

PE7

Draft Planning Proposal – Station Street, Menangle
55MCOO

TRIM 6814

APPLICANT:

Elton Consulting

OWNER:

Souwest Developments P/L

CURRENT ZONING:

RU1 Primary Production

REPORT

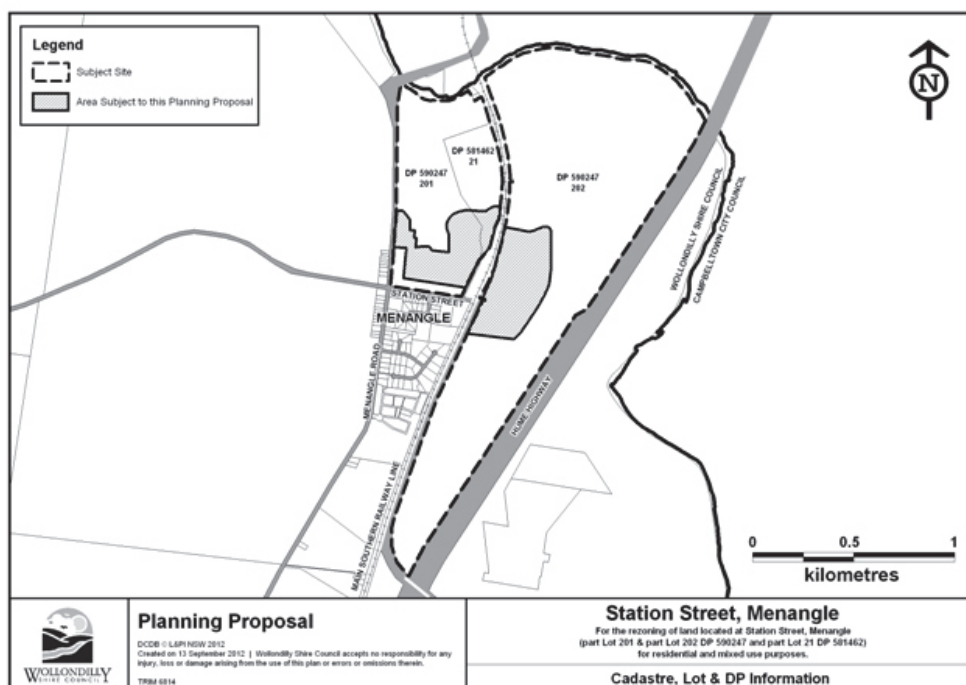


Figure 1: Map showing the location of the subject site and the area within that site for which a change in zoning is sought (shown hatched).

EXECUTIVE SUMMARY

- Council has received an application for a Planning Proposal to rezone land in Station Street Menangle to R2 Low Density Residential, R3 Medium Density Residential and B1 Neighbourhood Centre **OR** alternatively R1 General Residential and B1 Neighbourhood Centre.
- There have not been any disclosures of political donations made in regard to this application.
- Part of the subject land is identified as a 'potential residential growth area' on the Structure Plan for Menangle within the Wollondilly Growth Management Strategy (GMS) 2011.

- A preliminary assessment of the draft Planning Proposal against the GMS indicates that it is generally consistent with the aims and key policy directions of the strategy to the extent that can be determined at this time and subject to amendments as detailed in this report.
- Accordingly this report recommends Council prepare a Planning Proposal for land in Station Street, Menangle being Part of Lot 201 DP 590247; Part of Lot 21 in DP 581462; and Part of Lot 202 in DP 590247 to amend Wollondilly Local Environmental Plan, 2011 to:
 - change the zoning to part Zone R2 Low Density Residential and part Zone B1 Neighbourhood Centre
 - change the Height of Buildings map to limit future development to single storey
 - change the Lot Size Map to a minimum lot size to be prescribed by a more detailed Heritage Impact Assessment.

BACKGROUND

Site Description

The subject site is located to the north and east of Menangle village being the following parcels of land:

- Lot 201 DP 590247
- Lot 21 DP 581462
- Lot 202 DP 590247.

The site is bound by Station Street, Menangle Road to the west, the Nepean River to the north and the Hume Freeway to the east. The main southern railway line runs north - south through the site. The land is currently in Zone RU1 Primary Production under the Wollondilly Local Environmental Plan 2011 (WLEP 2011).

The site is mostly cleared land with improved pasture and has a long history of use for agricultural purposes. The current use is livestock grazing and fodder production. There are mature native trees east of the railway line with a mostly cleared understorey.

Built structures on the property include a number of farm sheds, farm dwellings, and the following heritage items of local significance:

- Item I82 Camden Park Estate Central Creamery and Managers Cottage
- Item I83 Camden Park Rotolactor
- Item I97 Dairy Cottage
- Item I100 Camden Park Estate Central Creamery

The property has access to Station Street, Stevens Road and Moreton Park Road. Features of the site and surrounds are shown in the Aerial Map included in Attachment 1.

The site is currently within Zone RU1 Primary Production and subject to a minimum lot size of 100 hectares with the exception of a section of Lot 201 DP 590247 with frontage to Menangle and Station Streets which is within Zone R2 Low Density Residential.

Development Consent ID202-05 for a 19 Lot Torrens Title Subdivision exists for the land in Zone R2 fronting Station and Menangle Streets. A copy of the approved plan for this subdivision is included in Attachment 2. Site works for this subdivision are underway.

The site is within the proposed Landscape Conservation Area supported by Council at its Ordinary Meeting of 16 July, 2012. A copy of the proposed Landscape Conservation Area is included in Attachment 3.

An application for a Planning Proposal for the creation of 240 hectares of Industrial and Business Zoned land was originally considered by Council at its Ordinary Meeting of 16 August 2010. The application was then referred by the then Minister for Planning to the Joint Regional Planning Panel for determination. Council staff are awaiting advice from the JRPP as to the current status of this project.

The land the subject of this employment lands proposal is shown in Attachment 4.

Description of the Application

The application seeks to rezone the land shown hatched in Figure 1 of this report and Attachment 1 to allow residential and mixed use development. The area within the subject site proposed for changes to zoning is approximately 27 hectares. The application proposes the following amendments to Wollondilly Local Environmental Plan, 2011 (WLEP 2011):

- (i) Amend the Land Zoning Map from RU1 Primary Production to:
 - Option 1 Zone R1 General Residential and Zone B1 Neighbourhood Centre or
 - Option 2 Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone B1 Neighbourhood Centre.
- (ii) Amend the Lot Size Map from 100ha to areas of 900m², 600m², 500m² and 200m².
- (iii) Amend the Height of Buildings Map from 0 metres to 6.8 metres for the proposed Residential Zone and 9 metres for the proposed B1 Neighbourhood Centre Zone.

A concept plan submitted with the application shows the proposed residential areas with dwelling density increasing with proximity to the proposed Neighbourhood centre and accommodating approximately 400 dwellings in total. The proposed neighbourhood centre incorporates the heritage listed Rotolactor and creamery buildings and adjoins the Menangle Railway Station. The application links the future development to the adaptive reuse of the heritage buildings. The neighbourhood centre is proposed to create commercial and community uses, public open space and improvements to pedestrian movement and use of the railway station.

The remainder of the site is proposed to retain the current Zone RU1 Primary Production and minimum lot size of 100 hectares.

The following preliminary studies were submitted with the application:

- Traffic and Transport Overview
- Indicative Water and Wastewater Servicing Strategy
- Heritage View Analysis Report
- Statement of Heritage Impact.

These studies indicate that, should the proposal proceed, further investigation and consideration can be given to the following:

- the provision of potable water from existing mains supplying Menangle
- a new recycled wastewater treatment plant and the potential for dual re-use within the site, on-site irrigation of approximately 6 hectares and potential for additional services to existing Menangle village
- conservation and adaptive re-use of existing heritage items
- height, siting and design controls and public open space and road alignments are required to recreate and enhance views and heritage items within and beyond the site
- local improvements to roads and shared pathways
- improvements to the area around Menangle railway station.

Should the planning proposal proceed and the subject land be rezoned for residential purposes, allotment size and configuration would be subject to detailed assessment at the development application stage when a plan for subdivision is lodged with Council. Similarly, dwellings and any proposed commercial buildings would be assessed at the development application stage.

CONSULTATION

Initial Notification

Initial notification to nearby and potentially affected land owners has been undertaken. The application details were made available on Council's website and at Council's Administration Building during May 2012.

A total of eighteen (18) written submissions were received all objecting to the application. In addition a form submission signed by twenty four (24) residents was received which objected to the application.

A summary of the key relevant issues raised from initial notification is outlined in the table below:

Table 1 – Summary of Issues Raised in Initial Notification

Key Issue	Summary of Comments
Roads & Traffic	• Intersection of Menangle Road and Station Street is currently under pressure during peak times. Increased traffic associated with the development will exacerbate the problem. • Increase in traffic proposes a danger to children walking to/ from bus stop, no footpaths, and accident potential. • Station Street is too narrow for 2 vehicles to pass when vehicles are parked on both sides. • Menangle Rd is used as a diversion to Narellan Road, causing problems at the Woodbridge Road/Station Street intersection, which will be exacerbated by the planning proposal. • Traffic lights would destroy rural nature of the village. • A holistic traffic solution should be planned prior to consideration of any major development around Menangle (e.g. links to Hume freeway).
Visual Impact & Scale of Development	• 450 dwellings inconsistent with Menangle as a 'Rural Living' village. • Medium density development is inconsistent with country lifestyle and existing layout of Menangle village. • View of Menangle when approaching north of the village will forever change. • This view is the Gateway to Wollondilly, a rural Shire, and attracts many residents to the village and broader Shire. • Green belt surrounding the existing village should be preserved. • Proposal does not address the effects that quadrupling the occupancy and extent of Menangle will create.
Planning	• St James common development (small scale to that proposed) was permitted with strict DCP controls. • Council should consider its response to the submission from the proponent on the GMS particularly: <i>'future growth to the east of the village is considered premature; the scale of growth implied for Menangle as a result of identifying this land may be excessive; and future growth in the medium to short term should be accommodated on the western side of the village away from the freeway corridor'</i>. • There are alternative sites where development could occur. • The Metropolitan Strategy recognises unique attributes of the south-west including landscape and biodiversity, waterways, rural and resource lands and heritage cultural landscape. • The above assets provide direct and indirect employment benefits in the manufacturing, primary production and tourism industries.

Key Issue	Summary of Comments
	- The proposal will detract from the heritage character and value of the village and set a precedent for future urban sprawl. - There is a planning proposal for the same land still under consideration by the JRPP. - If one agency disagrees with the proposal, how does it affect the other? - Will Council's response to planning proposal be similar to its submission on the JRPP application, in that it is not supportive of growth on the eastern side of the railway line and questions the scale of the proposal?
Heritage Impact	- Planning proposal pre-empts Council' Planning Proposal for a landscape conservation area around the village of Menangle. - Original village boundary is intact on three sides. The planning proposal would change that forever. - Increasing the size of the village will change its heritage values, history and structure of the village. - Do not need development to preserve the heritage items on the planning proposal site. - Menangle represents a unique purpose built self contained village for workers on the Camden Park estate. - Recent conservation management plan prepared for the Elizabeth Macarthur Agricultural Institute reaffirms that more needs to be done to protect Menangle's heritage assets, outside the area currently State listed.
Loss of Agricultural Land	- Holding represents valuable (Class II & III) Agricultural Land, with excellent market access, supported by an irrigation licence, and close proximity to agricultural extension services. - Whether the land is currently farmed is irrelevant and should not be used to justify rezoning. - Agricultural land should be reserved to ensure long-term food security for Sydney.
Infrastructure & Services	- Water supply is already inadequate when water trucks fill. Water pressure drops drastically and will not cope with 200 or 400 new houses. - Rail services to the village are not reliable as a means for commuting. - Lack of infrastructure to support development (school, community facility). - Closest school is at Douglas Park - Infrastructure is insufficient to support the scale of the development – particularly water, sewerage, and roads.

Comments in response to the abovementioned issues are included in the section of this report titled 'Relevant Considerations' and correspond to the headings in Column 1. There were no issues raised which would warrant refusal of the application at this time.

Further community consultation and engagement shall occur should the application proceed.

Consultation with Specialist Staff of Council

Heritage Advisor

The application was referred to Council's Heritage Advisor and initial comments in response are:

- The Old Creamery and Rotolactor are important items to be retained and re-used and this is an important element to the proposal. Significant detail of the methods of adaption and re-use should be tied to and staged with any future development of the site
- New commercial development surrounding re-used heritage items should be small-scale and low impact
- Small-lot and "visually compressed" new residential development is not compatible with the historic village character. New residential lot sizes should remain at approximately 1,000 square metres
- The creation and retention of view corridors is a key feature of future development
- Heritage provisions for Menangle in the current Development Control Plan need to also apply to any future development of new commercial and residential zones.

Consultation with Government Agencies

Should the proposal be supported by Council and forwarded to the Department of Planning and Infrastructure (DP&I), the Gateway Determination will outline further consultation requirements with government agencies.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

The following is a preliminary assessment of the project with consideration to the goals of Council's Community Strategic Plan (CSP).

Environment

- A community that is surrounded by a built and natural environment that is valued and preserved
- A community that has opportunities to engage with and actively care about their natural environment

The natural features of the site (being a flood plain and mature native vegetation in particular) would require further investigation with specialist studies to ensure that any future development is compatible. Controls for siting, scale and design of future buildings will also need to be investigated to ensure that any future changes to the built environment are compatible with the historic and landscape values of the locality.

Economy

- A community that has access to employment and is supported through strong and diverse economic activity
- A community that is supported through appropriate, sustainable land use

The proposal includes the potential provision of a small scale commercial cluster adjoining Menangle railway station. This has the potential to enhance local neighbourhood-scale economic activity. The overall potential sustainability of future land uses can only be determined by a variety of specialist studies.

Infrastructure

- A community that has access to a range of viable transport options
- Communities that are supported by safe, maintained and effective infrastructure

Buses, rail, shared pathways and roads are all potentially viable modes of transport available to existing and future residents as a result of the proposal. There is a potential for significant improvements to the safety and adequacy of shared pathways, local roads and intersections and the space surrounding the railway station as a result of the project.

Community

- A resilient community that has access to a range of activities, services and facilities
- An engaged, connected and supported community that values and celebrates diversity

A low-scale commercial cluster and reuse of existing heritage items with new public open space has the potential to improve access to activities, services and facilities for new and existing Menangle residents. Community engagement opportunities will be part of the future process of assessing the proposal should it be supported.

Governance

- A community that is supported through engagement, collaboration and partnerships across government agencies and private business
- A transparent, effective and sustainable Council

The process of further assessment and community engagement shall be transparent and sustainable between Council, other government agencies, the applicant and the community.

POLICIES & LEGISLATION

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation, 2000
- Wollondilly Local Environmental Plan, 2011
- Wollondilly Development Control Plan, 2011
- Wollondilly Growth Management Strategy

Planning Proposals

The application has been prepared in accordance with Department of Planning & Infrastructure guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

If Council wishes to proceed with a proposal to rezone the land, Council must resolve to prepare a Planning Proposal and to forward it to the Minister for Planning & Infrastructure for a Gateway Determination.

Council's Options/Role

In deciding whether to prepare and forward a Planning Proposal on to the Minister for Planning & Infrastructure for a Gateway Determination, Council is supporting a change to Wollondilly Local Environmental Plan 2011 in principle and from that point on the Planning Proposal is deemed to be Council's Planning Proposal (no longer the applicant's Planning Proposal). Despite the Planning Proposal becoming Council's at that point, the costs of any required studies and Council's review of those studies are to be borne by the applicant.

Council's options are:

1. Resolve to prepare a Planning Proposal consistent with the application and send it to the Minister for a Gateway Determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
2. Resolve to prepare a Planning Proposal which is different to the application and send it to the Minister for a Gateway Determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process.
3. Resolve not to support the application and not to prepare a Planning Proposal. The applicant could choose to revise/amend their application and submit a new application. (Note that there are no appeal rights through the Land and Environment Court against Council's refusal).

Option two (2) is the recommendation of this report

Gateway Determination

The Gateway Determination is a checkpoint for Planning Proposals before significant resources are committed to carrying out technical studies and investigations. It enables Planning Proposals that are not credible or well founded or not in the public interest to be stopped early in the process before resources are committed to detailed studies and investigations, and before government agencies are asked to commit their own resources to carrying out assessments.

At the Gateway Determination, the Minister or his delegate will decide:

- Whether the proposal is justified on planning grounds
- Whether the Planning Proposal should proceed (with or without variation)
- Whether the Planning Proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal)
- The community consultation required
- Any consultation required with State or Commonwealth agencies
- Whether a public hearing by the Panel Assessment Commission or other specified person or body is required
- The timeframes for the various stages of the procedure to make the draft amendment
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council.

The Planning Proposal and supporting studies are placed on public exhibition and subject to community engagement and consultation. The written draft local environmental plan amendment (the draft LEP) is prepared by Parliamentary Counsel when the Planning Proposal is finalised, immediately before it is made by the Minister or delegate. The LEP takes effect when it is published on the NSW legislation website.

RELEVANT CONSIDERATIONS

Wollondilly Local Environmental Plan 2011

The application seeks to rezone the site with two options being:

- Option 1 - Zone R2 Low Density Residential and Zone R3 Medium Density Residential and Zone B1 Neighbourhood Centre **OR**
- Option 2 - Zone R1 General Residential and Zone B1 Neighbourhood Centre.

The lot sizes proposed in the application range from 200m² in close proximity to the proposed Zone B1 increasing in size to 900m² at the edges of the site.

The application proposes a height limit of 6.8 metres for new residential-zoned land and 9 metres for the land to be zoned 9 metres.

The Menangle Conservation Area would be extended to include any land rezoned for urban uses.

Development Control Plan (DCP)

The controls contained within Wollondilly Development Control Plan (DCP) 2011, Volume 1 and Volume 3 would apply to any land zoned for residential use and Volumes 1 and 4 would apply to any land zoned for commercial / business use. Further specialist studies may determine that additional controls are required to ensure future development is compatible with the heritage features of the site and surrounds then amendments to the DCP may be considered.

Wollondilly Growth Management Strategy (GMS)

The GMS sets directions for accommodating growth in the Shire for the next 25 years. The GMS contains Key Policy Directions which form the overarching growth strategy for Wollondilly. The following table lists the relevant Key Policy Directions within the GMS along with comments relating to the application in the broad terms of:

- the siting of the proposed growth as a Greenfield site at the edge of the existing Menangle village; and
- the nature of the proposed growth (being new residential land and a cluster of new commercial land adjoining the railway station).

Table 3 – Assessment of Station Street, Menangle application for Planning Proposal against GMS Key Policy Directions

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.	The proposal has the potential to be consistent with the GMS Key Policy Directions to the extent that can be determined at this time.
P2 All land use proposals need to be compatible with the concept and vision of “Rural Living” (defined in Chapter 2 of the GMS)	The draft proposal is generally consistent with the concept and vision of ‘Rural Living’ to the extent that can be determined at this time.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	See the section of this report titled ‘Initial Notification’ as well as the information under sub-headings ‘Roads and traffic’, ‘Visual Impact and Scale of Development’, ‘Heritage Impact’, ‘Loss of Agricultural Land’ and ‘Infrastructure and Services’

Key Policy Direction	Comment
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	There have been no representations regarding this application and therefore this Key Policy Direction has been satisfied.
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	The application seeks rezoning of the part of the subject site for residential and business purposes. Although significant in size when compared to the existing village footprint, the site is consistent with consideration of limited growth of the existing village and the 'less visually sensitive areas' within the proposed Menangle Landscape Conservation Area. There is potential to further investigate development controls for the design, bulk and density of the development, consistent with the heritage values of the site and its setting within the village. Further comment is provided after this Table.
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The GMS identifies a 2000 total dwelling target for the Macarthur South area, which includes Menangle. The proposal will not exceed this target.
<i>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.</i>	There is potential for a variety of housing types subject to specialist studies which determine potential compatibility with the heritage items and setting.
<i>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").</i>	The appropriate densities of future development must be investigated with specialist studies.
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The site is immediately adjacent to the existing village. The rail line does not create a significant separation as there is a crossing in Station Street which has the potential to be upgraded for improved pedestrian, cyclist and traffic movement.

Key Policy Direction	Comment
Macarthur South Policies	
P11 Council does not support major urban release within the Macarthur South area at this stage.	Although significant in size when compared to the existing Menangle Village, it is considered that the proposal does not constitute a major urban release within the Macarthur South area.
P12 Council considers that in order to achieve sound long-term planning for the eventual development of Macarthur South an overall master plan is required.	It is considered that the rezoning of the western precinct within the draft proposal could proceed in absence of a master plan for the orderly development of Macarthur South.
P13 Council will not support further significant new housing releases in Macarthur South beyond those which have already been approved. Small scale residential in an adjacent to the existing towns and villages within Macarthur South will be considered on its merits	The site is not small scale but is worthy of consideration in light of the scale of Priority Housing Sites within the Macarthur South region currently being considered by the State Government and potentially being considered in the review of the GMS. The site has additional merit in its potential to: - adapt and reuse significant heritage items - improve the area immediately surrounding the existing railway station - provide essential infrastructure without significant demands on State Infrastructure agencies or through development levies, charges and works.
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	The creation of an area of Zone B1 – Neighbourhood Centre will provide low-scale employment opportunities and commercial and community space to supporting the local economy. Retaining the agricultural potential and use of the remainder of the site can also contribute to local economic activity. The proposal has the potential to create short-term employment associated with construction, civil and building works, and will provide stimulus to the local economy by boosting the local population.

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 15 October 2012

Key Policy Direction	Comment
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	Zone B1 Neighbourhood Centre can provide additional commercial space and assist the adaptive reuse of the heritage listed Rotolactor and creamery buildings. It has the potential to create additional employment opportunities to those currently limited to the existing general store and nearby agricultural uses.
Integrating Growth and Infrastructure	
<i>P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.</i>	The application proposes: - extension of existing mains supply for potable water - on-site package treatment plant for reticulated sewer - improvements to roads, shared pathways and bus services - improvements to the public domain in the vicinity of the railway station Developer contributions payable at the development application stage can contribute to local infrastructure Any likely state and regional infrastructure demands will be assessed by relevant agencies post Gateway Determination.
<i>P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</i>	Public infrastructure will be provided through s94 contribution. Should upgrades to the local road network be required, these upgrades would be undertaken by the developer. The site would also require connection to the reticulated sewerage scheme or packaged treatment plant. The draft proposal incorporates provision of a package treatment plant to service the proposal site. There is potential for the system to be designed to service the existing Menangle village, which has no reticulated sewerage system.
<i>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The draft proposal does not contribute toward dispersed population growth; it proposes urban growth adjacent to the Menangle village.

Key Policy Direction	Comment
<i>P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</i>	The western precinct of the draft planning proposal is an area identified as a being a 'potential residential growth area' on the Menangle Structure Plan in the GMS. However, the eastern precinct of the draft planning proposal is not identified as a being a 'potential residential growth area' on the Menangle Structure Plan in the GMS. The draft proposal contributes toward Council's dwelling target for the Macarthur South area as identified in the GMS.
Rural and Resource Lands	
<i>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i>	The site is significant in that it is a unique part of the Shire's agricultural history, containing the built structures of the Rotolactor and creamery, locally identified heritage items. The site was formerly part of the broader Camden Park Estate. The site plays an
<i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to the draft proposal.

As demonstrated in the above table, the site and the type of growth has the potential to be consistent with the key policy objectives of the Growth Management Strategy to the extent that can be determined at this time. Land immediately north of Station Street is identified as a 'potential residential growth area' on the Structure Plan for Menangle (see Attachment 5).

The potential extent of future growth of Menangle was considered by Council in the finalisation of the GMS, as reported to Council's Ordinary Meeting in February 2011. A submission from the proponent requested inclusion of site including land east of the rail line as a 'potential residential growth area' and employment lands in the GMS. Council's comments on growth east of Menangle village were:

'Identifying opportunities for future residential growth to the east of the village is considered premature. (The area proposed for inclusion lies between the rail line and the freeway). Whether this land is needed and/or desirable for Menangle's future growth is questionable at this stage give:

- Potential amenity issues associated with the freeway proximity;
- The scale of growth implied for Menangle as a result of identifying this land may be excessive;
- If Menangle does require future growth in the medium to short term, such growth should be accommodated on the western side of the village away from the freeway corridor'.

The proposal for employment lands was not supported by Council.

The abovementioned comments regarding residential growth are still relevant in the assessment of the current proposal as follows:

- Amenity – has been addressed with this proposal providing a minimum 250 metres spatial buffer from the freeway
- Scale of growth – the scale represents the likely maximum future extension of the village if it is to retain its heritage character. The areas nominated for residential zoning match with the areas identified in the proposed Landscape Conservation Area as 'less visually sensitive' (see Attachment 6)

The proposal also has potential for improvements to local services, community facilities, public open space, roads and share pathways and the protection and retention of heritage items and viewing corridors. The merits of accommodating the growth proposed with this application are recommended for further investigation.

Principle Development Standards

1. Zoning

The application seeks to rezone the site with two options:

Option 1 to part Zone R1 - General Residential and part Zone B1 – Neighbourhood Centre or

Option 2 to part Zone R2 – Low Density Residential, part Zone R3 – Medium Density Residential) and part Zone B1 – Neighbourhood Centre.

1.1 Zone R1 – General residential:

WLEP 2011 currently does not include Zone R1 – General Residential. The mandatory objective of Zone R1 are:

- To provide for the housing needs of the community
- To provide for a variety of housing types and densities
- To enable other land use that provide facilities or services to meet the day to day needs of residents.

Mandatory permissible residential land uses in Zone R1 are:

Attached dwellings, boarding houses, dwelling houses, group homes, hostels, multi dwelling houses, residential flat buildings, semi-detached dwellings, seniors housing, shop top housing.

1.2 Zone R2 – Low Density residential

Zone R2 Low Density Residential currently features in WLEP 2011 with the following objectives:

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of residents

Permissible residential land uses in Zone R2 include:

Boarding houses, dual occupancies, dwelling houses, group homes, hostels, secondary dwellings, semi detached dwellings, seniors housing.

Residential land uses prohibited in Zone R2 are:

Attached dwellings, multi dwelling housing, residential flat buildings, rural workers dwellings, shop top housing.

Minimum allotments sizes in Zone R2 range from 250 square metres (in Bingara Gorge Estate at Wilton) to 975 square metres in residential areas not serviced by reticulated sewer.

1.3 Zone R3 – Medium Density Residential

Zone R3 Medium Density Residential currently features in WLEP 2011 with the following objectives:

- To provide for the housing needs of the community within a medium density residential environment
- To provide a variety of housing types within a medium density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of residents
- To encourage the provision of affordable housing

All forms of residential land uses are permitted with consent in Zone R3 with the exception of *Shop top housing and, rural workers dwellings.*

The minimum allotment size for Zone R3 in WLEP 2011 is 975 square metres as it is intended to achieve amalgamation and development of larger lots at higher densities.

1.4 The appropriate residential zone

The heritage assessments completed to date for the application recommend controls on:

- building height to single storey
- building forms which are compatible with the existing urban structure (which is predominantly single detached dwellings).

Therefore Zone R2 Low Density Residential is considered the most suitable zone for the site. Dwelling density and form can be controlled with lot sizes and building heights which can be determined by more detailed specialist heritage studies should the proposal be supported.

1.5 Zone B1 – Neighbourhood Centre

Zone B1 Neighbourhood Centre currently features in WLEP 2011 with the following objectives:

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To encourage development that does not impact on the viability of land within Zone B2 Local Centre.
- To support small-scale residential development in conjunction with retail, business and commercial uses in a manner that increases the vitality of the surrounding neighbourhood.

This zone is considered appropriate for the adaptive reuse of existing heritage items and the land adjacent to Menangle railway station.

A draft Zoning Map as shown in Attachment 7 is recommended to be included in a Planning Proposal should Council resolve to support the project proceeding.

2. Lot Size

The application seeks to introduce a range of minimum allotment sizes to achieve a range of dwelling types and densities across the site. A minimum lot size of 200m² is proposed for land immediately adjoining the railway station increasing to 900m² lots on the edges of the site.

WLEP 2011 applies a minimum allotment size of 975m² or 1250m² to residential-zoned land in Menangle. The larger lot size applies to more recently created lots surrounding St. James Church. Older allotments vary from a minimum of 600 square metres. Durham Green seniors living development immediately south of Menangle has resulted in dwelling densities much higher than the traditional lot sizes that feature in the village.

Durham Green contains a mix of attached and detached dwellings, with a density ranging from approximately 1 per 301m² (attached dwellings) up to approximately 1 per 605m² (detached dwellings).

Some submissions raised concerns regarding the density of future development, in that the proposed lot sizes are thought to be inconsistent with existing density of the village, potential fears of creating a 'ghetto' community and that small lots would destroy the rural living ambience of the village.

The heritage assessments conducted for the application agree that new development should be compatible with the current village character and urban structure and that there is a need to retain and enhance viewing corridors. Exactly what type and scale of new dwellings and where dwellings and lots should be sited should be examined in detail with further specialist heritage and urban design studies. Lot size, dwelling type and siting can be controlled with amendments to the Lot Size Map, Height of Buildings Map, Zoning Map and new DCP provisions should the proposal be supported. A draft Lot Size Map as shown in Attachment 8 is recommended to be included in a Planning Proposal should Council resolve to support the project proceeding.

3. Height of Buildings

The draft proposal seeks to amend the Height of Buildings map to WLEP 2011 to 6.8 metres for the new residential area and 9 metres for the proposed Zone B1. The Height of Buildings Map currently applies a height limit of 6.8 metres to the existing residential zoned land and 9 metres for the commercial zoned land in Menangle. A height of 6.8 metres permits two storey buildings and three storeys is potentially possible within a 9 metre height limit.

The heritage assessments of the application consistently recommend all new residential development be limited to single storey and that the heritage buildings within the site be given visual prominence. Therefore specific height limits (in terms of metres) are to be investigated with more detailed specialist heritage studies should the proposal be supported. A draft Height of Buildings map as shown in Attachment 9 is recommended to be included in a Planning Proposal should Council resolve to support the project proceeding.

Other Matters for Further Consideration and Comment

1. Heritage Impacts

A number of submissions received during the preliminary community consultation questioned the visual impact and scale of the proposed rezoning.

As has already been discussed, the land being considered for a change in zoning generally corresponds with the land identified in the proposed Menangle Landscape Conservation Area as being "less visually significant" (see Attachment 6).

The rural vista 'gateway' entrance to Menangle from the north will change should the proposal be supported. However the land to be investigated for future urban use is restricted to land above the 1:100 year flood level. Land subject to flooding will retain its current Zone RU1 Primary Production and minimum lot size of 100 hectares so that rural land will be retained between the edge of new urban land and the Nepean River.

Heritage studies of the application have identified the major external and internal view lines (see Attachments 10 and 11). The heritage studies note that views will change should the proposal be supported. However, these studies also note that the existing Development Consent ID202-05 for a 19 lot residential subdivision will already significantly change the most important views when dwelling houses are constructed.

Strategic Planning staff subsequently held discussions with the applicant and landowner to seek to minimise the visual impacts of this subdivision and subsequently the visual impacts of the proposal. These discussions have resulted in the applicant and landowner giving an undertaking to include the land subject to Development Consent ID202-05 in the Planning Proposal. This will result in dwelling design, siting and height being considered in the detailed heritage and urban design analysis to be undertaken for the entire site so that view lines and vistas can be achieved.

As discussed above, the Land Zoning Map, Lot Size Map, Height of Building Map, expansion of the Menangle Conservation Area to include new urban land and specific DCP provisions for site coverage and setbacks can be developed following recommendations from specialist heritage and urban design studies to control the bulk, siting and scale of future development on the subject site with the intention of preserving view corridors and the visual setting of heritage items.

2. Roads and Traffic

Significant concerns relating to the impacts of traffic on the local road network were raised during preliminary community consultation. Primary access to the planning proposal site will be from Station Street, and Stevens Road.

The Traffic and Transport Overview Report submitted with the application identifies key issues that will need to be addressed in a comprehensive traffic impact assessment should the proposal be supported. These issues include:

- treatment of the intersection of Menangle Road, Station Street and Woodbridge Road.
- improvements to the rail overbridge.
- opportunities for improved local bus services.
- opportunities for shared pathways.

Parking for cars, a bus stop and shared pathways linked to Menangle railway station are also considered worthy of further investigation.

Additional traffic issues may need to be considered pending advice from the JRPP on the application for employment lands to the south of the site. Through traffic particularly heavy vehicle traffic would significantly change the matters to be considered in any future specialist traffic and transport study.

3. Loss of Agricultural Land

A number of submissions were concerned by the loss of agricultural production and the need to retain agricultural land in the Sydney Basin for long term food security.

The subject site is mapped as Class 3 agricultural lands by the NSW Department of Agriculture. Class 3 land is identified as *'grazing land or land well suited to pasture improvement. It may be cultivated or cropped in rotation with pasture. The overall level of production is moderate as a result of edaphic or environmental constraints'*. The classification is consistent with the current usage of the subject site for cattle grazing and some pasture and fodder production. The site has an added advantage of extensive frontage to the Nepean River, a license for use of water from the river and long-established farm infrastructure and investment such as pasture improvement, irrigation networks and fencing.

Whilst the draft proposal has the potential to remove approximately 27 hectares of land from agricultural production, the remainder of the site can still be used for agricultural purposes and Council is supportive of rural uses continuing. Suitable buffers and urban design features to achieve a practical urban-rural interface should be investigated with future specialist studies.

4. Water and Wastewater Management

A number of submissions were concerned by the lack of infrastructure to support further development in Menangle, particularly in regard to the provision of potable water supply and sewage treatment.

An Indicative Water and Wastewater Servicing Strategy was submitted with the application. Whilst more detailed studies will be required should Council support the proposal, the preferred servicing strategy includes:

- augmentation of the existing network and provision of additional reservoir for potable water; and
- a package wastewater treatment plant within the site.

There is potential for the package treatment plant to service the existing Menangle Village which is not serviced by a reticulated sewerage scheme. Dual re-use water supply using recycled grey water could also be provided to reduce the demand on potable water supply.

Detailed strategies will need to be undertaken in consultation with Sydney Water should the proposal proceed.

5. Public School

A number of submissions questioned the lack of a public school to accommodate future population growth in Menangle. Should the planning proposal proceed, consultation with the NSW Department of Education and Communities would be undertaken to determine any changes required to public school services and facilities.

FINANCIAL IMPLICATIONS

As noted previously in this report, the project is deemed to be Council's Planning Proposal once supported by Council and forwarded to the Minister. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies and Council's costs in reviewing those studies are to be borne by the applicant.

Should the Planning Proposal be supported, further investigations into contributions towards infrastructure and service provision through planning agreements and section 94 contributions will be undertaken.

CONCLUSION

An application has been submitted to Council to rezone land shown hatched in Figure 1 and Attachment 1. It is recommended that the site has potential for further investigation to accommodate new residential and commercial land subject to further investigation with specialist studies including the following:

- Flooding, Hydrology, Riparian lands and Water Sensitive Urban Design
- Soils and geology
- Flora, fauna and habitat assessment
- Agricultural Land Capability and ongoing agricultural feasibility assessment
- Aboriginal Heritage Significance Assessment
- European Heritage Assessment
- Bush fire hazard assessment and risk management
- Salinity
- Contamination
- State and local infrastructure and essential services assessment
- On-site wastewater management feasibility assessment
- Transport and Movement Study
- Mine Subsidence Assessment.

Requirements for specialist studies may be refined through the Gateway and public agency consultation processes.

A Planning Proposal can be prepared with the draft Land Zoning, Lot Size and Height of Building Maps as shown in Attachments 7, 8 and 9 respectively and subject to refinement of those draft maps as recommended by the abovementioned specialist studies and comments received from agency consultation and community engagement and consultation.

Consultation with public authorities is recommended to include:

- Roads and Maritime Services
- State Rail
- Sydney Water
- Office of Environment and Heritage
- Rural Fire Service
- Department of Education and Communities
- Campbelltown City Council.

Comments should also be sought from the Department of Planning and Infrastructure Joint Regional Planning Panel Sydney West Region in relation to the planning proposal for employment lands to the south of the subject site.

ATTACHMENTS

1. Aerial Photograph / Map
2. Approved plan of 19 lot subdivision Development Consent ID202-05
3. Proposed Menangle Landscape Conservation Area
4. Preliminary Structure Plan of Planning Proposal for Employment Lands south of the subject site (with Joint Regional Planning Panel)
5. Menangle Structure Plan from Growth Management Strategy
6. "Less visually sensitive areas" within the proposed Menangle Landscape Conservation Area
7. Recommended Land Zoning Map for Planning Proposal
8. Proposed Lot Size Map for Planning Proposal
9. Proposed Height of Buildings Map for Planning Proposal
10. Visible Local Land marks from *Heritage View Analysis report*
11. *Views of and between heritage items from Heritage View Analysis report*

RECOMMENDATION

1. That Council prepare a Planning Proposal for the land shown hatched in Attachment 1 being parts of:

- Lot 201 DP 590247
- Lot 202 DP 590247
- Lot 21 DP 581462

To amend the proposed Menangle Landscape Conservation Area and the existing Menangle Conservation Area as shown on the Heritage Maps to the LEP.

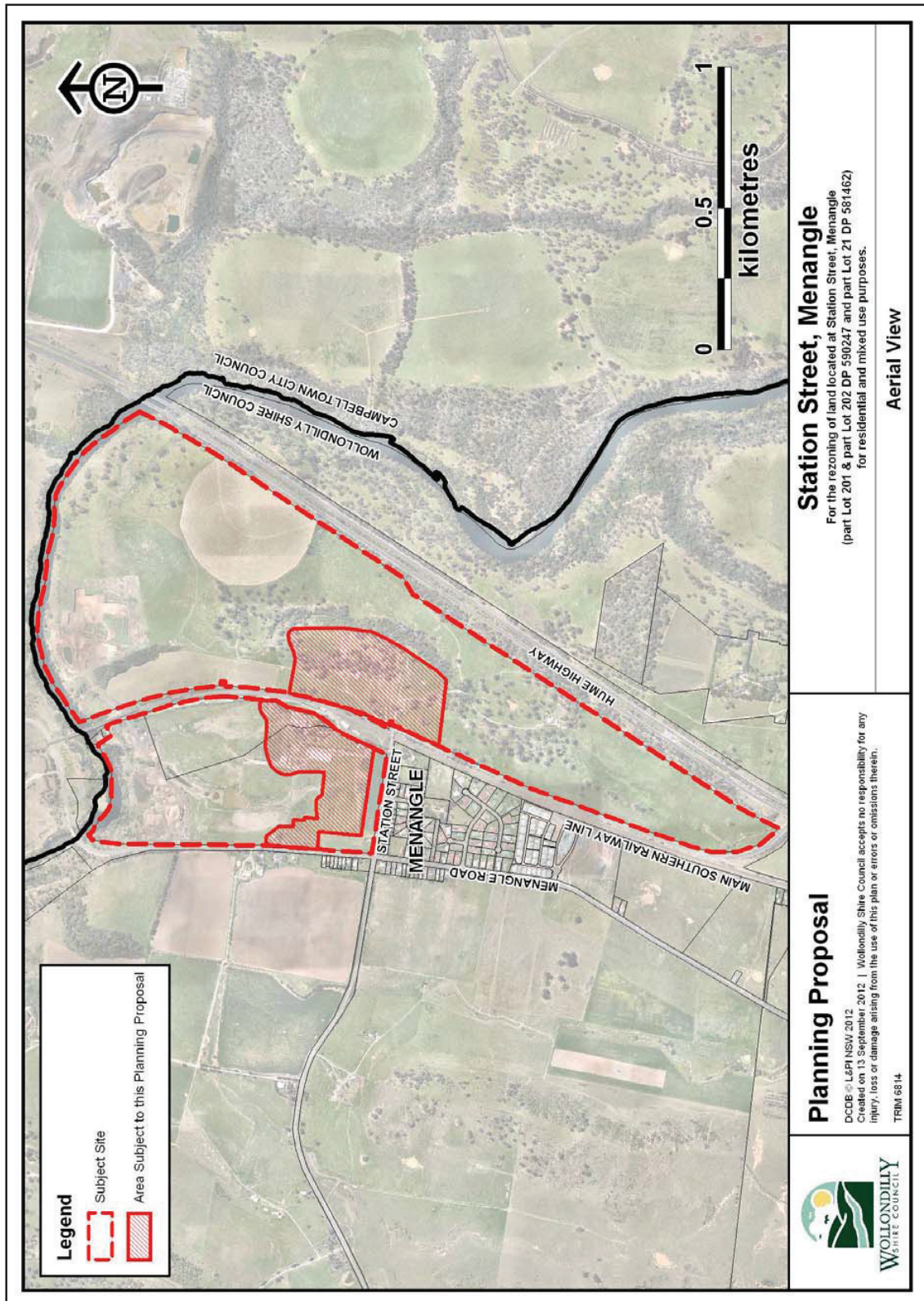
As well as the land subject to Development consent ID 202-05.

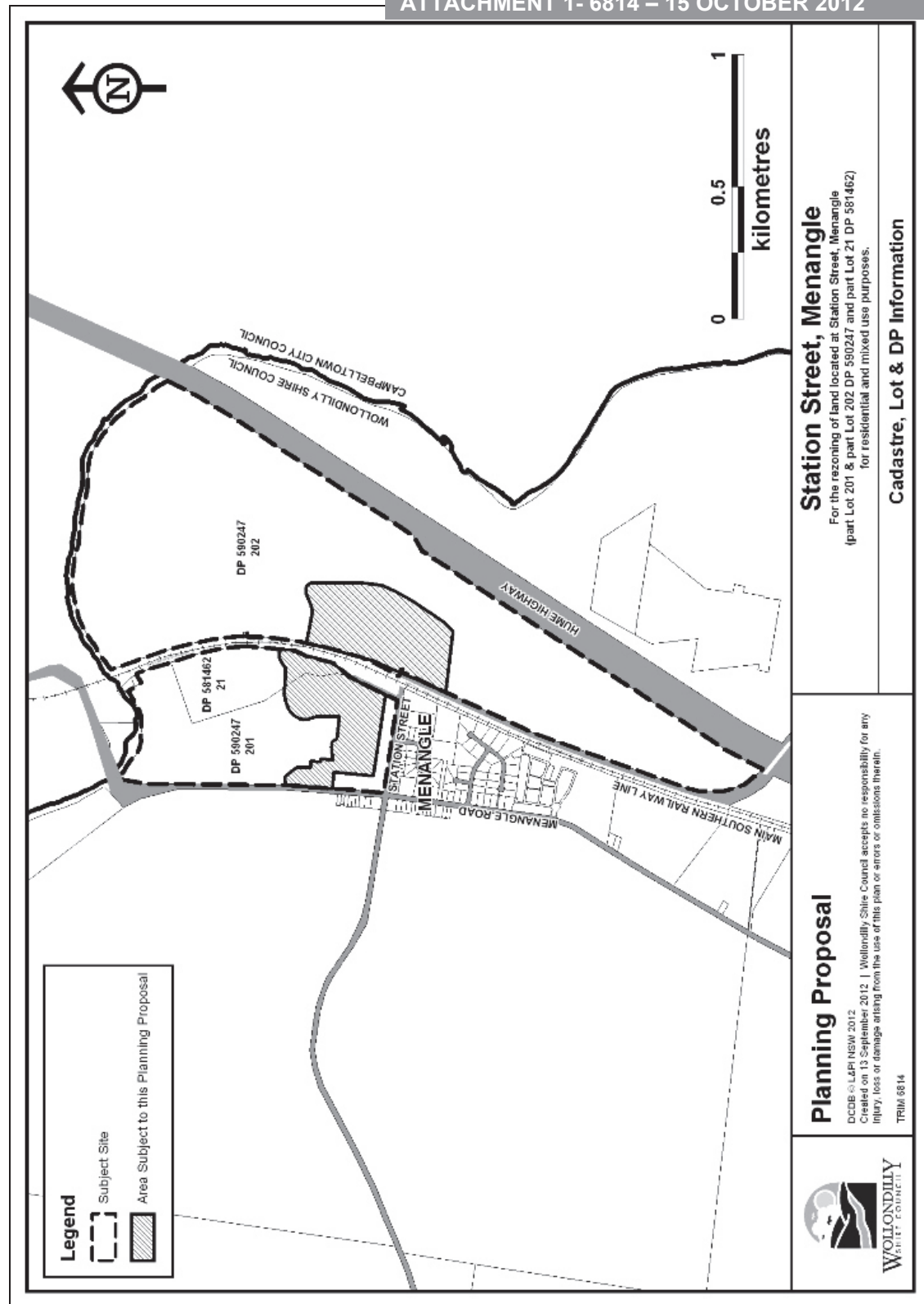
2. That the Planning Proposal be prepared to investigate the amendment of Wollondilly Local Environmental Plan, 2011 as follows:
 - to amend the land Zoning Map to change the zoning from Zone RU1 Primary Production to part Zone R2 Low Density Residential and part Zone B1 Neighbourhood Centre in accordance with Attachment 7
 - to amend the Lot Size Map to apply no minimum lot size to land in Zone B1, a minimum lot size of 250 square metres immediately adjoining land in Zone B1, a minimum lot size of 900 square metres for land fronting Menangle Road and at the rural-urban interface and a minimum lot size of 600 square metres for the remainder (see Attachment 8)

- to amend the Height of Buildings Map such that all development in Zone R2 shall not exceed single storey and all development in Zone B1 shall not exceed two storeys

Noting that the abovementioned changes are subject to detailed recommendations of a specialist heritage and urban design assessment.

3. That the planning proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.
4. That the applicant and landowner be notified of Council's decision.
5. That the persons who made submissions be notified of Council's decision.

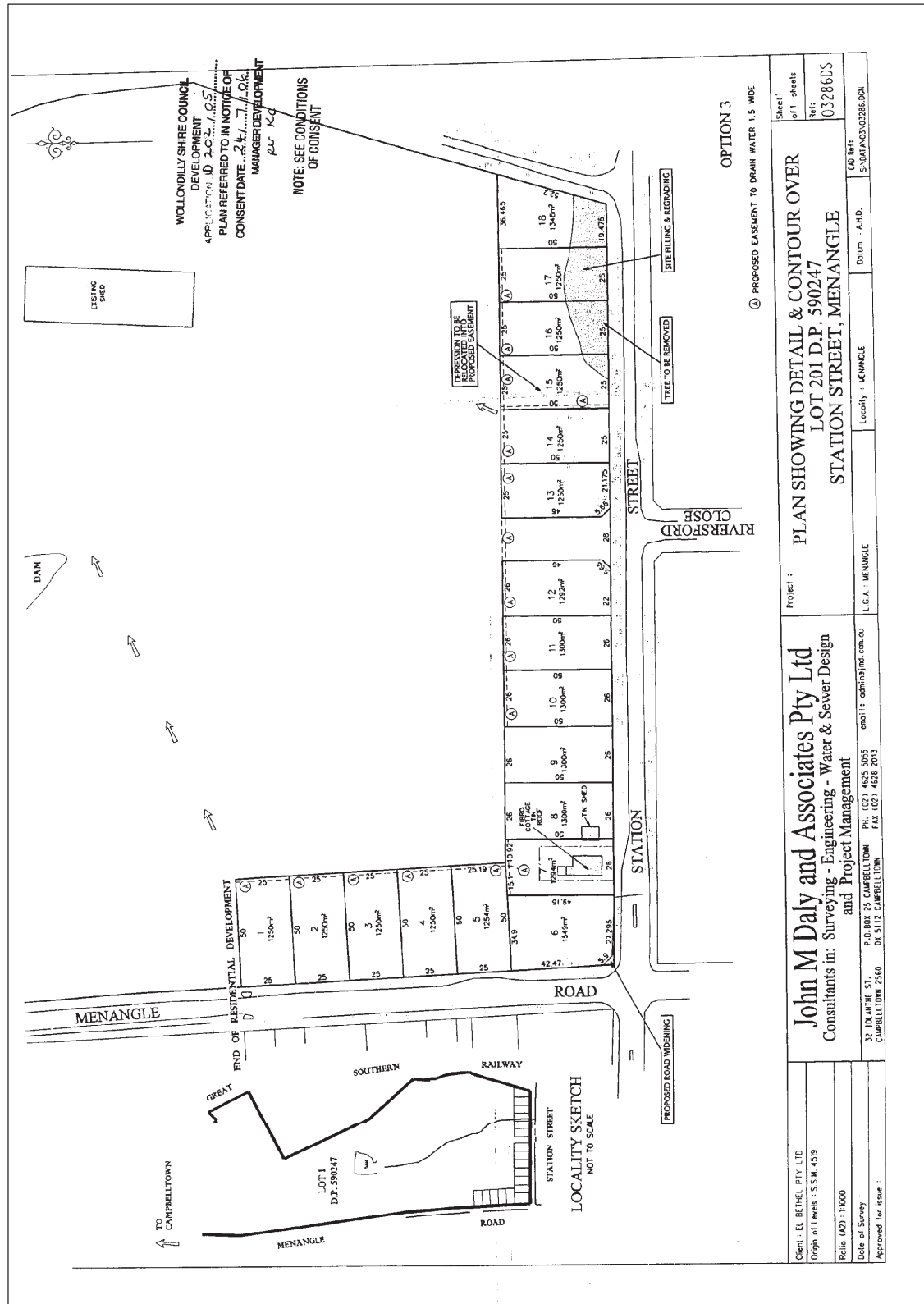




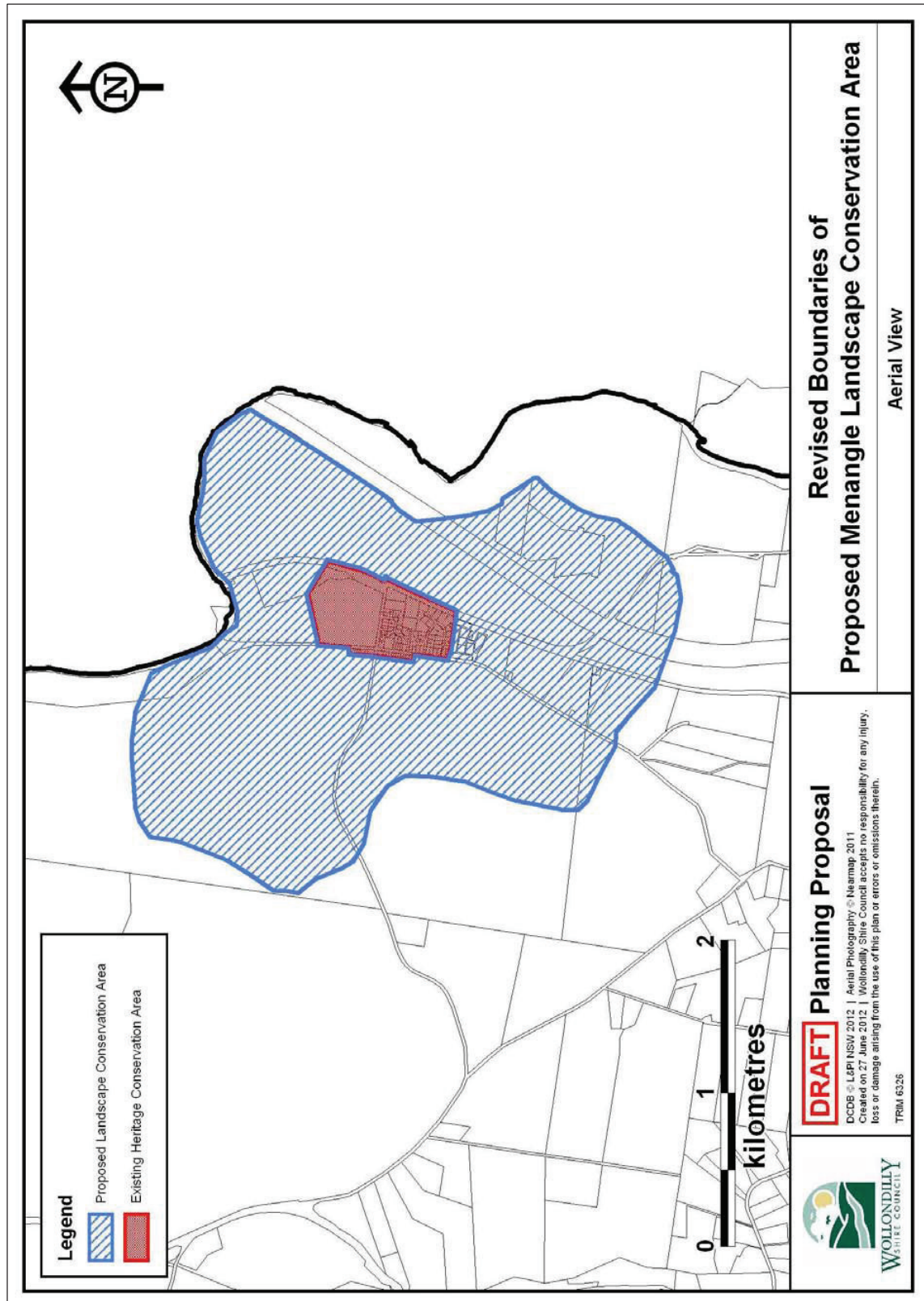
Planning & Economy

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 15 October 2012

ATTACHMENT 2 - 6814 – 15 OCTOBER 2012



Planning & Economy



PLANNING PROPOSAL SUBMISSION TO WOLLONDILLY SHIRE COUNCIL ON MORETON PARK ROAD, MENANGLE ELTON CONSULTING

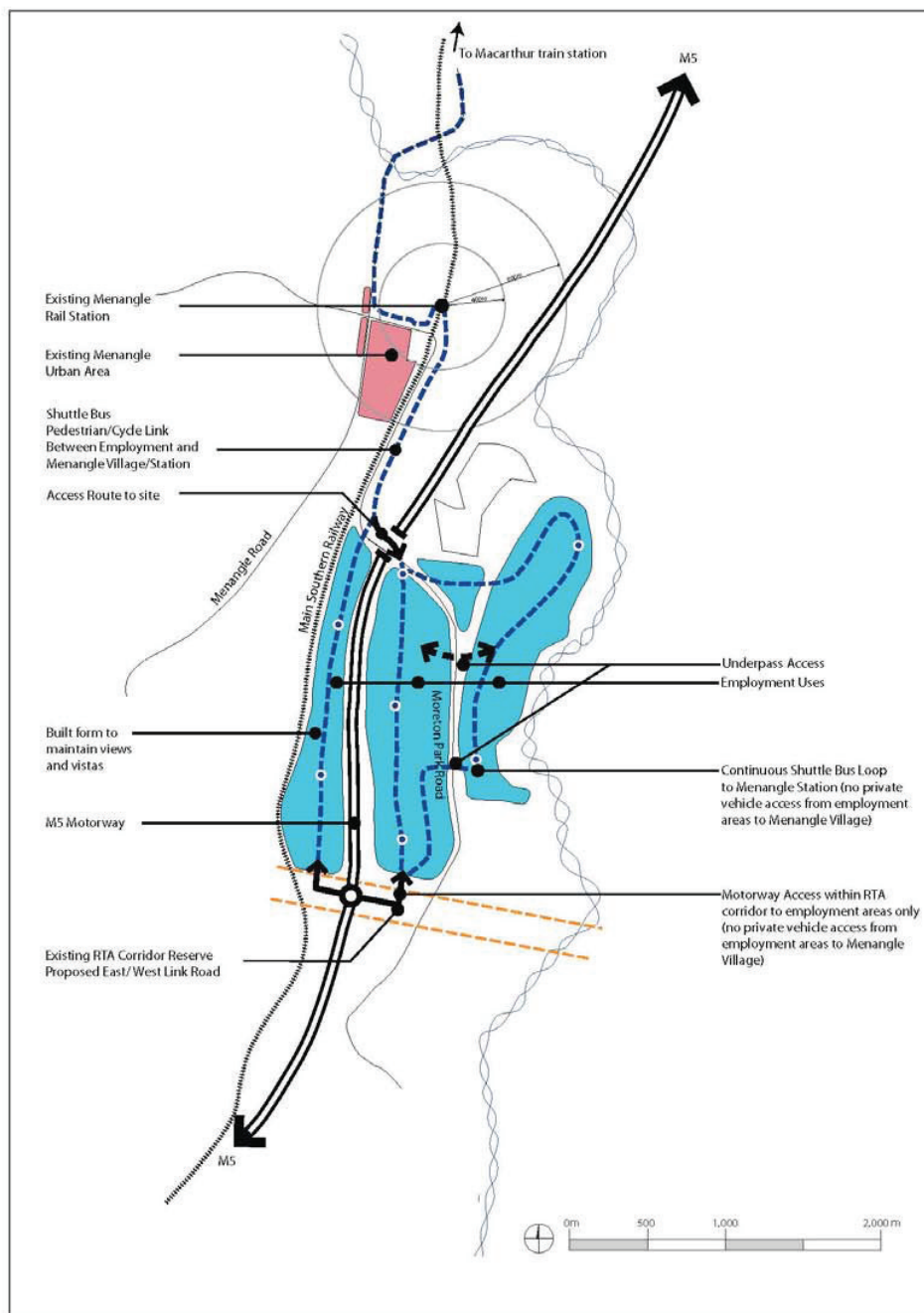
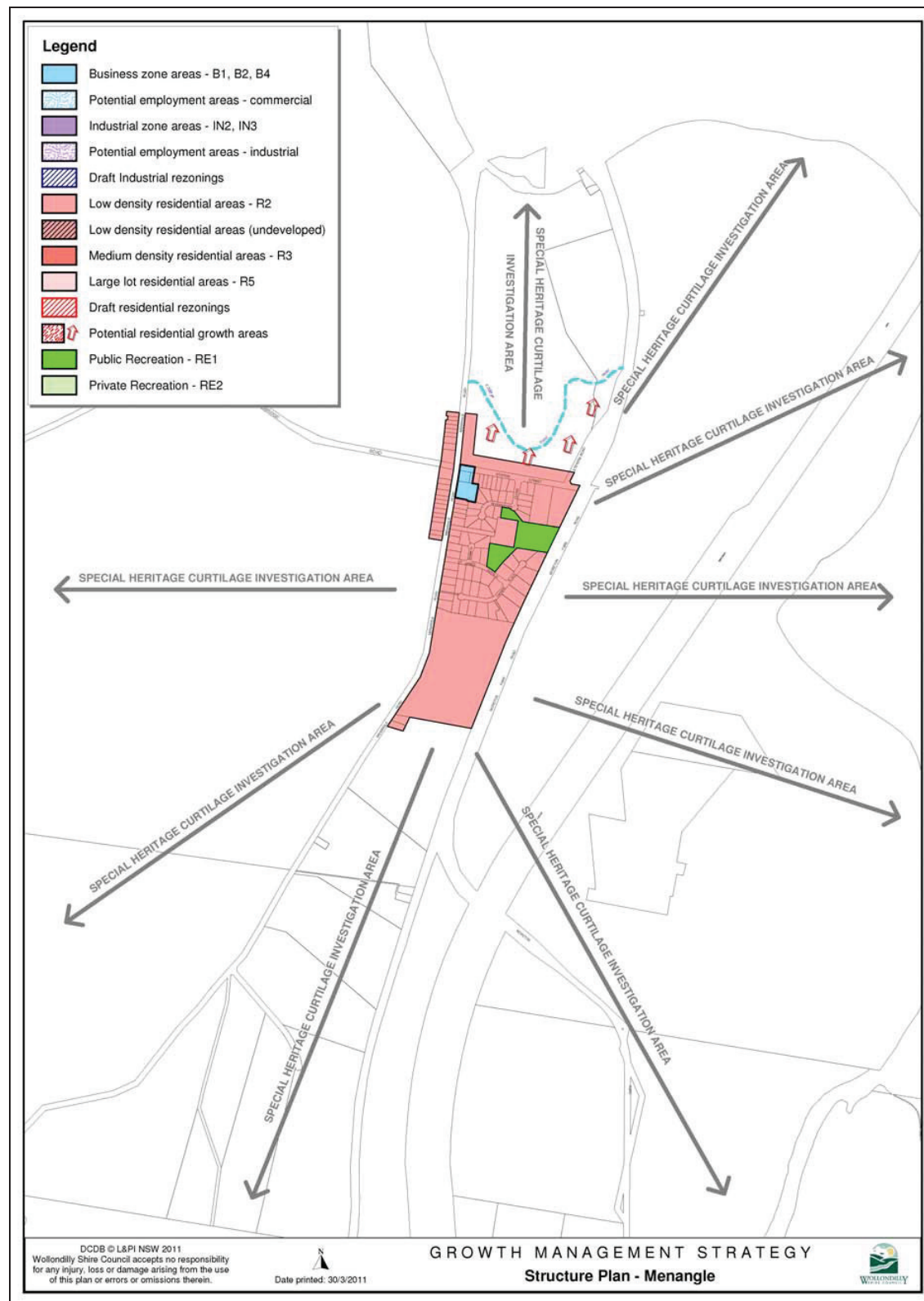
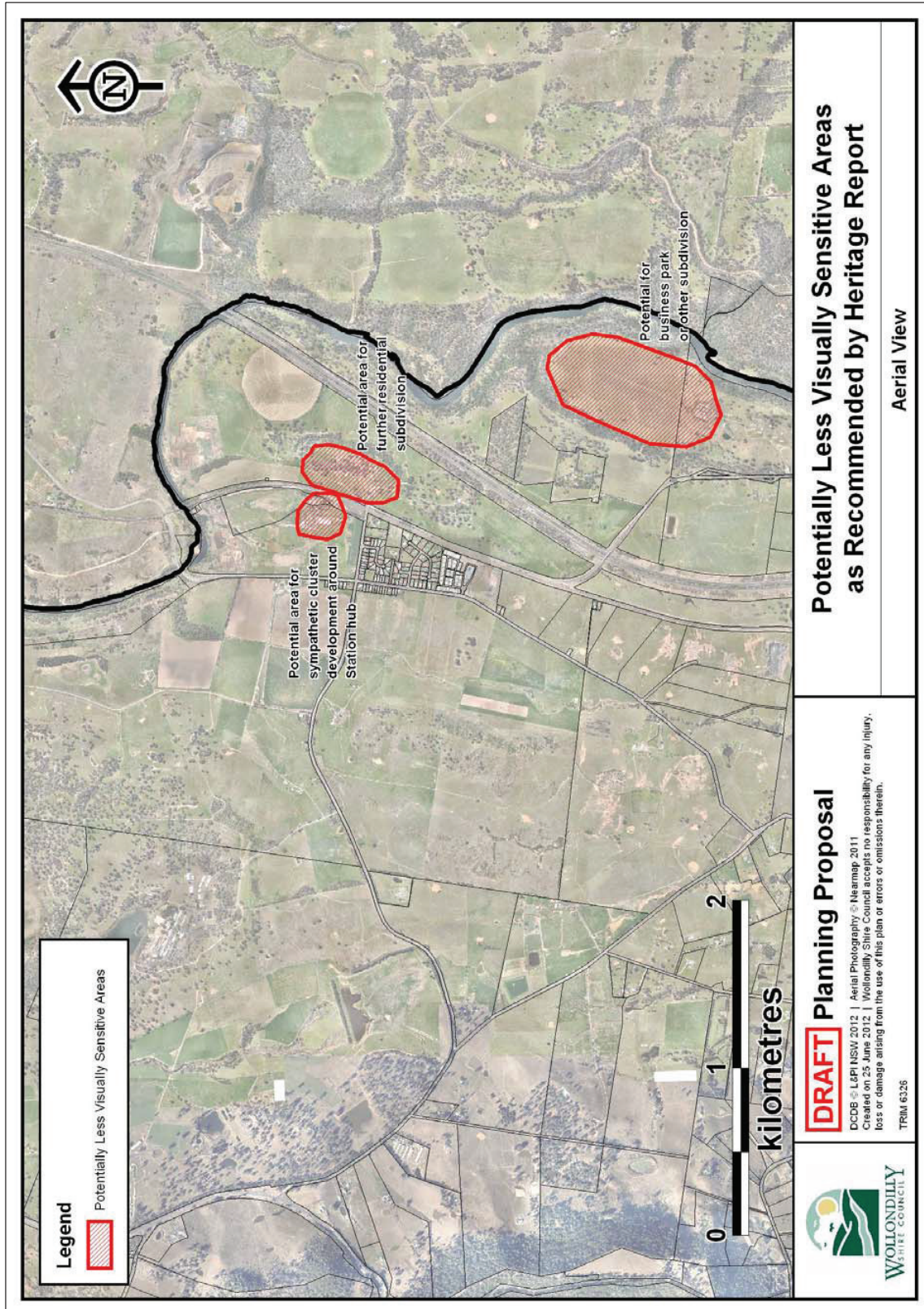
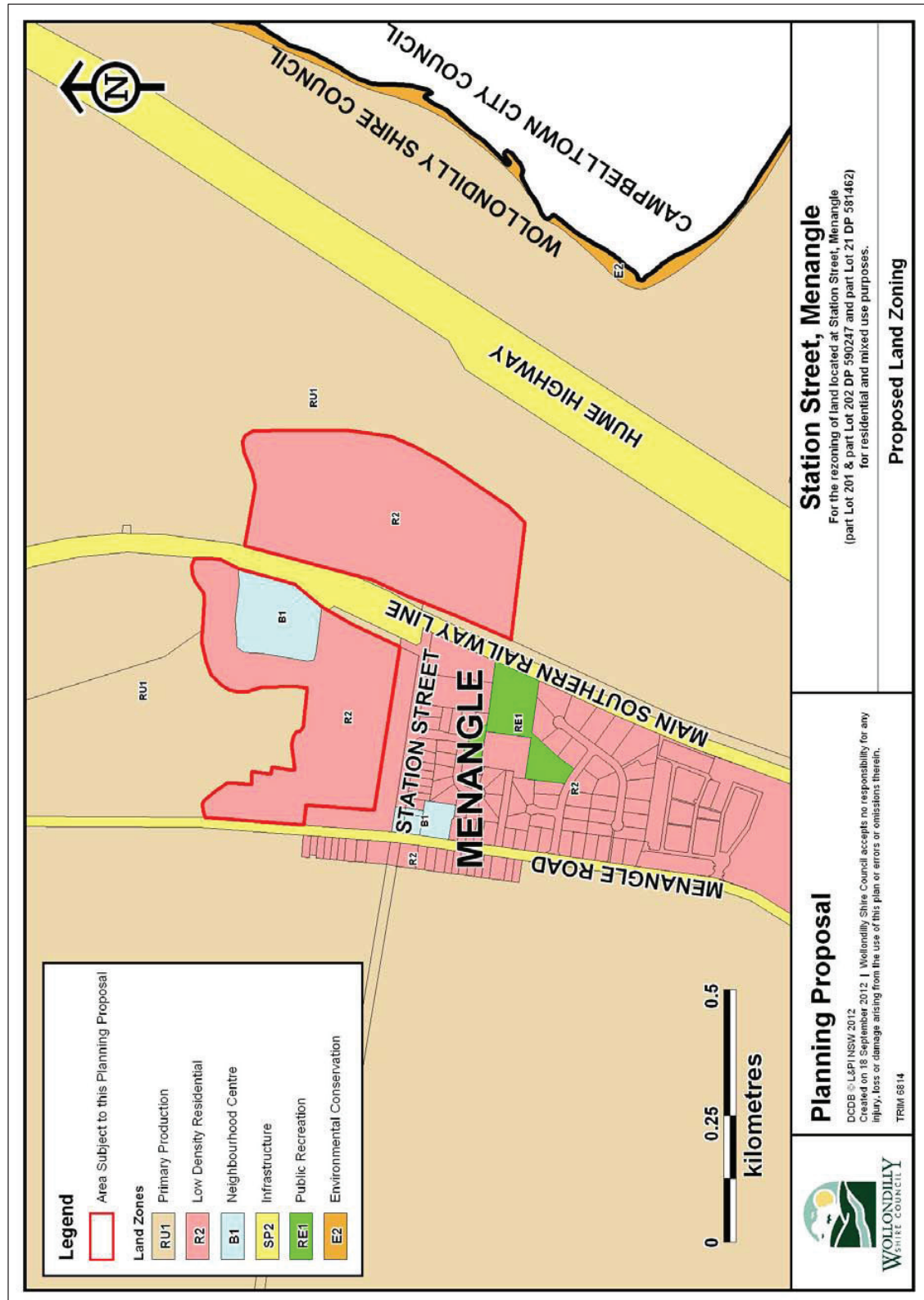
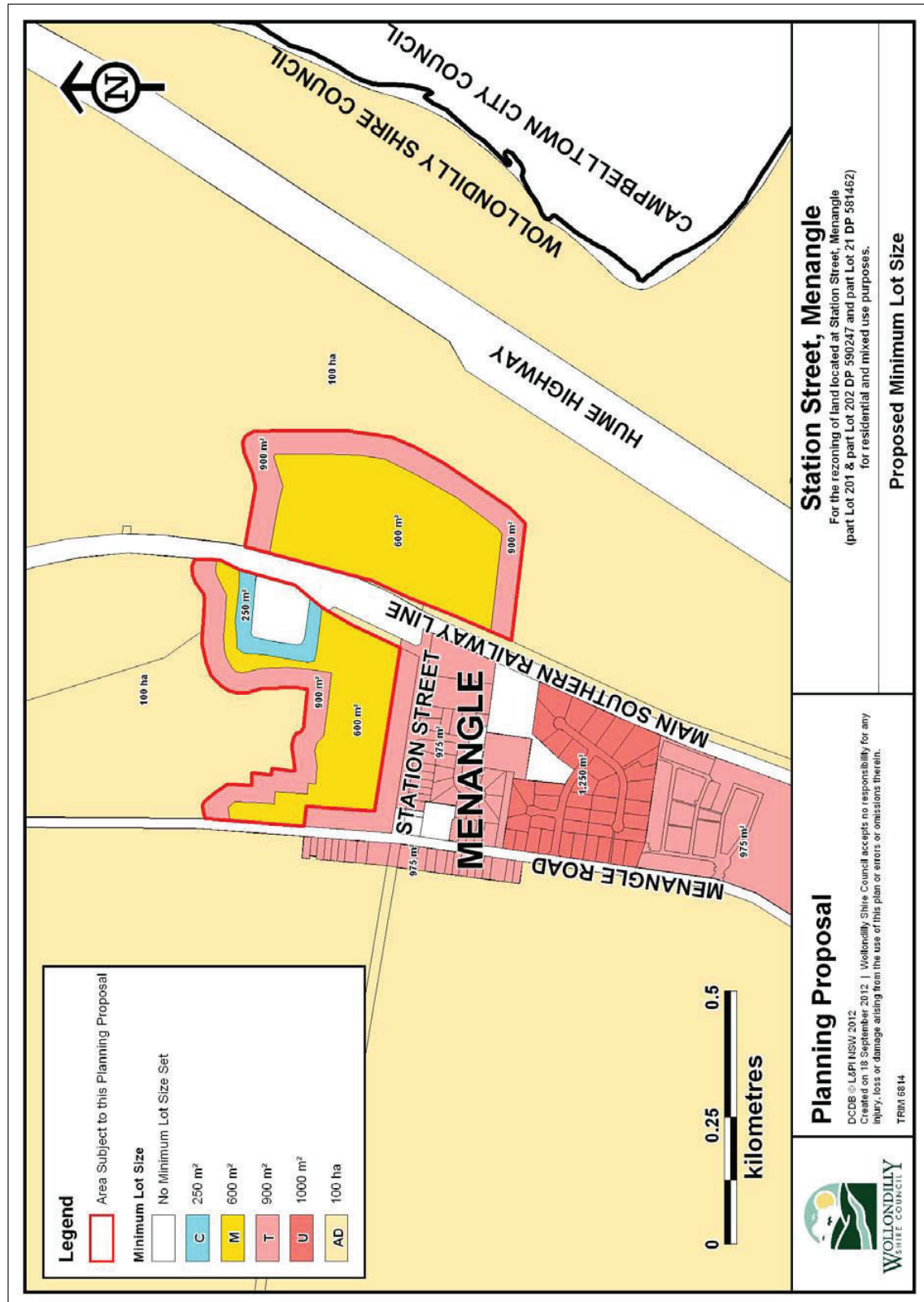


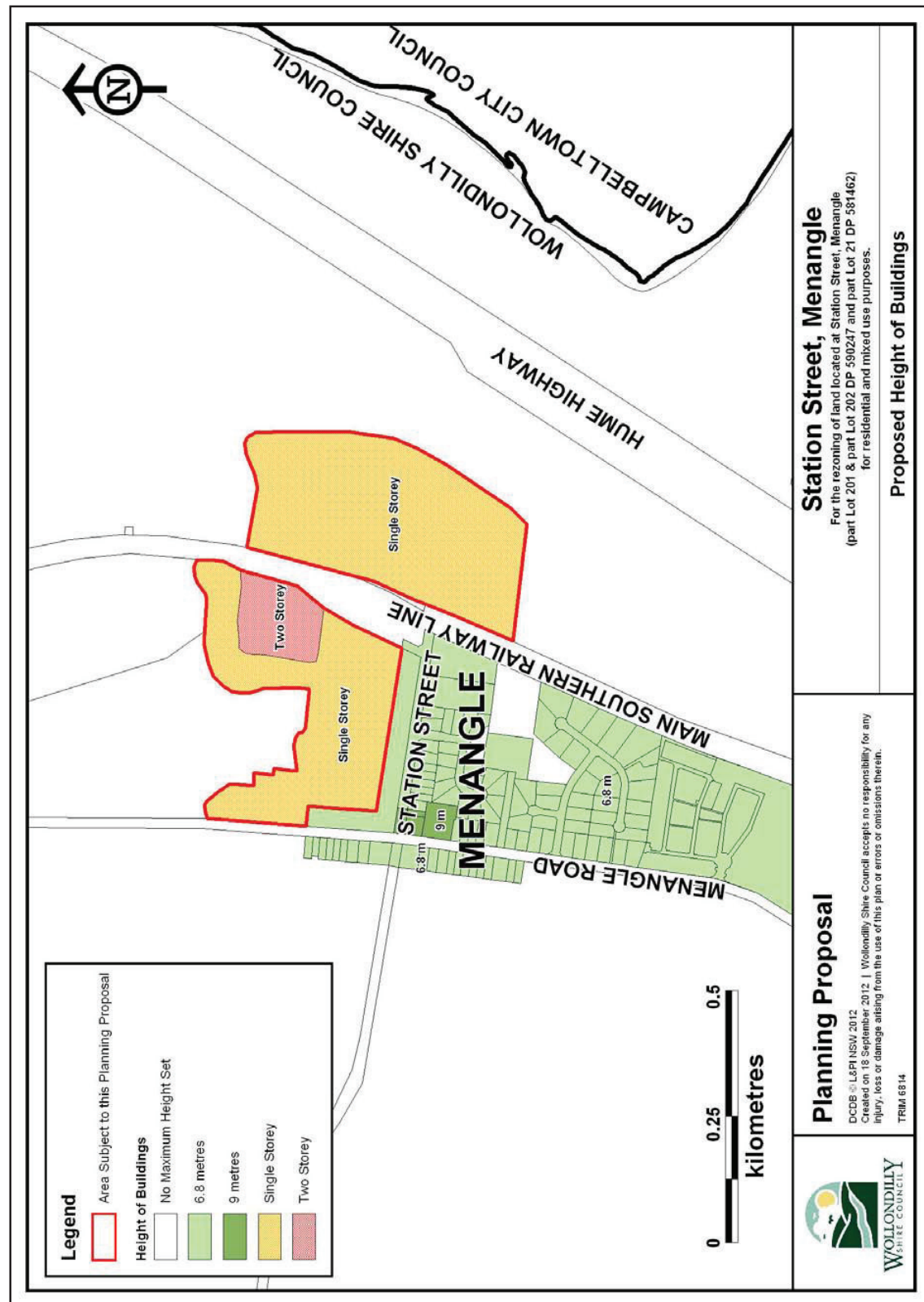
Figure 3 Preliminary Structure Plan

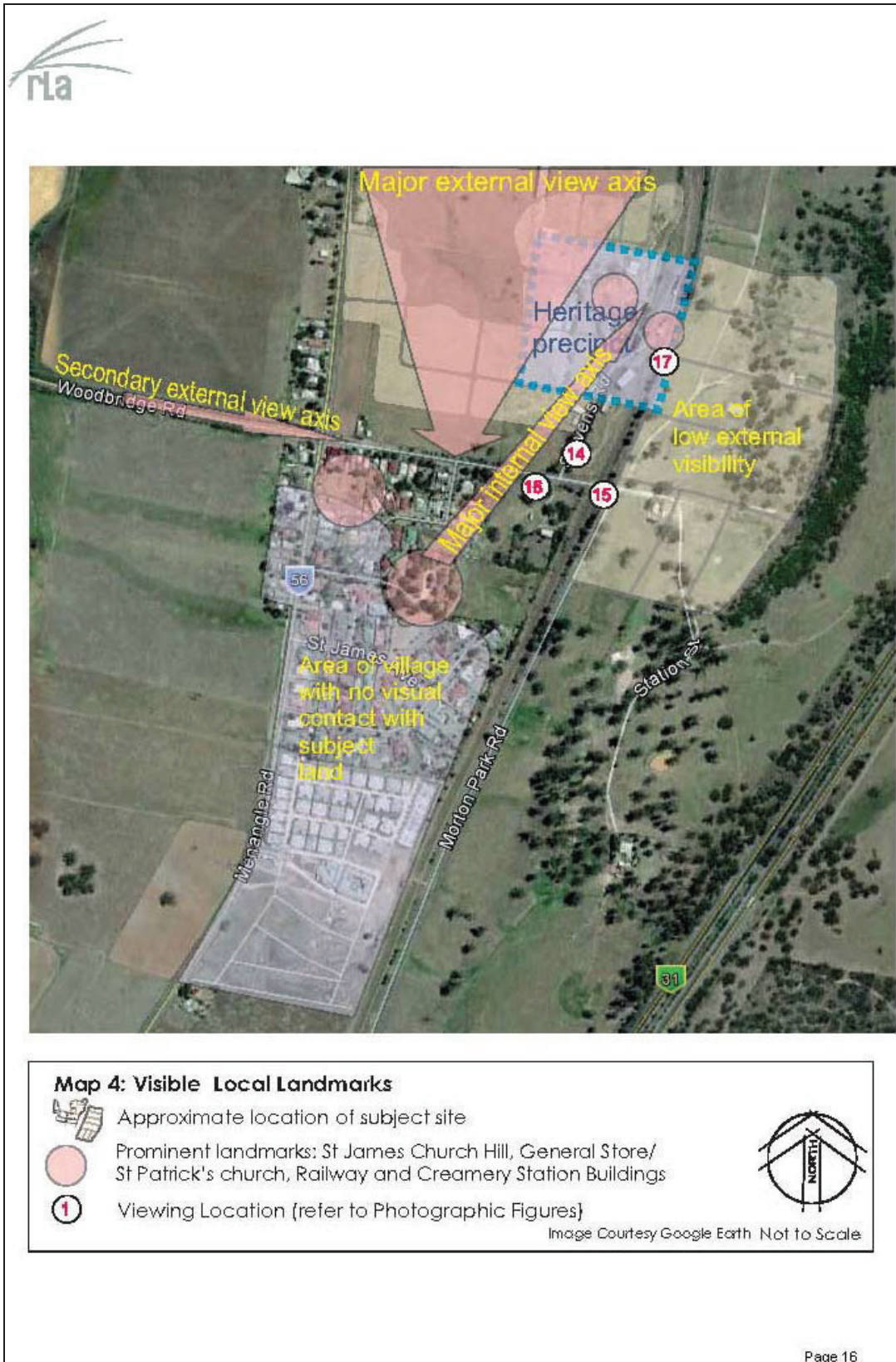














Map 5: Views of and Between Heritage Items from Subject Land



Approximate location of subject site



Heritage items visible from or in the context of the subject land



Unimpeded view



Partial view



Affected by existing subdivision

Image Courtesy Google Earth Not to Scale

