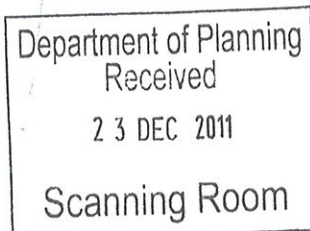
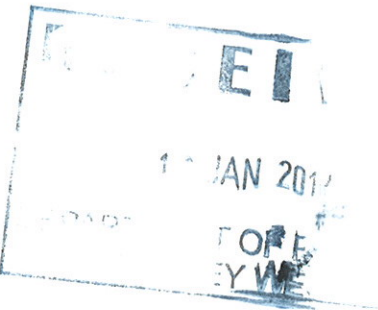




21 December 2011

Your Ref: P02/00187-8

Mr P Goth
Regional Director – Sydney West
Department of Planning
Locked Bag 5020
PARRAMATTA NSW 2124



Dear Mr Goth

**Planning Proposal - Menangle Park Urban Release Area
Draft Campbelltown (Urban Area) Local Environmental Plan 2002
(Amendment No 25)**

On 17 December 2002 Council resolved to prepare a draft local environmental plan (LEP) and a draft local environmental study (LES) for land at Menangle Park to enable it to be developed for urban purposes. Council advised the Department of its resolution and also identified the broad range of issues that were to be addressed in the LES. The Department subsequently advised of an additional three matters, viz:

- Transport and access to and from the Macarthur and Campbelltown centres;
- The impact of development of the study area on the development of land to the east of Menangle Park, and between the study area and the urban areas of Campbelltown; and
- Links to Camden and the new urban growth west of the site.

Council consulted with relevant government agencies and service providers prior to the preparation of the *Preliminary Menangle Park Local Environmental Study* (July 2004) which was based on a number of technical studies that were prepared for the subject site.

However, the planning for the Menangle Park Urban Release Area (MPURA) was put on hold in 2004 pending a decision by the State Government regarding the coal resource beneath the site. Council was advised in 2006 of the Government's decision 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*". Please see copy of correspondence attached.

Cont'd

As a significant amount of time had elapsed since the Department had first advised Council of the issues to be addressed in the LES, in 2007 Council sought advice from the Department on whether any additional matters needed to be included. The Department advised that the following matters should be addressed in the LES:

- *The recommendations of the Working Group set up to investigate potential conflicts between urban development and coal mining in the Menangle Park area, as described in the Department's letter to Council of 4 May 2006.*
- *A structure plan for the release area including staging of development, taking into consideration any need for access to coal resources.*
- *Provision of infrastructure and appropriate funding mechanisms for that provision.*
- *The issues raised in the Department's letter to Council of 15 January 2003, viz:*
 - *Transport and access to and from the Macarthur and Campbelltown centres;*
 - *The impact of development of the study area on the development of land to the east of Menangle Park, and between the study area and the urban areas of Campbelltown; and*
 - *Links to Camden and the new urban growth west of the site.*
- *Incorporation of the environmental study work undertaken for the Glenlee Industrial Precinct, as set out in the Department's letter to Council of 27 January 2007.*

Subsequently a further draft LES was prepared in 2010 based on the findings of the following technical studies, most of which were updated versions of the original studies:

Menangle Park Acoustic Assessment Report
Menangle Park Air Quality Review Report
Menangle Park Bush Fire Hazard Assessment Report
Menangle Park Employment Lands and Retail Study
Menangle Park Flood Study Report
Menangle Park Flooding and Stormwater Quantity Management (Detention) Report
Menangle Park Flora and Fauna Assessment Report
Menangle Park Indigenous Heritage Assessment Report
Menangle Park Infrastructure Servicing Report
Menangle Park Land Capability Report
Menangle Park Mineral Resources Report
Menangle Park Non Indigenous Heritage Report
Menangle Park Pimelea Spicata Survey Report
Menangle Park Social Assessment Report
Menangle Park Traffic Management and Accessibility Plan
Menangle Park Vegetation Offset Strategy Report
Menangle Park Visual Assessment Report
Menangle Park Water Sensitive Urban Design Strategy Report

Cont'd

Further consultation was undertaken with all relevant government agencies and service providers when Council forwarded them a copy of the 2010 draft LES and associated technical studies for additional comment in July 2010.

Due to a number of outstanding issues with regard to the proposed rezoning of land within the Glenlee Industrial Precinct (which is located within both the Campbelltown and Camden local government areas and adjoins the MPURA) Council has excluded this area from the rezoning process of the MPURA.

As the statutory requirements relating to the preparation of LEPs has changed, Council now understands that it must submit a planning proposal to the Gateway Panel for determination. Council had planned to incorporate this draft plan into its Principal LEP, as noted in the Department's letter dated 16 March 2010, but due to the delay in the finalisation of Council's Principal LEP and the importance of the MPURA in contributing to the growing need for residential development within the Sydney area, Council's preference now is to pursue a separate amending LEP process.

At its meeting held on 13 December 2011, Council resolved to forward the attached planning proposal for the rezoning of the MPURA to provide for urban development, to the Department of Planning and Infrastructure for consideration by the Gateway Panel (see copy of report attached). It is hoped that the Panel will look favourably upon the extensive work and consultation that Council has already undertaken with regard to this matter, and will assist by allowing Council to proceed directly to the public exhibition of the planning documentation as soon as possible. Any assistance that the Department can offer Council to achieve this outcome would be greatly appreciated.

Please note that whilst the MPURA currently falls under the provisions of both *Campbelltown Local Environmental Plan – District 8 (Central Hills Land)* and *Interim Development Order No 15 – City of Campbelltown*, Council considers that it is more appropriate to rezone the subject land under the provisions of *Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP 2002)* as the subject site adjoins the boundary of CLEP 2002.

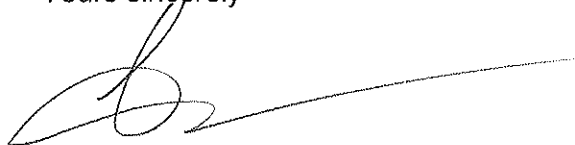
In addition to the information provided with the planning proposal, Council would also like to emphasise that it (in conjunction with Landcom, a major property owner within Menangle Park) has provided detailed requests to the Department with regard to the establishment of the proposed Spring Farm Parkway (being the important strategic traffic link between the growth area of Camden and the F5 Freeway and Menangle Road), and to date no definitive decision on this matter has been received.

It is noted that planning proposals are listed on the Department's website for the public to view. However, as the attachments to the Menangle Park Planning Proposal include specific planning and zoning information (which was supplied to the Councillors under separate cover), Council respectfully requests the Department's assistance in not providing this information to the public until the official public exhibition period, as it is recognised that the Gateway Panel may require amendments to the documentation and this could cause unnecessary angst and confusion within the local community.

Cont'd

As mentioned above, Council would appreciate any assistance that the Department can offer in ensuring a successful resolution of this project. If you wish to discuss this matter further or require any additional information or explanation, please contact me on 02 4645 4575.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jeff Lawrence', with a long horizontal flourish extending to the right.

Jeff Lawrence
Director Planning and Environment

*Enclosures – Copy of letter from the DoP dated 4 May 2006
Planning proposal and attachments on CD
Copy of Council report 13 December 2011 and attachments on CD*



NSW GOVERNMENT
Department of Planning

Contact: Name Laurel Cheetham
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Email: laurel.cheetham@planning.nsw.gov.au

Our ref: P02/00187-5

Your ref:

File:

Mr Paul Tosi
General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN 2560

5 May 2006

Dear Mr Tosi

Attention Geoff Lawrence

Subject: **MENANGLE PARK**

I refer to Council's request for the Department to undertake the necessary investigations and consultations to enable a decision to be made about whether urban development or coal mining should be allowed to proceed at Menangle Park.

At the request of Cabinet, a Working Group was established in 2005 to investigate ways to resolve this conflict. The Working Group reached an agreed position which has now been agreed to by the Minister for Planning, Frank Sartor MP.

The agreed position is that

1. 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.

2. the design parameters for the Campbelltown Mine Subsidence District should be modified to allow development around the Narellan town centre at a scale appropriate for the area, and, in the future, the design parameters for other parts of the South Campbelltown Mine Subsidence District (such as around the Mt Annan and Ambervale centres) should be able to be varied if there is agreement between the Department of Primary Industries and Planning that the development is desirable, and mining can be limited to minimise subsidence in these specific areas.

This solution will enable higher density development in appropriate locations and permit mining first workings, and tunnels for access to other areas where this does not cause subsidence, and future extraction (second workings) where technologies can be used which will reduce subsidence to the levels set by the MSB.

3. the impact from the extraction of coal seam methane before, during and after urban development can be managed. The Department will closely monitor the location, drilling and installation of the reticulated gas gathering system across Menangle Park to minimise any potential impacts.

Sydney Gas has been requested to liaise with your council to ensure its proposals are compatible with urban development proposals for Menangle Park.

The Minister noted that the Metropolitan Strategy acknowledged the importance of the State's coal resources in the Southern Coalfield. This acknowledgement was a requirement for the Department of Primary Industries (DPI) and BHPBilliton to agree not to oppose the urban development of Menangle Park. The DPI and BHPBilliton also required an assurance that further urban development would not be allowed to sterilise the resources covered by BHP's mining titles.

The South West Subregional Strategy will identify mining title areas as significant resource lands and include actions to protect the coal resource in these areas over the next 25 years. Council's new principle LEP will need to reflect this commitment.

The Department looks forward to working with Campbelltown Council to finalise the Menangle Park Release Area LEP.

Yours sincerely

Andrew Watson
Regional Director
Sydney South West

A. Watson 4.5.06.