
ORDINARY COUNCIL

ORD05

SUBJECT: PLANNING PROPOSAL - GLENLEE
FROM: Director Governance
BINDER: Glenlee

PURPOSE OF REPORT

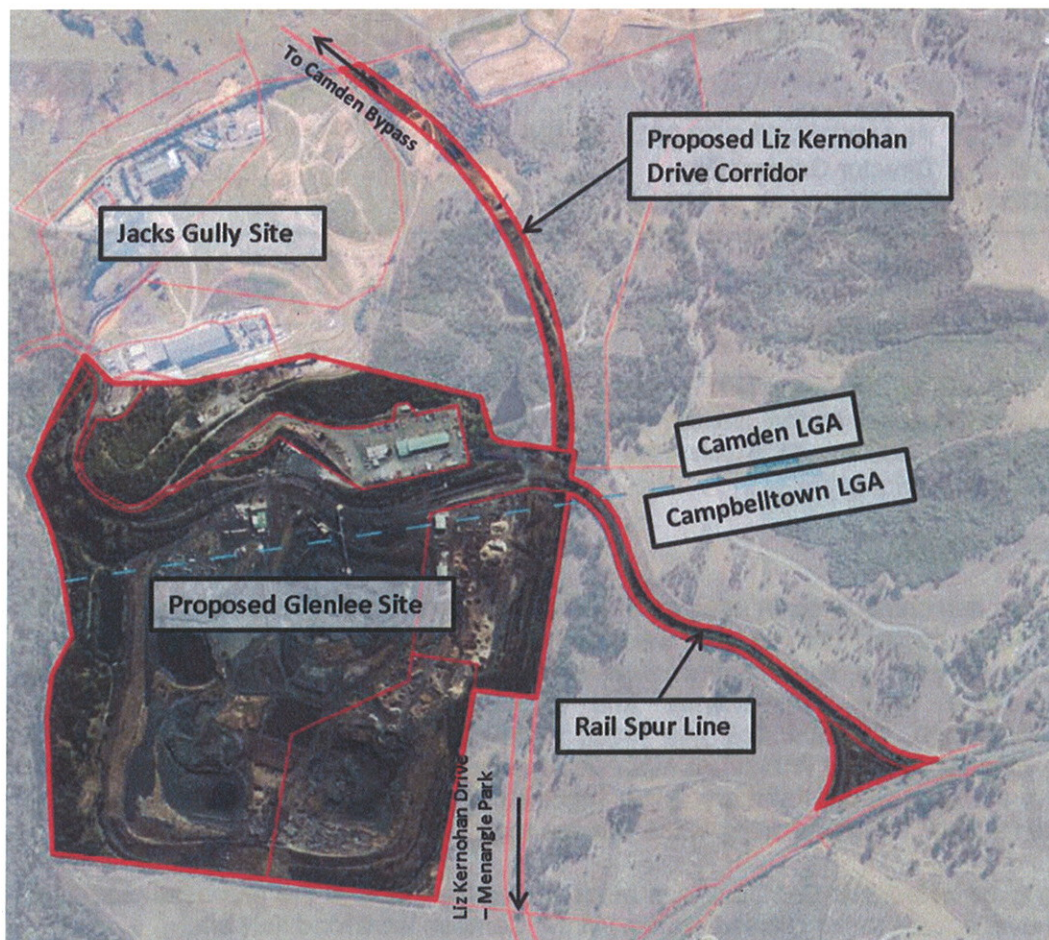
The purpose of this report is to seek Council's 'in-principle' endorsement to forward a Planning Proposal to the Department of Planning and Infrastructure (DPI) for the Glenlee site, seeking to rezone the land from a predominantly rural zone to an industrial zone.

BACKGROUND

Glenlee has primarily been used for industrial related purposes for a number of years. The 107.6 hectare Glenlee site, traversed by the Camden and Campbelltown Local Government Areas, currently accommodates the industrial uses of the Sada Services landholding (truck maintenance and depot, coal washery and reject coal emplacement), Camden Soil Mix (truck maintenance and depot, greenwaste and recycling facility), and TRN (truck maintenance and depot). Campbelltown City Council, at its meeting on 28 February 2013, resolved to proceed with seeking a Gateway Determination for the rezoning of the Glenlee area.

It is to be noted that Campbelltown holds a majority share of the proposed rezoning, however access to the Glenlee area is via the Camden local road network.

The subject site and the Local Government Boundaries are depicted in the site plan on the following page.



In December 2006, Camden Council and Campbelltown City Council resolved to prepare a Local Environmental Study (LES) and Draft Local Environmental Plan (DLEP) for the rezoning of the site. A draft LES was submitted to both Councils in February 2009, which included a number of technical support studies. These studies included:

- Land Capability
- Ecology
- Noise
- Air Quality/Odour
- Water Cycle Management
- European and Aboriginal Heritage
- Transport/Traffic/Accessibility
- Landscape and Visual
- Bushfire
- Civil Infrastructure/Service
- Master planning/Urban Design
- Human Service

In addition to these studies, a draft Local Environmental Plan (LEP) and draft Development Control Plan (DCP) were prepared for each Council area, including an Infrastructure Strategy/Section 94 Contributions Plan. However, the draft LES, LEP and DCP were not placed on public exhibition due to a number of key significant issues

arising from the technical studies. Whilst requiring additional information to be provided to the Councils, the most notable of significant issues related to:

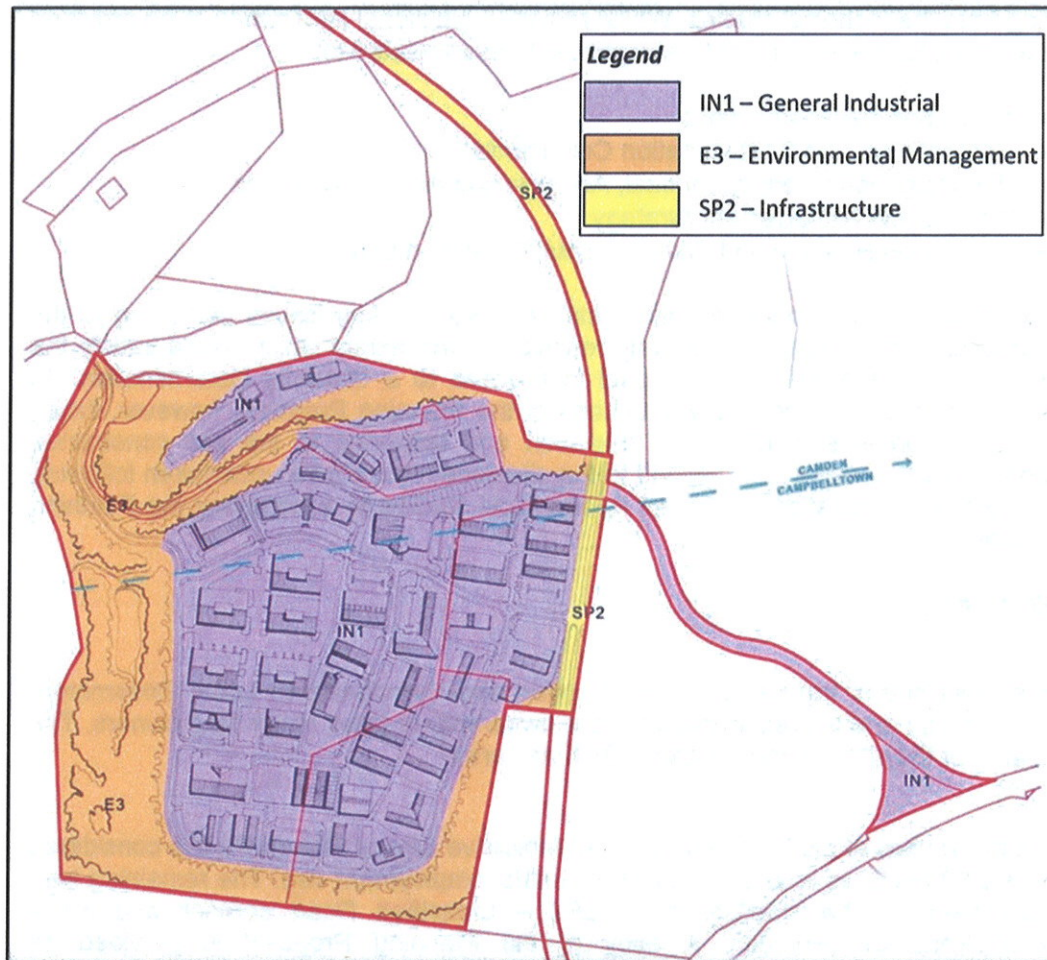
- Traffic and transport access
- Geotechnical and Contamination Constraints
- Non-indigenous Heritage, Visual, Acoustic and Air Quality Issues
- Water Cycle Management Strategy
- Indigenous Heritage and Environmental Protection Lands

Whilst a significant amount of work is still required, the key issues pertaining to the development have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal to proceed to a Gateway Determination. 'In principle' support is given to the intentions of the Planning Proposal, however, future Council support is subject to the resolution and response to the site constraints. Opportunities to resolve and respond to the site constraints will be undertaken following a Gateway Determination supported by technical studies to accompany the Planning Proposal.

MAIN REPORT

The subject site is traversed by the Camden and Campbelltown Local Government Area boundary and is predominantly in the ownership of three major land owners. The total area of the site is approximately 107.6 hectares.

Using the studies of the LES to prepare an Indicative Layout Plan (ILP), it is considered that only 60 hectares is suitable for an industrial/employment use. The remaining land is considered to be suitable for a SP2 – Classified Road corridor and E3 – Environmental Conservation. A copy of the Planning Proposal is provided as **Attachment 1 to this report** and the proposed zonings are portrayed in the figure on the following page.



The site is located south of the Spring Farm Resource Recovery Park, south west of the Australian Botanic Garden at Mount Annan, and east of the Nepean River. A separate spur line (owned by Sada Services) connects with the Main Southern Railway. Currently Queensland Rail are the only users of the spur line for the transportation of coal, however, there may be capacity for alternate users to utilise the spur line pending on the final use of the Glenlee area.

Currently, vehicular access is solely by way of the Camden local road network, however, the ILP indicates an alternate connection of Liz Kernohan Drive to the Hume Highway at Menangle Park to service the site. Currently, the local road network has insufficient capacity to cater for the full development of the site, which is discussed in greater detail later in the report.

The subject site is currently zoned RU1 – Primary Production and SP2 – Infrastructure under Camden's LEP. The coal washery/ reject coal emplacement site is currently operating under the existing use rights provisions of the *Environmental Planning and Assessment Act 1979*. The intention of the Planning Proposal is to rezone the site to the following zones:

- IN1 – General Industrial
- SP2 – Infrastructure

- **E3 – Environmental Management**

Campbelltown City Council is currently in the process of rezoning the Menangle Park Urban Release Area, which is located on the southern and eastern boundary of the subject site. Careful consideration must be given to this interface, however at the same time, it is essential to create a coordinated and responsive outcome to achieve the desired road infrastructure and linkages to the Hume Highway at Menangle Park.

The delivery of the Glenlee Planning Proposal seeks to achieve the following visions and intended outcomes for the subject site:

- A sustainable and coordinated extension to the Spring Farm and Menangle Park Urban Release Areas will be achieved in the form of employment areas close to residential areas.
- The natural systems will be conserved and enhanced. These natural systems will provide habitat linkages between the Nepean River, Bush Corridor in Spring Farm and the Australian Botanic Gardens.
- Water quality of the Nepean River will be maintained through the provision of sustainable systems having regard to Water Sensitive Urban Design (WSUD) principles that underpin an integrated Water Cycle Management Strategy.
- Improvements to the existing road network will be determined with ultimate linkage to the Hume Highway via Liz Kernohan Drive required.
- A framework will be established for comprehensive subdivision of the land generally in accordance with the ILP.

Key Planning Issues

A draft local environmental study and associated technical studies previously prepared indicate that the subject site can feasibly accommodate general industrial development. However, a number of issues came out of the studies which required further investigation and clarification. The key issues have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal. The most significant issues are detailed below.

Transport and Access

Vehicular access is provided by the Camden local road network (i.e. connecting to Liz Kernohan Drive). In the short term, access to the existing Glenlee area will be provided by the future Liz Kernohan Drive and Haul Road, which will replace the existing Springs Road access as a result of the Spring Farm East Village development. The proposed Liz Kernohan Drive extension to the Glenlee area will provide an alternative route to the Haul Road. The timing of construction will be determined following the Gateway Determination.

Notwithstanding this, an assessment of the proposal and the local road network revealed that, should the proposal be developed to the full extent of the rezoning, this could jeopardise the level of service of the local road network, including Narellan Road and Camden Valley Way, and in turn the surrounding residential amenity.

With regards to the projected traffic as a result of the urban release areas, the remaining capacity of the local road network could only provide a maximum development potential of 12,500m² gross floor area of warehousing or 10,000m² gross floor area of general industrial use (or a proportionate combination of both). In order to achieve the planned potential (i.e. 60 hectares of industrial lands), a connection through to the Hume Highway at Menangle Park is required. The provider and funding body is to be negotiated following a Gateway Determination.

In this regard, it is appropriate to consider the introduction of a cap on the provision of industrial gross floor area until such time as the completed construction of Liz Kernohan Drive from the Camden Bypass to the Hume Highway at Menangle Park. It is proposed to insert an Additional Local Provision into the LEP which gives effect to protection of the local road network and residential amenity by preventing development over and above 12,500m² gross floor area of warehousing or 10,000m² gross floor area of general industrial use until such time as this direct connection is provided from the Camden Bypass to the Hume Highway.

Campbelltown City Council concurs with the proposed cap on gross floor area and has made appropriate provisions within their planning proposal to the same effect. The property owners recognise this restriction and wish to continue with the proposed rezoning of the subject land.

Geotechnical and Contamination Constraints

Further investigation is required with regard to the stability of the coal emplacement site and subsequent recommended industrial land uses. Clarification is also required to ensure that all contamination matters can be satisfactorily addressed. Whilst being an outstanding issue, it is considered that this is an engineering challenge and would not preclude the site from seeking a rezoning subject to further investigation.

Non-indigenous Heritage, Visual, Acoustic and Air Quality Issues

Whilst situated within the Campbelltown LGA, Glenlee House is located on the South East boundary of the subject site. It is unlikely that the proposal poses significant impact on the item, however, further studies are required to develop a responsive proposal to the curtilage and significance of the item.

Furthermore, the precinct is located adjacent to the Spring Farm and Menangle Park Urban Release Areas, Camden Park Estate, Glenlee House and the Australian Botanic Garden. Following a favourable Gateway Determination, additional studies and investigations are required in recognition of the visual, acoustic and air quality impacts of such uses resulting from an IN1 – General Industrial zone.

Water Cycle Management Strategy

The principles of Water Sensitive Urban Design are intended to form the basis of the Water Cycle Management Strategy. Following a favourable Gateway Determination, detailed investigation is required to inform the Strategy and provide a water treatment solution which achieves an environmentally responsive design.

Indigenous Heritage and Environmental Protection Lands

The proposal includes land to be zoned for environmental protection, which link the critical habitats and significant vegetation from the Botanic Gardens through to the Nepean River. However, these areas are inundated with many exotic plants and weeds. In this regard, a Vegetation Management Strategy is required following a favourable Gateway Determination, which will be formulated to achieve the rehabilitation and revegetation of these lands. These works will be required to be undertaken by the proponent and secured by way of an appropriate agreement.

While the subject site has been heavily disturbed, the Indigenous Heritage Study prepared for the LES recorded some archaeological sites particularly within the riparian lands. Careful consideration must be given to the identified areas, which will inform the Vegetation Management Strategy.

Funding for Infrastructure

It is proposed that the construction of the Liz Kernohan Drive link will be constructed and funded by the proponent through contributions to the States' Special Infrastructure Contribution (SIC Levy).

Furthermore, the funding and rehabilitation of the bush corridors will be borne by the proponent. Since the ownership will remain with the proponent, ongoing maintenance and control will also remain with the proponent, which will be covered by way of an appropriate agreement.

Notwithstanding the above, it is envisaged that a Section 94 plan will be required to cover the likes of public facilities and infrastructure. Further investigations will take place following a Gateway Determination.

Where to from here

Given the uncertainty at this stage regarding whether the Planning Proposal will proceed beyond a gateway determination, it is not desirable for the applicant to incur the cost of planning studies addressing these issues at this time. Instead it is proposed that should Council be willing to provide 'in principle' support for the rezoning, detailed investigations will be undertaken following a Gateway Determination.

Should Council endorse the Planning Proposal, it will be forwarded to the DPI for a Gateway Determination. Should a favourable Gateway Determination be made, planning studies will then be undertaken to address the planning issues relevant to the site. The cost of preparing planning studies is to be borne by the applicant.

Furthermore, it is envisaged that considerable consultation is required with the following public authorities and other interested parties:

- Federal Department of Sustainability, Environment, Water, Population and Communities
- NSW Rural Fire Service
- NSW Office of Water
- NSW Department of Environment and Climate Change

- NSW Office of Environment and Heritage (Heritage Branch)
- NSW Office of Environment and Heritage (Environmental Branch)
- Transport for NSW
- Roads and Maritime Services
- Department of Industry and Investment
- Department of Health
- Mines Subsidence Board
- Sydney Water
- Endeavour Energy
- Telstra
- AGL

Consultation will occur with the above public agencies and a report furnished to Council prior to placing the Planning Proposal on public exhibition.

In addition to the above, it is envisaged that the Planning Proposal will be referred to the local Aboriginal Land Councils, adjoining LGAs and the Australian Botanic Gardens for comment during the public exhibition period. The Planning Proposal will then be reported back to Council with details of any submissions received and a recommendation as to whether or not the plan is to be forwarded to the DPI for the plan to be made.

FINANCIAL IMPLICATIONS

The proposal does not present any financial implications for Council's current budget.

CONCLUSION

The 107.6 hectare Glenlee site, traversed by the Camden and Campbelltown Local Government Areas, is proposed to be rezoned from an existing rural zoning to approximately 60 hectares of an industrial zoning, with the remaining land being rezoned to Classified Road corridor and Environmental Conservation zones.

It is identified that the Planning Proposal is presented with a variety of significant key issues. Whilst a significant amount of work is still required, the key issues pertaining to the development have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal to proceed to a Gateway Determination. 'In principle' support is given to the intentions of the Planning Proposal, however, future Council support is subject to the resolution and response to the site constraints. Upon the completion of the technical studies and a response to the site constraints is satisfied, a further report will be furnished to Council prior to proceeding to public exhibition.

The draft Planning Proposal has been prepared to address the planning intent and range of issues raised in this report, including, the maximum amount of industrial floor space that could be developed prior to the link of Liz Kernohan Drive to the Hume Highway at Menangle Park.

RECOMMENDED

That Council:

- i. endorse in principle, the draft Planning Proposal which seeks to rezone Glenlee from RU1 – Primary Production and SP2 – Infrastructure to IN1 – General Industrial, SP2 – Infrastructure, and E3 – Environmental Management;**
- ii. include within the Planning Proposal an Additional Local Provision to prevent development over 12,500m² gross floor area of warehousing or 10,000m² gross floor area of general industrial use (or a proportionate combination of both) until such time that a connection through to the Hume Highway at Menangle Park is established;**
- iii. lodge the Planning Proposal with the Department of Planning and Infrastructure seeking a determination by the Gateway Panel;**
- iv. submit a further report to Council following the satisfactory completion of technical studies to seek endorsement of the Planning Proposal prior to the public exhibition period; and**
- v. advise the proponent of Council's decision.**

ATTACHMENTS

- 1. Planning Proposal**

Ordinary Council Resolution

Resolution: Moved Councillor Copeland, Seconded Councillor Dewbery that Council:

- i. endorse in principle, the draft Planning Proposal which seeks to rezone Glenlee from RU1 – Primary Production and SP2 – Infrastructure to IN1 – General Industrial, SP2 – Infrastructure, and E3 – Environmental Management;**
- ii. include within the Planning Proposal an Additional Local Provision to prevent development over 12,500m² gross floor area of warehousing or 10,000m² gross floor area of general industrial use (or a proportionate combination of both) until such time that a connection through to the Hume Highway at Menangle Park is established;**
- iii. lodge the Planning Proposal with the Department of Planning and Infrastructure seeking a determination by the Gateway Panel;**
- iv. submit a further report to Council following the satisfactory completion of technical studies to seek endorsement of the Planning Proposal prior to the public exhibition period; and**
- v. advise the proponent of Council's decision.**

ORD94/13 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Copeland, Warren, Symkowiak, Fischer, Dewbery, Campbell, Bligh and Fedeli voted in favour of the Motion. No Councillors against for the Motion.)