assist to improve streetscape diversity.</p>
<b>Principle Development Standards: Floor Space Ratio</b>		
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density</p>	<p>The applicant has not sought to amend this development standard.</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floorspace controls are in addition to the Floor Space Ratio Map.</p> <p>Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an</p>

CLEP 2015 Current	Proposed Amendment	Comment
Residential and Zone R5 Large Lot Residential: 0.45:1  Multi dwelling housing in Zone R2 Low Density Residential: 0.45:1  Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1  Centre-based child care facilities in a residential zone: 0.55:1		unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the Menangle Park URA in 2017.  Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.

In summary, the above amendments are considered to have strategic merit subject to the following changes:

- The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living.
- Areas of critically endangered Elderslie Banskia Scrub community are to be zoned E2 Environmental Management and not RE1 Public Recreation.
- Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31.
- Amend Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.

The PPR would ensure that current development standards for land zoned R2 Low Density Residential continue to apply. However, for areas zoned R3 Medium Density Residential, it is considered appropriate to support a diversity of housing types.

The current planned residential density of the MPURA is approximately 12 dwellings per hectare. This density is considered low by contemporary standards and would not support future business cases for improved public transport or contemporary expectations on local service provision. The proposal would result in approximately 1000 additional dwellings on land under the control of Dahua, lifting the density to approximately 18 dwellings per hectare on Dahua controlled land.

This density would be less than many nearby growth area precincts that have gross residential densities above 20 dwellings per hectare.

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

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 8 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the MPURA.

The PPR includes a proposed amendment to Part 8 of the CSCDCP (April, 2019) (attachment 1) including the adoption of the new Structure Plan and Character Areas controls. The amendments are intended to guide the projected development yield and structured provision of diverse housing forms in respect of minimum lot size and density distribution.

Staff have not yet reviewed the proposed amendment to the CSCDCP which would occur should the matter progress to Gateway Determination. Importantly, the proposed amendments would not compromise established planning for the existing Village area.

## **2. Evaluation**

As the precinct is already a release area, the assessment is limited to matters relevant to likely impacts arising from the proposal as discussed below.

### **2.1. Biodiversity**

The current planning controls for Menangle Park seek to ensure appropriate biodiversity conservation outcomes in an urban release area context. Review of the PPR has confirmed the presence of significant additional patches of the critically endangered Elderslie Banksia Scrub community that require specific protection and management measures.

It is proposed that the conservation of the Elderslie Banksia Scrub community include supplementary planning and the forging of linkages to proximate remnants, together with perimeter buffering. Conservation protection measures for these land may be either be via stewardship sites, positive covenant or zoning with related Vegetation Management Plans. Any open space opportunities within close proximity of the subject conservation areas shall be clearly delineated.

The current controls in respect of terrestrial biodiversity are contained principally in Clause 7.20 of the Campbelltown Local Environmental Plan 2015 and the associated Terrestrial Biodiversity Map.

Assessment of biodiversity impacts is currently ongoing with respect to separate development applications lodged with Council. These applications as described in the history section of this report have been prepared in accordance with the Biodiversity Conservation (Savings and Transitional) Regulation 2017.

### **2.2. Bushfire**

The original rezoning demonstrated that urbanisation of the site could incorporate appropriate bushfire protection measures in accordance with the provisions of Planning for Bushfire Protection 2006 (PBP). The most recent amendments to PBP by the NSW Rural Fire Service (RFS) has resulted in changes to various requirements, in particular Asset Protection Zones (APZs) and the categorisation of bushfire hazards.

The general principles of the former bushfire management strategy remain largely intact. Minor modifications may potentially be needed to the Masterplan as a result of public agency

feedback from the NSW Rural Fire Service or as future development applications are lodged and determined.

### **2.3. Contamination**

The original rezoning deemed the site suitable for urban purposes with identified Areas of Environmental Concern (AEC) considered capable of practical and economic remediation. More recent site investigations accompanying the PPR undertaken by Douglas Partners Pty Ltd (DP) concluded the potential for contamination constraints, excluding the AECs to be low. The investigation further concluded that a Sampling and Analysis Quality Plan (SAQP) should be prepared for each AEC and should also include an Unexpected Finds Protocol within future subdivision determinations.

In summary, it is considered that contamination remains a matter that does not preclude development of the site for urban purposes and that more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.

### **2.4. Mine Subsidence**

The site falls within the South Campbelltown Mine Subsidence District. Mine subsidence was previously considered as part of the original rezoning of the site for urban purposes.

The Department of Planning previously 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.

The current planning proposal as it relates to Menangle Park does not change the conclusions of the previous assessment. As part of staged subdivision and early works Development Applications (DAs) within Menangle Park approval from Subsidence Advisory NSW under section 22 of the *Coal Mine Subsidence Compensation Act 2017* will be progressively required.

The previous conclusion of the suitability of the site for urban purposes remains unaltered.

### **2.5. Open Space Provision**

The PPR is supported by an open strategy that provides a series of diverse open space opportunities and performs a diversity of functions including:

- Riparian land/flood plain
- Informal open space (parks and play spaces)
- Formal playing fields/ Structure sport
- Ecological land

Assessment of the PPR and suitability of provision is based on the traditional standard of 2.83 ha of open space per 1000 people. Under the current plan, a total of 31.37ha of open space is provided as detailed in the Menangle Park Contributions Plan.



The PPR is based on an updated population estimate arising from an addition 1000 dwellings on land controlled by Dahua, the updated masterplan proposes to provide an extra 12.4ha of open space comprised of a new double playing field on Lot D in DP 19853 (Rural lot north of Club Menangle) and various local parks and linear links adjoining riparian areas.

Areas excluded from the assessment as usable open space include land adjoining the north facing ramps for Stage 1 of the Spring Farm Parkway, land reserved for an entry feature at the intersection of the Spring Farm Parkway, proposed north-south spine road, the steep knoll adjoining the M31 and land recommended in this report to be zoned E2 Environmental Conservation.

## **2.6. Traffic Assessment**

The support traffic modelling indicates satisfactory levels of performance both midblock and at critical intersections, during both morning and afternoon peak periods. It is noted however, that traffic and accessibility of the masterplan level requires review, inclusive of proposed bus route planning. Traffic impacts beyond the site are considered to be manageable. Further analysis should however, be undertaken in the context of traffic modelling for the Greater Macarthur Area and occur prior to public exhibition of a relevant Planning Proposal.

## **2.7. Water Cycle Management**

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address floor risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the SPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the 1 percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes are to be addressed in future DA's for development of these areas. The Planning Proposal does not result in significant increases in development of land affected by the 1 percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the 1 percent AEP and stormwater pollutant load reduction targets. It is proposed to continue to address the final sizing of stormwater quality and detention facilities for each DA that progresses on the site and adopting these parameters will ensure the facilities are appropriately sized and meet the water quality targets.

## **3. Infrastructure Delivery**

Council approved the Menangle Park Contributions Plan, which became effective on 24 April 2018. Council commenced the process of seeking IPART assessment of the Plan in May 2018 with the view of seeking consideration to contributions exceeding the \$20,000 per lot/dwelling cap. IPART commenced assessment of the Plan in June 2018 and completed its final report on 18 December 2018.

IPART recommended an increase to the total costs within the plan from \$132.88 million (in September 2016 dollars) to \$171.32 million (in June 2018 dollars). This amounts to an increase of 28.9 percent (when including inflation) and a real increase of 25.7 percent (when excluding inflation).

In dollar terms, IPART's recommendations would increase uncapped contributions for a standard residential lot by about \$12,700 (or in other words), from approx. \$43,500 (in September 2016 dollars) to approx. \$56,200 (in June 2018 dollars).

The increase in costs is the result of:

- The cost of additional land for transport and stormwater management works, which were not originally included in the plan.
- Adopting updated (June 2018) land value estimates because Menangle Park land values have risen significantly above forecasted land values since the plan was prepared in 2016.
- Consistent with changing the base period for land costs, changing the base period for cost estimates of works in the plan from September 2016 to June 2018.

In response to IPART's recommendations, the Minister for Planning is yet to advise Council of any required changes.

The updated Masterplan proposed by Dahua will require amendments to the adopted Contributions Plan and further revision by IPART. In lieu of this process, Dahua has undertaken to enter into a Voluntary Planning Agreement (VPA) with Council for the provision of all required infrastructure within their land holdings and to make a contribution towards any relevant external infrastructure.

The specific infrastructure requirements, including functions and embellishment levels, are yet to be negotiated and would occur in conjunction with the preparation and finalisation of the draft planning policies. The infrastructure to be considered would include open space, recreation, community facilities, roads and stormwater management.

The key benefit to Council from entering into a VPA would be the timely delivery of essential community infrastructure to support development. In addition, the risk of cost escalation to Council beyond plan assumptions would be minimised and any amendment to the cap on developer contributions would not apply.

Should Council support progression of the PPR in its current form, a further report to Council would be progressed providing further detail on the VPA including a formal letter of offer.

#### **4. The Existing Village**

The PPR does not apply to the existing Menangle Park Village precinct. The Village will continue to develop under the current planning policy provisions.

However, recent development applications within the Village precinct have identified the need for an amendment to the proposed road network within the Menangle Park Development Control Plan (DCP). The need for a change in the road network has resulted from the existing allotment boundaries and the ability to develop an efficient subdivision pattern over the existing allotments to achieve the required residential dwelling

yields. Therefore, it is proposed that a future amendment to the road network layout that applies to the Village would occur as part of the proposed amendments to the CSCDCP to reflect the revised masterplan within the PPR.

## **5. Next Steps**

Following the advice and recommendations of the Local Planning Panel, a further report would be presented to Council. Any further report would extend to address proposed amendments to the local development guidelines contained in the Menangle Park Development Control Plan.

## **Conclusion**

This report has outlined a comprehensive suite of amendments to the Menangle Park Urban Release Area that is under the control of the proponent. The proposed relocation of the commercial centres and increase of housing diversity is consistent with prevailing requirements of the Regional, District and Macarthur 2040 Plans and would be supported by a voluntary planning agreement to ensure all required infrastructure is delivered to coincide with the need of future residents with minimum financial risk to Council.

Strategic merit is demonstrated by an overall improvement in the provision of open space, delivery of the green spine and new primary school in proximity to a neighbourhood centre and local park.

Accordingly, it is recommended that the Campbelltown City Council Local Planning Panel support progress of the PPR with minor amendments to Council for a decision whether to seek a Gateway Determination.

## **Attachments**

1. Menangle Park Planning Proposal (due to size - 189 pages) (distributed under separate cover)
2. Greater Sydney and Western City District Plan (contained within this report)
3. State Environmental Planning Policies (contained within this report)
4. Relevant S9.1 Ministerial Directions (contained within this report)
5. CLEP Mapping (contained within this report)

## **Reporting Officer**

Executive Manager Urban Release and Engagement

## Attachment '2' Greater Sydney and Western City District Plan

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistency	Response
<b>Infrastructure and Collaboration</b>			
<b>A City Supported by Infrastructure</b>			
<ul style="list-style-type: none"> <li>» Infrastructure supports the three cities</li> <li>» Infrastructure aligns with forecast growth - growth infrastructure compact</li> <li>» Infrastructure adapts to meet future needs</li> <li>» Infrastructure use is optimised</li> </ul>	<ul style="list-style-type: none"> <li>» Planning for a city supported by infrastructure (W1)</li> </ul>	Yes	<p>The requisite social and physical infrastructure required to support the proposal have been identified and an outline strategy for their delivery provided, including suggested framework for amending the prevailing Developer Contribution Plan (CP) and principles of a Voluntary Planning Agreement (VPA)</p>
<b>A Collaborative City</b>			
<ul style="list-style-type: none"> <li>» Benefits of growth realised by collaboration of governments, community and business</li> </ul>	<ul style="list-style-type: none"> <li>» Working through collaboration (W2)</li> </ul>	Yes	<p>The realisation of the revised vision will require collaboration with various government agencies, Council, the development sector and existing and envisaged community.</p> <p>Upon issuing of a Gateway Determination, Council would undertake public consultation to seek the views of relevant agencies and interested persons.</p>
<b>Liveability</b>			
<b>A City of Great Places</b>			
<ul style="list-style-type: none"> <li>» Services and infrastructure meet communities' changing needs</li> <li>» Communities are healthy, resilient and socially connected</li> <li>» Greater Sydney's communities are culturally rich with diverse neighbourhoods</li> </ul>	<ul style="list-style-type: none"> <li>» Providing services and social infrastructure to meet peoples changing needs (W3)</li> <li>» Fostering healthy, creative, culturally rich and socially connected communities (W4)</li> </ul>	Yes	<p>The revised vision, planning controls and support infrastructure provide a template for people focused planning outcomes</p> <p>Community infrastructure, business and retail facilities, access to diverse open space and transport means future residents would be capable of living a healthy, resilient and socially connected community.</p>

» Greater Sydney celebrates the arts and supports creative industries and innovation			
<b>Housing the City</b>			
» Greater housing supply » Housing is more diverse and affordable	» Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)	Yes	A central foundation of the proposal is increased housing diversity in a local market that is relatively already affordable in comparison with metropolitan Sydney.  The proposed expansion of the R3 Medium Density Residential zone, introduction of an R4 High Density Residential zone (providing an additional 1000 dwellings) and lower minimum lot size provisions underpin the proposal.  Larger lots providing aspirational housing opportunities leverage off high amenity areas rural/environmental interfaces.
<b>A City of Great Places</b>			
» Great places that bring people together » Environmental heritage is identified, conserved and enhanced	» Creating and renewing great places and local centres, and respecting the District's heritage (W6)	Yes	A character/place focus underpins the accompanying amended masterplan and proposed development controls. Additionally, enhanced access to diverse open space resources and commercial and community facilities would be available, sensitive ecologically communities conserved and broad ranging infrastructure generally provided.
<b>Productivity</b>			
<b>A Well Connected City</b>			
» A metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities » The Eastern, GOP and Western Economic corridors are better connected and more competitive and efficient » Freight and logistics network	» Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)	Yes	A hierarchical, fine grained accessibility strategy underpins the proposal. Direct access is proposed to higher order roads, existing roads are to be upgraded, intersections enhanced and alternate movement means (pedestrian/cycle) integrated to provide a highly permeable structure, facilitating appropriate public transport service levels.

<i>is competitive and efficient</i>			
» <i>Regional connectivity is enhanced</i>			
<b>Jobs and Skills for the City</b>			
<ul style="list-style-type: none"> <li>» <i>Harbour CBD is stronger and more competitive</i></li> <li>» <i>Greater Parramatta is stronger and better connected</i></li> <li>» <i>Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</i></li> <li>» <i>Internationally competitive health, education, research and innovation precincts</i></li> <li>» <i>Investment and business activity in centres</i></li> <li>» <i>Industrial and urban services land is planned, protected and managed</i></li> <li>» <i>Economic sectors are targeted for success</i></li> </ul>	<ul style="list-style-type: none"> <li>» <i>Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)</i></li> <li>» <i>Growing and strengthening the metropolitan city cluster (W9)</i></li> <li>» <i>Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)</i></li> <li>» <i>Growing investment, business opportunities and jobs in strategic centres (W11)</i></li> </ul>	Yes	The proposal is projected to support 8,047 new jobs (an increase of 2798 new jobs over the current projection) largely in the proposed centres and in the local construction industry.
<b>Sustainability</b>			
<b>A City in its Landscape</b>			
<ul style="list-style-type: none"> <li>» <i>The coast and waterways are protected and healthier</i></li> <li>» <i>A cool and green parkland city in the South Creek corridor</i></li> </ul>	<ul style="list-style-type: none"> <li>» <i>Protecting and improving the health and enjoyment of the District's waterways (W12)</i></li> <li>» <i>Creating a Parkland City</i></li> </ul>	Yes	The proposal seeks to conserve and embellish sensitive remnant ecological communities and riparian zones. Additionally, it provides a green grid dimension through structured and informal recreation areas and linkages, including the proposed iconic north/south active green transport link. A sustainable street tree planting regime is to be implemented via the DCP.

<ul style="list-style-type: none"> <li>» Biodiversity is protected, urban bushland and remnant vegetation is enhanced</li> <li>» Scenic and cultural landscapes are protected</li> <li>» Environmental, social and economic values in rural areas are protected and enhanced</li> <li>» Urban tree canopy cover is increased</li> <li>» Public open space is accessible, protected and enhanced</li> <li>» The Green Grid links, parks, open spaces, bushland and walking and cycling paths</li> </ul>	<p><i>urban structure and identity with South Creek as a defining spatial element (W13)</i></p> <ul style="list-style-type: none"> <li>» <i>Protecting and enhancing bush land and biodiversity (W14)</i></li> <li>» <i>Increasing urban tree canopy cover and delivering Green Grid connections (W15)</i></li> <li>» <i>Protecting and enhancing scenic and cultural landscapes (W16)</i></li> <li>» <i>Better managing rural areas (W17)</i></li> <li>» <i>Delivering high quality open space (W18)</i></li> </ul>		
<b>An Efficient City</b>			
<ul style="list-style-type: none"> <li>» A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change</li> <li>» Energy and water flows are captured, used and re-used</li> <li>» More waste is re-used and recycled to support the development of a circular economy</li> </ul>	<ul style="list-style-type: none"> <li>» <i>Reducing carbon emissions and managing energy, water and waste efficiently (W19)</i></li> </ul>	<p>Yes</p>	<p>The proposal will provide a highly permeable and accessible network to support public transport and healthy lifestyles.</p> <p>Water management is addressed by appropriate stormwater management and implementation of BASIX requirements at the dwelling construction stage.</p> <p>Measures to minimise adverse potential urban heat island impacts are to be addressed in updated DCPs controls regarding tree planting and materials.</p>
<b>A Resilient City</b>			

<ul style="list-style-type: none"><li>» <i>People and places adapt to climate change and future shocks and stresses</i></li><li>» <i>Exposure to natural and urban hazards is reduced</i></li><li>» <i>Heatwaves and extreme heat are managed</i></li></ul>	<ul style="list-style-type: none"><li>» <i>Adapting to the impacts of urban and natural hazards and climate change (W20)</i></li></ul>	Yes	Appropriate flood and bushfire hazard management strategies underpin the proposal and opportunities to proactively address potential urban heat island impacts.
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### Attachment 3 – State Environmental Planning Policies

The following State Environmental Planning Policies (SEPPs) are relevant to the PPR.

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No 1 Development Standards	Yes	Not applicable as CLEP 2015 is a Standard Instrument LEP and incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	Yes	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 44 - Koala Habitat Protection	Yes	Although the initial investigations establish that no Koala habitat is present on the site further investigations need to be completed. Koala habitat however was not a constraint in the current planning regime.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 - Remediation of Land	Yes	The site identified low areas of contamination, a detailed site investigation will be required prior the issuing of development consent.
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will comply with the provisions of the SEPP.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	Future residential Flat Buildings would be designed in accordance with the provisions of the SEPP.
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this SEPP.
SEPP (Affordable Rental Housing) 2009	Yes	The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing.

SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PPR is not inconsistent with the application of the SEPP to residential development.
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	The planning proposal recognises that a school will be situated within the site with appropriate road and site planning to suit. An assessment of the school and any childcare centres would be subject to assessment at the development assessment stage.
SEPP (Exempt & Complying Development Codes) 2008	Yes	The PPR is not inconsistent with the SEPP and the provisions of which would apply to future developments.
SEPP (Housing for Seniors or People with a Disability)	Yes	The PPR does not preclude future merit based provisions of housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Yes	Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	The current planning controls to facilitate urban development satisfactorily addressed the provisions of the SEPP. Mineral and extractive industries are not imperilled by the Proposal.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	Justifiably Inconsistent	The site is currently zoned 'urban release area.' Any interfaces with primary production areas and rural development will be addressed.
SEPP (State & Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not Applicable to this PP.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	Vegetation removal is initially to be minimised in the Proposal. Any vegetation proposed for removal will

		need to comply with the provisions of the SEPP and other companion legislation.
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**Attachment '4' - Relevant S9.1 Ministerial Directions**

<b>Assessment Against Relevant S9.1 Ministerial Directions</b>		
<b>Ministerial Direction</b>	<b>Consistency</b>	<b>Evaluation</b>
<b>1.1 Business and Industrial Zones</b>		
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	Yes	<p>The Proposal seeks to relocate and expand the current supermarket based shopping centre from 15,000m<sup>2</sup> GFA to 30,000m<sup>2</sup> of GFA.</p> <p>The relocation and expansion of the proposed local centre (B2) would provide a sustainable centre without adversely impacting the 'residual' proposed neighbourhood centre (B1).</p> <p>Further, it would not adversely impact the higher order centres of Campbelltown and Macarthur.</p> <p>The light industrial (IN2) employment precinct remains unchanged.</p>
<b>1.2 Rural Zones</b>		
This Direction seeks to protect the agricultural production value of rural lands.	Yes	The subject land, within the exception of several fringing holdings was zoned for urban purposes in 2017. The remnant RU2 – Rural Landscape zoned lands on the southern frame of the precinct, adjoin the Nepean River is proposed to be rezoned to support large lot residential development that addresses the scenic and environmental attributes of the land. This area is not identified as forming part of the Metropolitan Rural Area and would not be appropriate to maintain agricultural uses with a direct interface with conventional housing.
<b>1.3 Mining, Petroleum Production</b>		
This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	Yes	The Proposal does not propose additional constraints to the subject resources.
<b>1.5 Rural Lands</b>		
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	Yes	The Proposal does not impact upon the rural residue holdings in the urban release area or nearby similarly zoned areas.
<b>2.1 Environmental Protection Zones</b>		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	The proposal has identified additional environmentally sensitive areas and seeks to protect these together with the previously identified areas.

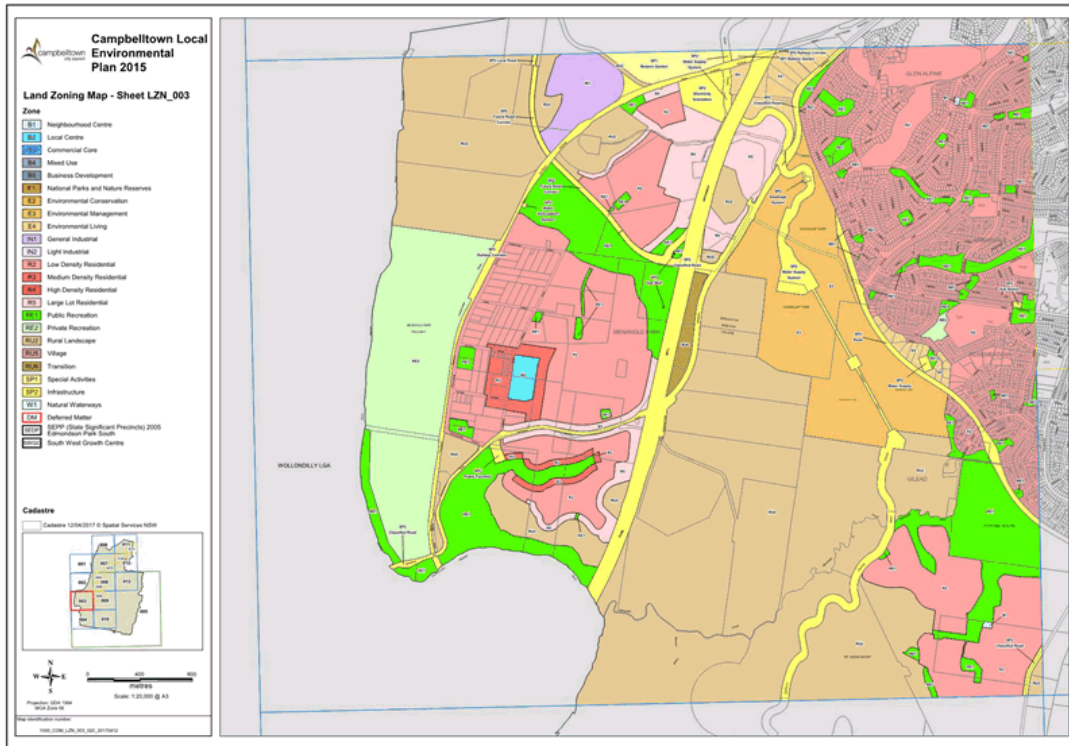
		Preservation is to be afforded by Clause 7.20 in respect of Terrestrial Biodiversity and the zoning.
<b>2.3 Heritage Conservation</b>		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	<p>The Proposal does not compromise the heritage sensitivity strategy underpinning the current planning controls.</p> <p>Additionally, some of the revised masterplan principles provide a template for improved planning outcomes as is highlighted by a more sensitive interface treatment with the Glenlee House precinct.</p> <p>Items such as former silos would be further addressed at the development application stage, largely in an interpretive manner.</p> <p>The cultural landscape would be significantly altered in accordance with its urban release status. Aboriginal</p> <p>Archaeological significance is not further compromised by the proposal.</p>
<b>3.1 Residential Zones</b>		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Yes	<p>The Proposal seeks to introduce the R4 High Density Residential zone to facilitate apartments and expand the R3 Medium Density Residential zone for terrace and small lot housing product.</p> <p>Additionally, provision is made for increased diversity in allotment sizes which would increase development yield and support the feasible delivery of essential infrastructure.</p>
<b>3.2 Home Occupations</b>		
This Direction seeks to facilitate low impact small businesses in dwelling houses	Yes	The Proposal includes standard provisions to facilitate home occupations.
<b>3.4 Integrating Land Use and Transport</b>		
This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	Yes	<p>The Proposal provides a sensitive juxtaposition of land uses, with appropriate accessibility.</p> <p>Provision of the Spring Farm Parkway and ramps accessing the M31 motorway are a key feature of the proposal. A Separate VPA with the Department of Planning and Environment to support delivery of this work is separately progressing.</p>
<b>3.6 Shooting Ranges</b>		
This Direction seeks to maintain appropriate levels of public safety and amenity	Yes	There are no shooting ranges proximate to the development.

when rezoning land adjacent to shooting ranges.		
<b>4.1 Acid Sulphate Soils</b>		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Yes	A review of the NSW Natural Resource Atlas (NRA 2013) indicates there are no known occurrences of acid sulphate soils.
<b>4.2 Mine Subsidence and Unstable Land</b>		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Yes	The land is in the south Campbelltown Mine Subsidence district. The relevant mine subsidence considerations underpinned the zoning for urban purposes in 2017. The current proposal is generally consistent in terms of the development impacts apart from the introduction of medium rise residential apartments which can be addressed via further consultation.
<b>4.3 Flood Prone Land</b>		
This Direction seeks to ensure that development of flood prone land is consistent with the Policy and Principles as well as ensuring the LEP provides consideration of flood impacts and surrounding land.	Yes	The urban footprint of the proposal varies little from that zoned for urban purposes in the prevailing LEP. The most significant change is the nomination of flood affected land on the north western side of the rail-line for formal active recreation purposes.  Flood modelling and stormwater management strategies identify acceptable flooding and stormwater management outcomes.
<b>4.4 Planning for Bushfire</b>		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	The proposal has had regard to Planning for Bushfire Protection 2006 and generally does not increase the fire hazard for the release area.  An outline strategy has been developed to provide for appropriate hazard outcomes and requires further amendment (post gateway) to reflect amendments arising from Council officer assessment of the proposal.
<b>6.1 Approvals and Referral Requirements</b>		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The Proposal does not contain provisions that require additional concurrence requirements.
<b>6.2 Reserving land for Public Purposes</b>		
This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservations of land for	Yes	The Proposal seeks to amend and increase the overall provision of open space to support the development. The reservation of land for the Spring Farm Parkway and north facing ramps onto the M31 will require ongoing

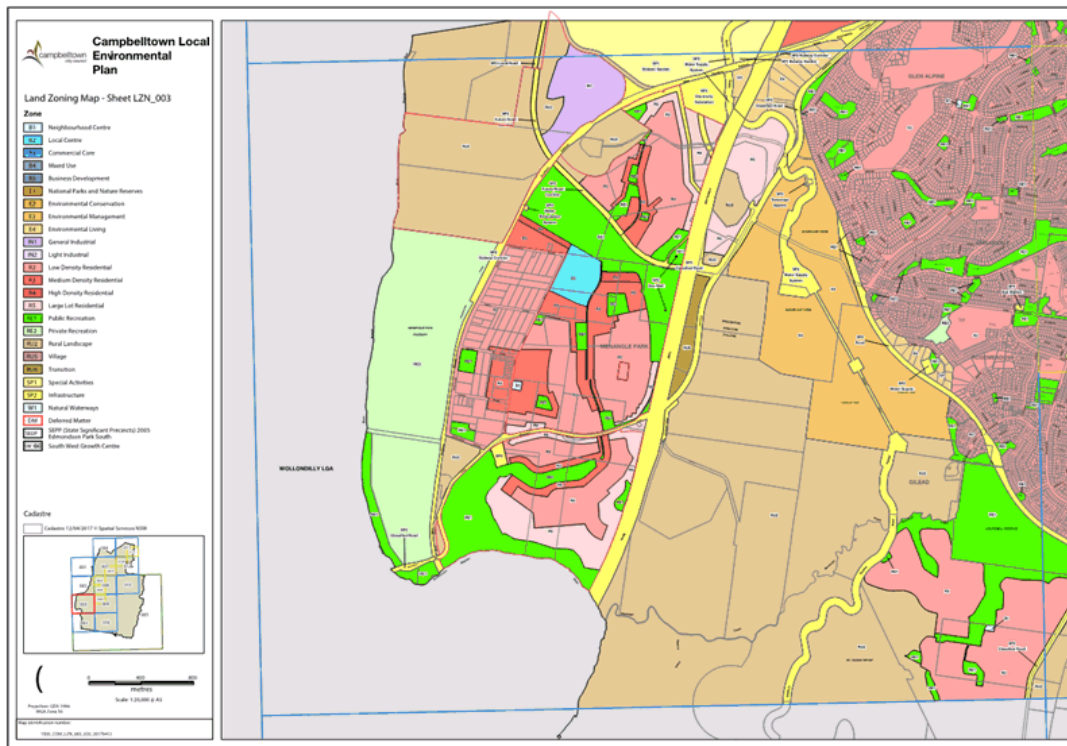
public purpose where land is no longer required for acquisition.		consultation with relevant NSW Government departments.
<b>6.3 Site Specific Controls</b>		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	The proposal relates to the 'standard instrument' Campbelltown LEP 2015. No site specific provisions are proposed to be introduced to Campbelltown LEP 2015, via the Proposal.
<b>7.1 Implementation of a "Plan for Growing Sydney"</b>		
This Direction seeks to give legal effect to the planning principles; directions and priorities for subregions, strategic centres and transport gateways.	Yes	The Proposal is consistent with the Greater Sydney Region Plan as detailed in supporting planning report.
<b>7.2 Implementation of a "Greater Macarthur Land Release Investigation Area"</b>		
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Yes	The proposal is generally consistent with the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Greater Area. Minor departures previously documented are considered appropriate.

### Attachment '5' – CLEP Mapping

#### Existing Zoning Map



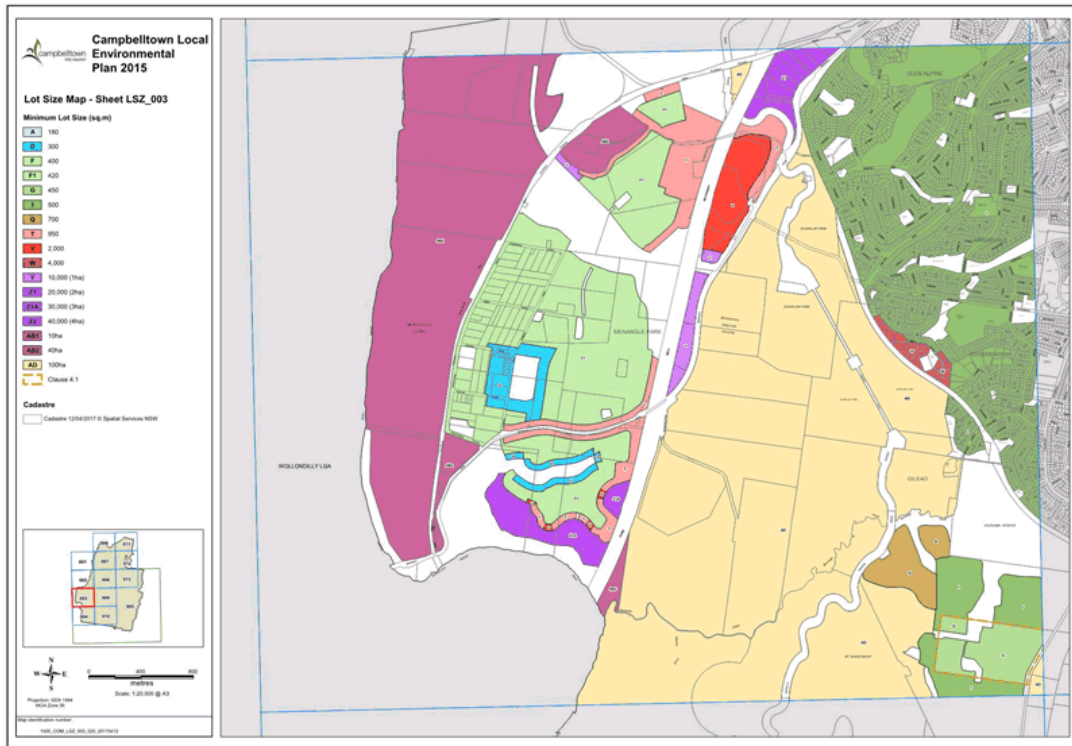
#### Proposed Zoning Map



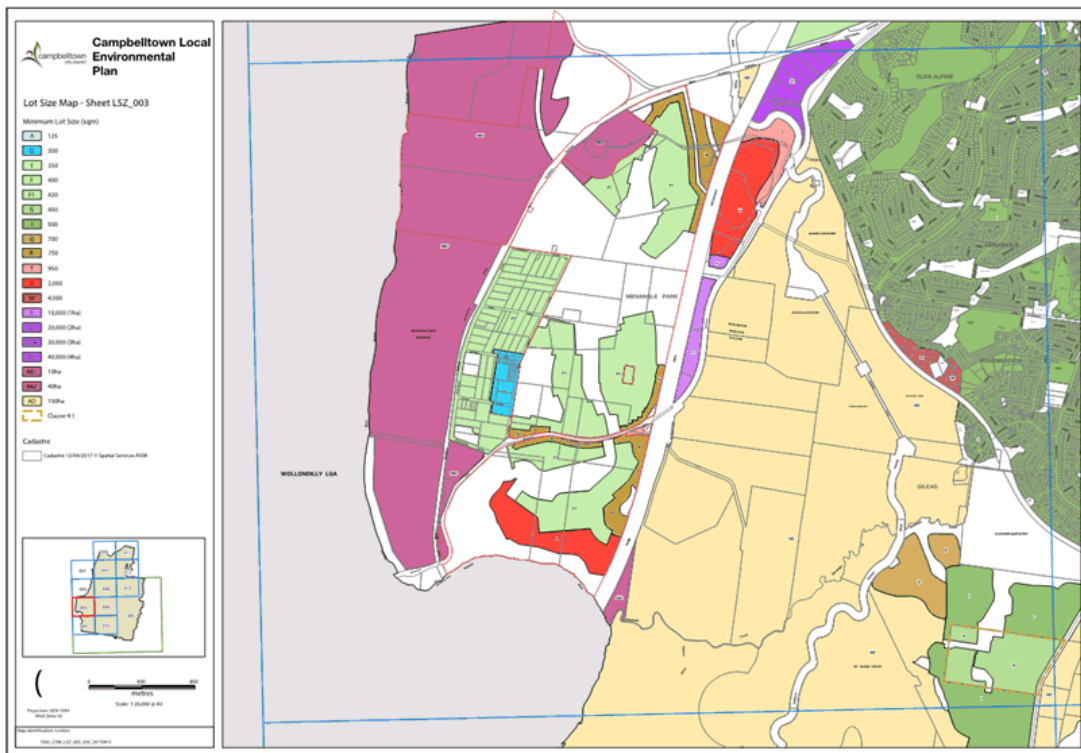


Attachment '5' – CLEP Mapping

Existing Lot Size Map

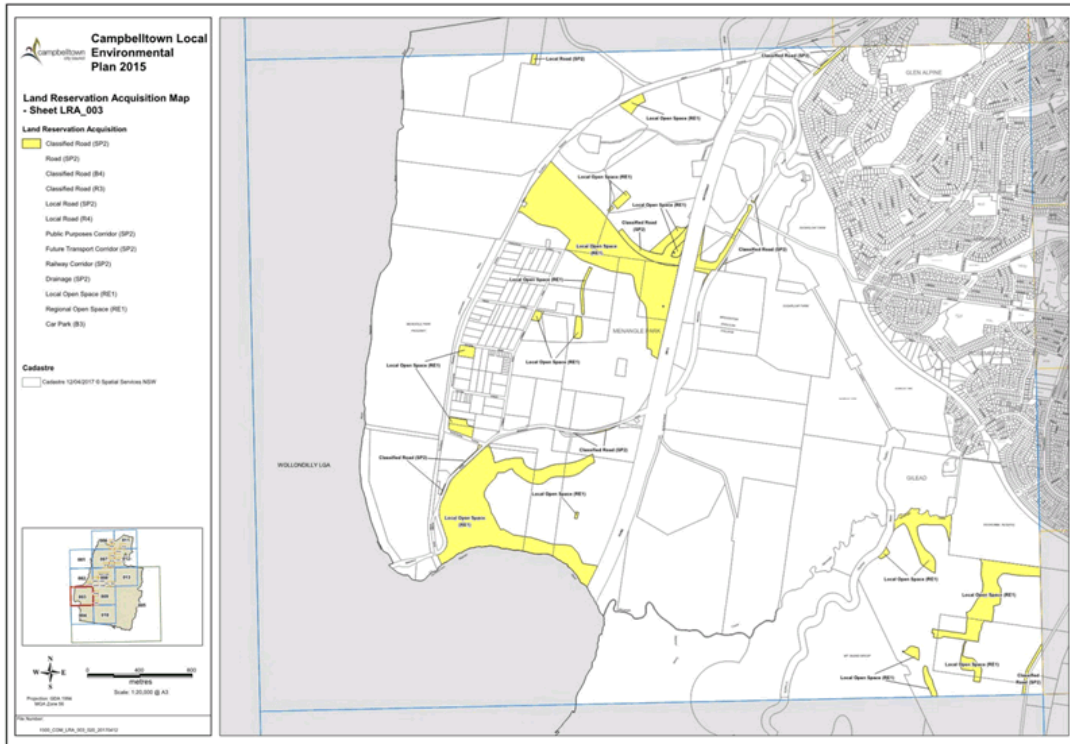


Proposed Lot Size Map

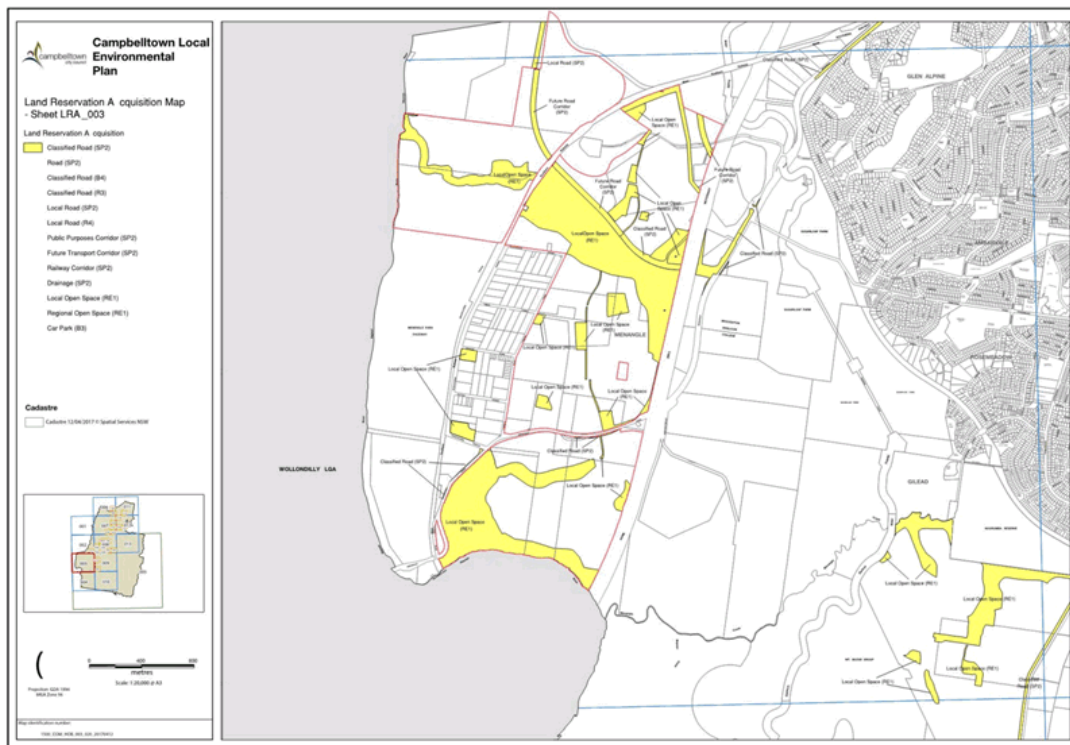


Attachment '5' – CLEP Mapping

Existing Land Reservation Acquisition Map

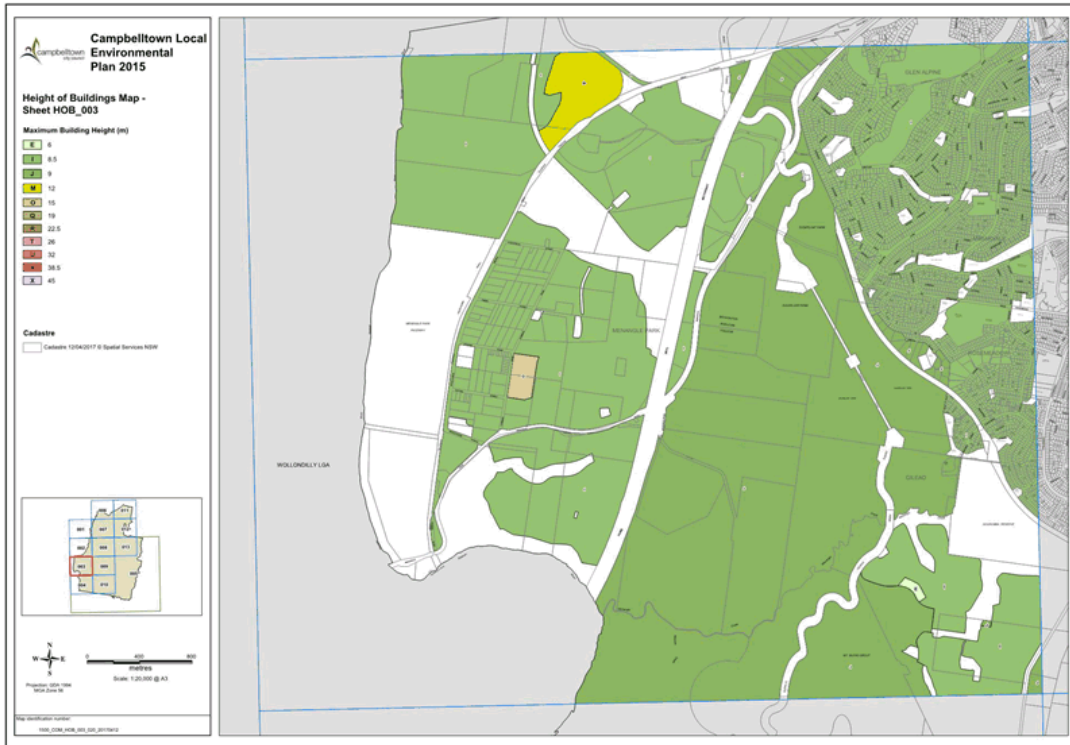


Proposed Land Reservation Acquisition Map

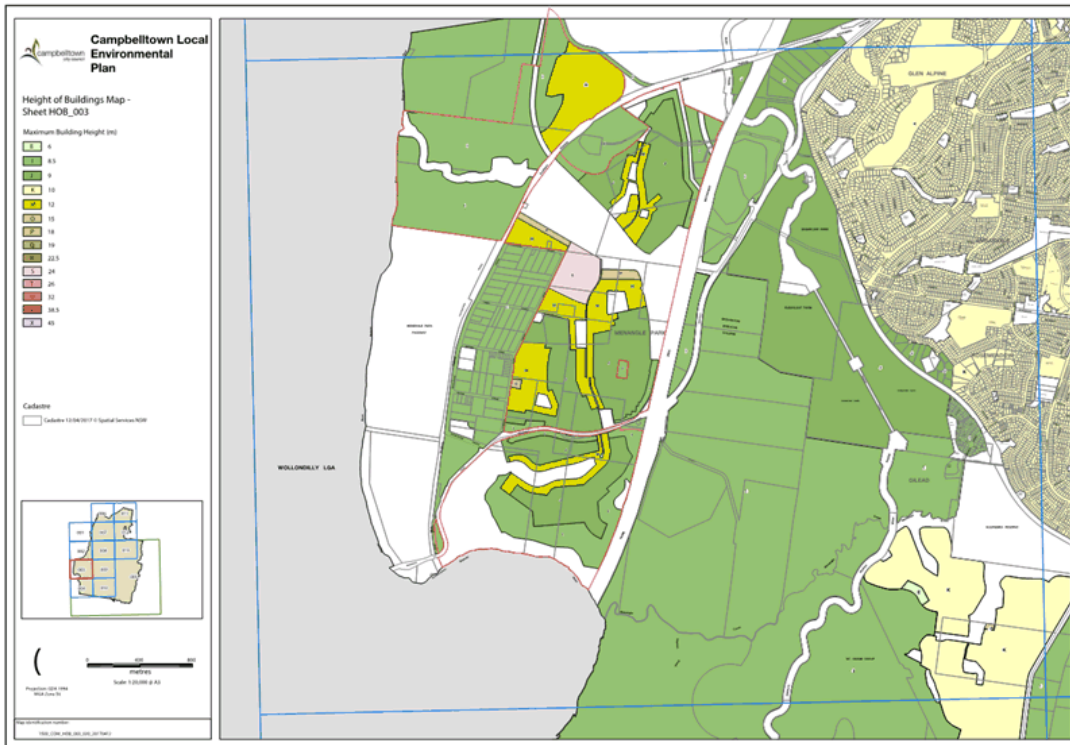


Attachment '5' – CLEP Mapping

Existing Height of Building Map

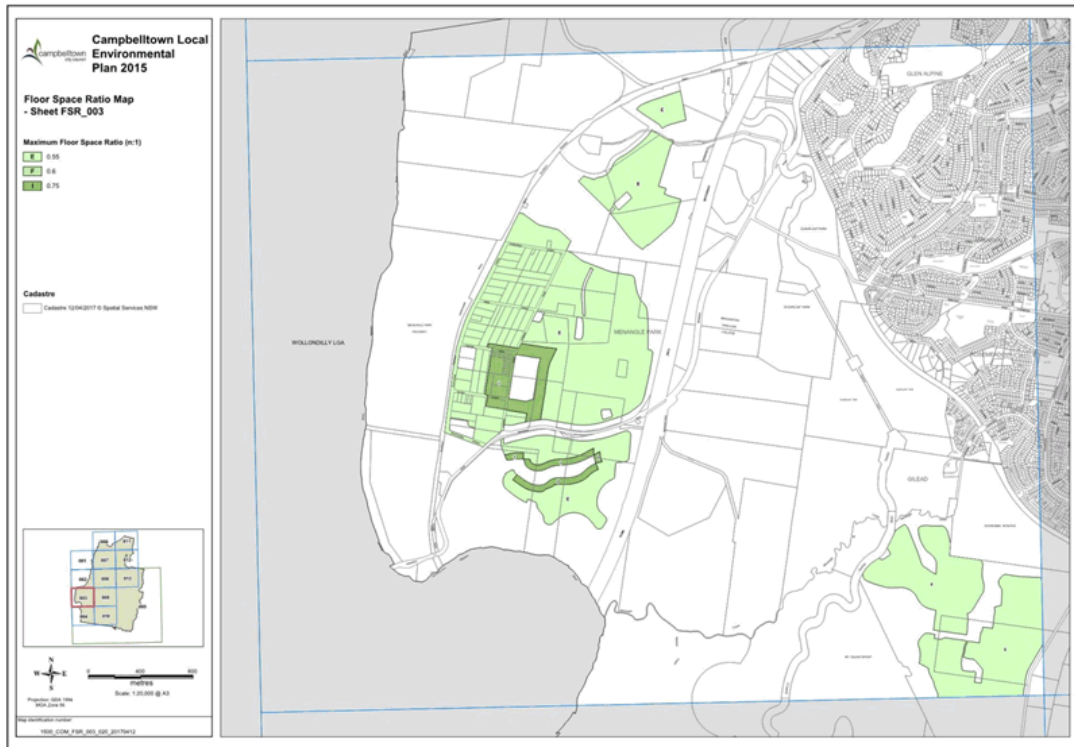


Proposed Height of Building Map

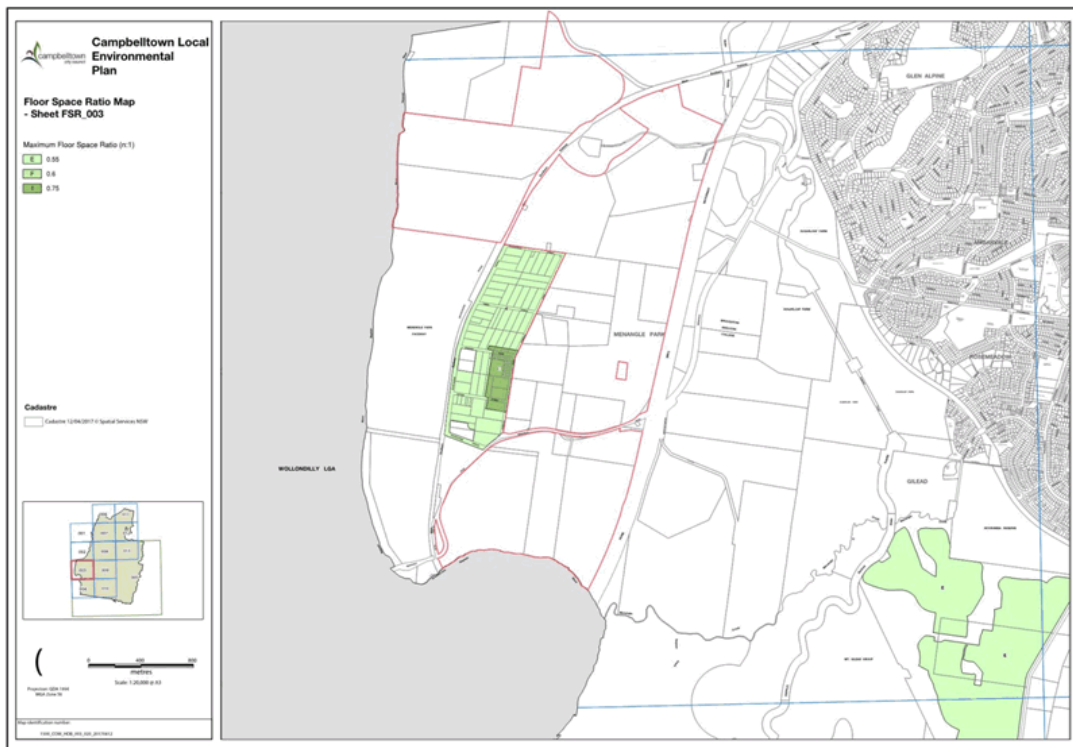


Attachment '5' – CLEP Mapping

Existing Floor Space Ratio Map



Proposed Floor Space Ratio Map



**Attachment '5' – CLEP Mapping**

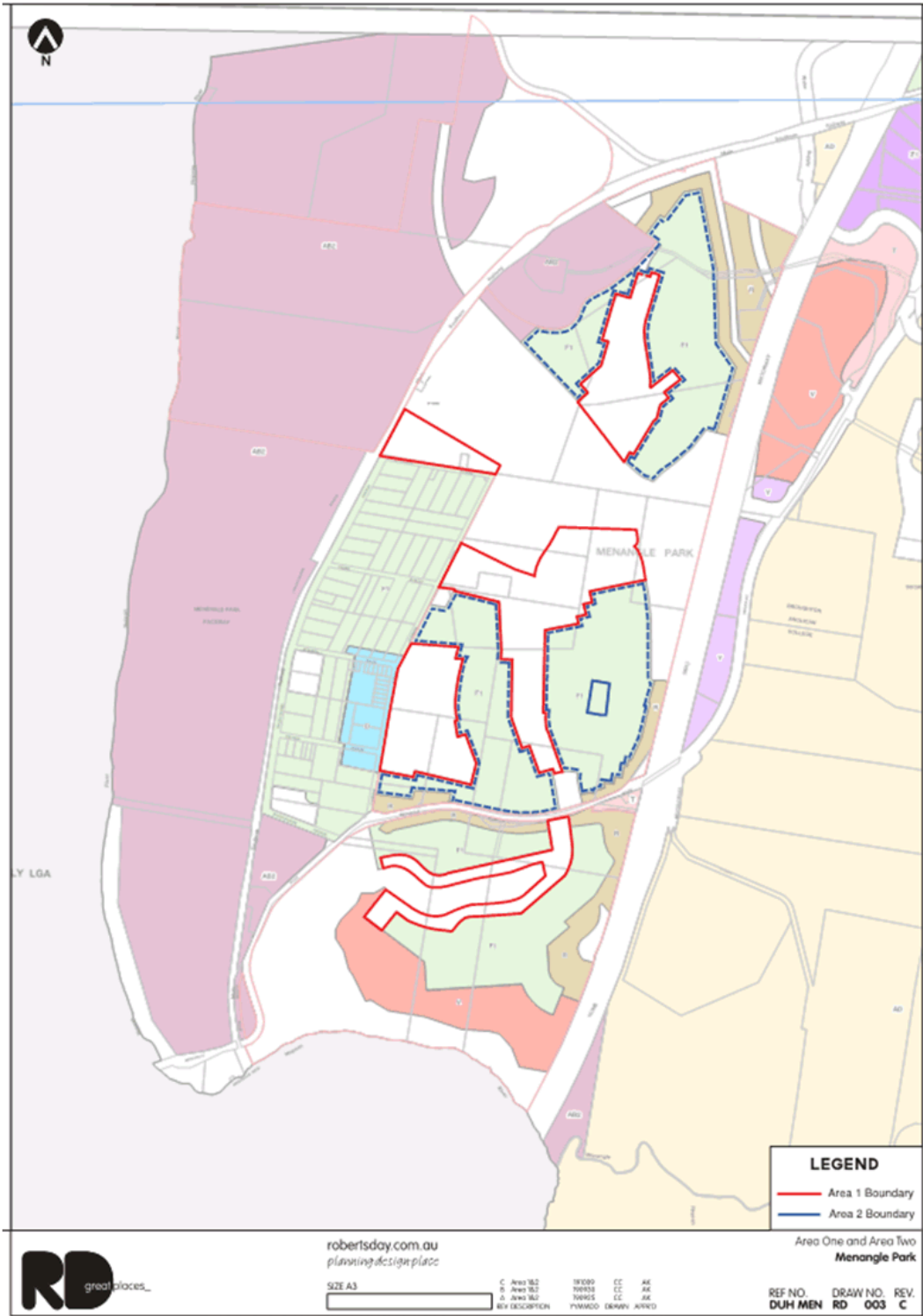
**Clause 4.1H** *Minimum lot sizes for dwelling houses, semi-detached dwellings, attached dwellings, dual occupancy and multi dwelling housing in Menangle Park.*

*This clause applies to land within **Area 1** on the Urban Release Area Map.*

1. *The objective of this clause is to achieve planned residential density in certain zones.*
2. *Development must not be carried out on a lot in **Zone R3 Medium Density Residential** for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:*
  - *Dwelling House (detached): 250m<sup>2</sup>*
  - *Semi detached dwellings: 250m<sup>2</sup>*
  - *Dual Occupancy: 500m<sup>2</sup>*
  - *Secondary Dwellings: 450m<sup>2</sup>*
  - *Attached Dwellings: 200m<sup>2</sup>*
  - *Multi Dwelling Housing: 1,500m<sup>2</sup>*
3. *Development consent may be granted for the subdivision of land within **Area 2** on the Urban Release Area Map Area on land zoned R2 Low Density Residential into lots that do not meet the minimum size shown on the Lot Size Map if:*
  - a) *each lot has a minimum lot size of not less than 375m<sup>2</sup>, and*
  - b) *each lot has a minimum primary road frontage of 11.5m, and*
  - c) *each lot is not a corner allotment, and*
  - d) *no more than 150 lots have a lot size of less than 420m<sup>2</sup> within Area 2 to which this clause applies, and*
  - e) *no more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m<sup>2</sup>, and*
  - f) *each lot is located not more than 200m from a bus stop or open space area.*

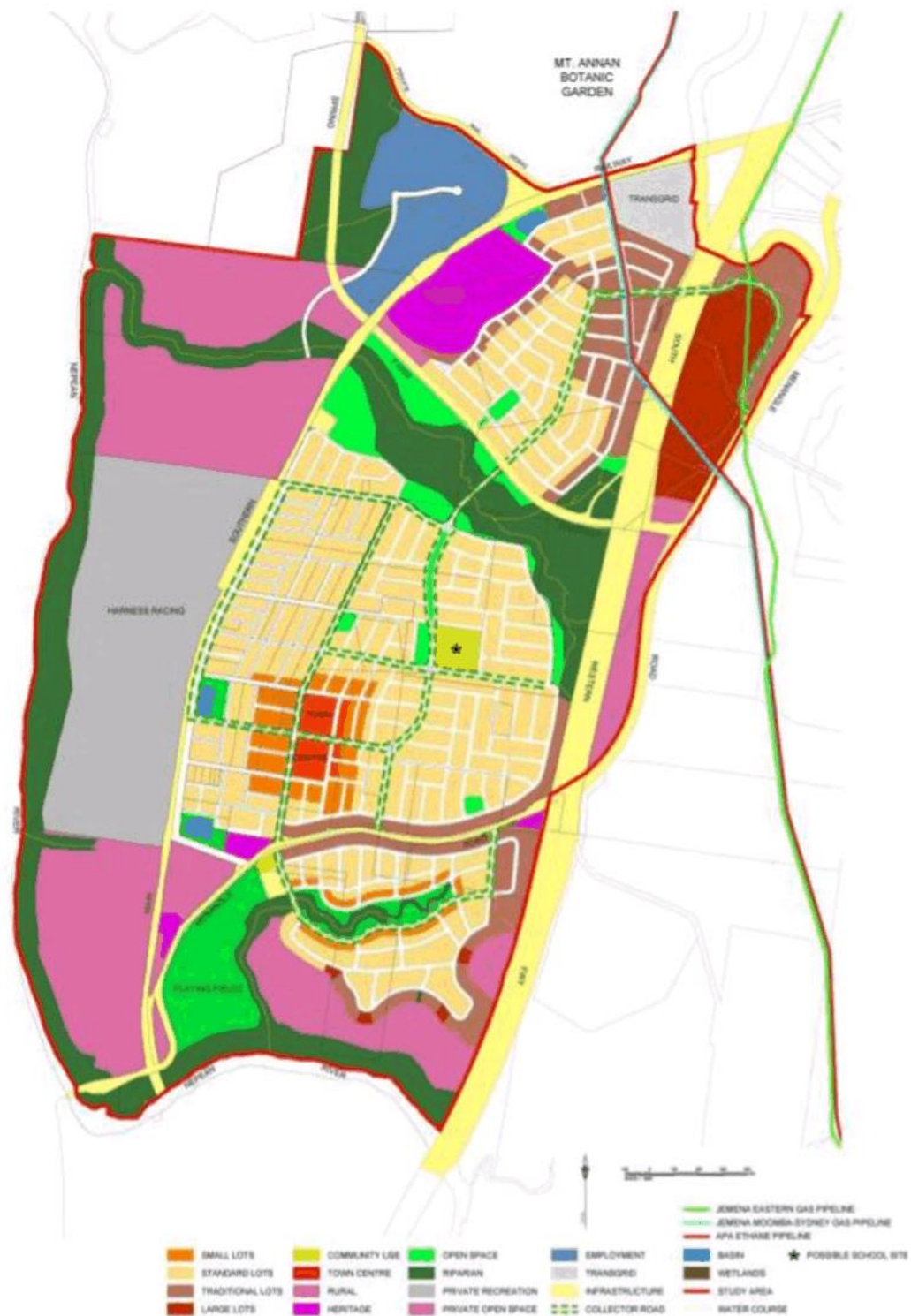
Attachment '5' – CLEP Mapping

Clause 4.1H Area Map



Attachment '5' – CLEP Mapping

Existing Structure Plan



Attachment '5' – CLEP Mapping

Proposed Structure Plan





PO Box 57, Campbelltown NSW 2560

**T** 02 4645 4000

**F** 02 4645 4111

**W** [campbelltown.nsw.gov.au](http://campbelltown.nsw.gov.au)