

Menangle Park Urban Release Area (Amendment 25) to Draft Campbelltown (Urban Area) Local Environmental Plan 2002

Proposal Title :	Menangle Park Urban Release Area (Amendment 25) to Draft Campbelltown (Urban Area) Local Environmental Plan 2002		
Proposal Summary :	To rezone land within the Menangle Park Urban Release Area to enable it to be developed for urban purposes in a sustainable manner by providing for approximately 3,400 residential allotments of various sizes, a small commercial centre, employment land, community and recreation facilities, passive and active open space including the protection of significant areas of riparian land (containing high quality vegetation) and items of both indigenous and non-indigenous heritage. The Menangle Park Urban Release Area is located approximately 5.5 km south west of the Campbelltown CBD, on non-urban land with an existing population of 250 residents (2006 Census). The Menangle Park Urban Release Area is shown on pages 1-4 of the attachment to the planning proposal – Location, Zoning and Net Community Benefit.		
PP Number :	PP_2012_CAMPB_001_00	Dop File No :	11/02806-1

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :	1.1 Business and Industrial Zones 1.2 Rural Zones 1.3 Mining, Petroleum Production and Extractive Industries 1.5 Rural Lands 2.1 Environment Protection Zones 2.3 Heritage Conservation 3.1 Residential Zones 3.3 Home Occupations 3.4 Integrating Land Use and Transport 4.2 Mine Subsidence and Unstable Land 4.3 Flood Prone Land 4.4 Planning for Bushfire Protection 5.2 Sydney Drinking Water Catchments 6.1 Approval and Referral Requirements 6.2 Reserving Land for Public Purposes 6.3 Site Specific Provisions 7.1 Implementation of the Metropolitan Plan for Sydney 2036
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Additional Information : The planning proposal should proceed subject to the following conditions:

1. Approval by the Director General's delegate in relation to S.117 Directions 1.1 Business and Industrial Zones, 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands and 2.1 Environment Protection Zones, 4.2 Mine Subsidence and Unstable Land and 6.2 Reserving Land for Public Purposes

2. Council's proposed site specific provision to permit the development of a service station on rural land (Lots 7, 8 and 9 DP 791365 Menangle Road) is not justifiably inconsistent and Council should be asked to provide an alternative solution in consultation with the regional team.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for 14 days; and

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(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

4. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act:

- Sydney Metropolitan Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries - Minerals and Petroleum
- Integral Energy
- Landcom
- Mine Subsidence Board
- Fire and Rescue NSW
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Authority
- Sydney Water
- Telstra
- Adjoining LGAs

5. The provision of adequate infrastructure should be resolved via consultation of our infrastructure team with the RTA and Council prior to exhibition.

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The Planning Proposal should proceed as it is included in the Metropolitan Plan for Sydney 2036 and the Draft South West Subregional Strategy as contributing to the housing targets for the South West Region. As noted by the Department's Metropolitan and Regional Strategies Team – it accords with the Department's strategic goals. The proposal has been listed on the MDP for a very long time on the understanding it would be released as soon as impediments to rezoning have been resolved.

Given the preparation of a detailed LES, supported by background studies, and external and internal consultation, it appears the impediments to rezoning have been resolved, and the matter can proceed.

Panel Recommendation

Recommendation Date : 19-Jan-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to amend the planning proposal to refer to the provision of 'state' infrastructure rather than 'local' infrastructure, and alter the explanation of provisions in relation to satisfactory arrangements, to accurately describe how Council will provide for infrastructure requirements.
2. Council's proposed provision to include 'service station', 'retail plant nursery' and 'landscape supply establishment' as additional permitted uses is not supported. Council is to amend the planning proposal to rezone the land to an appropriate zone being either 3(a) General Business or 3(c) Neighbourhood Business Zone under its current LEP prior to the commencement of community consultation.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to

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Preparing LEPs (Department of Planning 2009).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

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

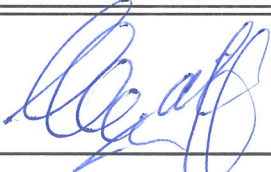
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may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

5. Further to Condition 5 above, Council is to consult with the NSW Department of Primary Industries – Minerals and Petroleum and the Mine Subsidence Board prior to undertaking community consultation. Council is to take into account any comments made as per the requirements of S177 Directions 1.3 Mining, Petroleum Production and Extractive Industries and 4.2 Mine Subsidence and Unstable Land.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McCaffin

Date:

3.2.12.