

Planning Proposal

Subject: Draft Campbelltown (Urban Area) Local Environmental Plan 2002 – Amendment No 25 - Menangle Park Urban Release Area

Part 1 – Objectives or Intended Outcomes

The objectives of this planning proposal are as follows:

- (a) to establish the Menangle Park Urban Release Area,
- (b) 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 protection of significant areas of riparian land (containing high quality vegetation) and items of both indigenous and non indigenous heritage,
- (c) to provide for the integration of development within the Menangle Park Urban Release Area with the existing urban pattern,
- (d) to identify, protect and manage environmentally sensitive areas within the Menangle Park Urban Release Area including waterways and riparian corridors, biological linkages, remnant native vegetation and associated buffers,
- (e) to establish guiding principles for development within the Menangle Park Urban Release Area to facilitate the timely provision of physical and social infrastructure, the orderly phasing of the development of land, the protection of items of environmental and cultural heritage and the management of stormwater.

Part 2 – Explanation of the Provisions

A large proportion of the land within the Menangle Park Urban Release Area currently falls under the provisions of the Environmental Planning Instrument (EPI), *Interim Development Order No 15 – City of Campbelltown*, with a smaller section being under the provisions of *Campbelltown Local Environmental Plan – District 8*. As the north eastern boundary of the release area adjoins the south western boundary of *Campbelltown (Urban Area) Local Environmental Plan 2002* (CLEP 2002), which is the main EPI for the Campbelltown Local Government Area, it is proposed to include the release area within CLEP 2002. A copy of the existing zoning map is shown at Attachment 1. Explanation for the amendments to the EPI are as follows:

Amendment of Campbelltown (Urban Area) LEP 2002 Land Zoning Map in accordance with the proposed zoning map shown at attachment 2.

Amendment of Campbelltown (Urban Area) LEP 2002 to include a minimum lot size map as shown at attachment 3.

Amendment of Campbelltown (Urban Area) LEP 2002 to include a height of buildings map as shown at attachment 4.

The Amendment of Campbelltown (Urban Area) LEP 2002 to include provisions to ensure that satisfactory arrangements are made for the provision of local infrastructure before the subdivision of land. This amendment is required to ensure that the infrastructure requirements that are generated by the development are provided in a timely manner, but only if the land is developed intensively for urban purposes.

The amendment of Campbelltown (Urban Area) LEP 2002 to include provisions to ensure that development does not adversely impact upon the riparian lands that are shown hatched on the Land Zoning Map.

The amendment of Campbelltown (Urban Area) LEP 2002 to include provisions which ensure that no habitable buildings are permitted on the land hatched and marked on the Land Zoning Map as "Area of Restricted Development".

The amendment of Campbelltown (Urban Area) LEP 2002 (Schedule 2) Additional Development, to permit development for a service station, retail plant nursery and landscape supply establishment, with development consent on Lots 7, 8 and 9 DP 791365, Menangle Road.

The amendment of Campbelltown (Urban Area) LEP 2002 Schedule 1 Heritage items and heritage conservation areas to include:

Glenlee House and outbuildings, garden and gatelodge,
Menangle House and outbuildings,
Menangle Park Paceway,
Menangle Railway Viaduct,
Menangle Weir,
Riverview,
Sydney Water Supply Upper Canal, and
The Pines.

The amendment of Interim Development Order No 15 – City of Campbelltown instrument and map to remove all reference and provisions relating to that portion of the subject land that is currently within the boundaries of Interim Development Order No 15 – City of Campbelltown.

The amendment of Campbelltown LEP – District 8 (Central Hills Lands) instrument and map to remove all reference and provisions relating to that portion of the subject land that is currently within the boundaries of Campbelltown LEP – District 8 (Central Hills Lands)

Part 3 – Justification

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The Draft Menangle Park Local Environmental Study (LES) forms the basis of this planning proposal and a copy is included on the attached CD. This document was informed by a number of technical studies prepared by specialist consultants. The LES summarised the main issues that needed to be considered in the development of the site, provided a preferred development option and recognised a number of key issues that need to be addressed in the LEP, being:

- Land use – Adopt appropriate zonings which reflect the land use allocation in the proposed Structure Plan, including zonings that reflect the differing residential densities, restrictions on floodprone land, environmental and heritage conservation objectives proposed.
 - Residential densities – Provisions to ensure that the overall target of 3,400 dwellings is met for the release area.
 - Preconditions to carrying out urban development – provisions to ensure satisfactory arrangements are in place to allow urban development, eg public utility services, stormwater quantity and quality works, roadworks, etc.
 - Floodprone land – Restrictions on development in floodprone land, including heads of consideration for any development that is permitted.
 - Subdivision of residential land – Development controls relating to residential lot sizes.
 - Protection of native vegetation – Development controls to manage protection of native vegetation, including appropriate mechanisms to assist in the implementation of the vegetation offset strategy.
 - Heritage – Listing of heritage items and provisions relating to protection and conservation of heritage items both indigenous and non-indigenous.
- 2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

It is considered that an amendment to *Campbelltown (Urban Area) Local Environmental Plan 2002* to provide for the rezoning of the subject land is the best means of achieving the objectives of this planning proposal.

- 3. Will the net community benefit outweigh the cost of implementing and administering the planning proposal?**

Whilst there are significant costs involved in developing the Menangle Park Urban Release Area, the draft Menangle Park Section 94 Contributions Plan indicates that the proposed development can be cost effective. It is considered that the net community benefit of the planning proposal in providing much needed housing for the population growth of Sydney will outweigh the implementation and administration costs. A net community benefit test is provided at attachment 5.

Section B – Relationship to strategic planning framework

- 4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

The draft *South West Sub Regional Strategy* specifically notes, within the Housing section, that the rezoning of the greenfield site at Menangle Park is well advanced. This site will make a significant contribution to the housing stock of South Western Sydney.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is not inconsistent with the *Campbelltown 2025 Looking Forward* long term town planning strategy, nor with the draft *Local Planning Strategy* where Menangle Park is specifically noted as contributing towards the housing targets which are stated within the *Metropolitan Strategy*.

6. Is the planning proposal consistent with applicable state environmental planning policies?

It is considered that the planning proposal is consistent with all applicable state environmental planning policies, (SEPPs 1,4,6,15,19,22,32,33,44,55,60,64,65,70, Affordable Rental Housing 2009, Building Sustainability Index – BASIX 2004, Exempt and Complying Development Codes 2008, Housing for Seniors or People with a Disability 2004, Infrastructure 2007, Major Development 2005, Mining, Petroleum Production and Extractive Industries 2007, Temporary Structures 2007, and SREP No 9 Extractive Industry (No 2 – 1995), SREP No 20 Hawkesbury – Nepean River (No 2 – 1997)).

Please note the following additional information:

SEPP No 19 - Bushland in Urban Areas

The planning proposal aims to maintain as much existing high quality native vegetation as possible by including such areas within the riparian or open space lands. However, certain areas of native vegetation are proposed to be removed to enable urban development to proceed, and an offsetting strategy has been prepared by the consultants GHD to address this issue. A copy of the Menangle Park Vegetation Offsetting Strategy is included on the attached CD.

SEPP No 44 – Koala Habitat Protection

The *Menangle Park Flora, Fauna and Aquatic Assessments* prepared by Eco Logical Australia note that more than 15% of koala feed trees listed in schedule 2 SEPP No 44 have been observed within vegetation on parts of the subject land, indicating 'potential koala habitat'. As noted above, whilst most of the high quality native vegetation is proposed to be maintain within the riparian or open space lands, it is noted that an assessment would still be required for any application for development on land which is considered to be 'potential koala habitat'. A copy of the *Menangle Park Flora, Fauna and Aquatic Assessments* is included on the attached CD.

SEPP No 55 – Remediation of Land

The *Land Capability Study* prepared by Douglas Partners noted that the subject site did not indicate any evidence for significant widespread or diffuse contamination. However, it did note that more localised contamination may occur due to past and present activities conducted at specific sites. These include the old fireworks factory site on Lot 59 DP 10718 where a site audit was undertaken by Environ in 2002 which indicated that the site would be suitable for use as residential land, parks, recreational, open space, playing fields or commercial/industrial land use, pending the removal of waste materials in the buried trenches and across the site, and the removal of asbestos fibres from the surface soils. Prior to any development proceeding remediation will be required as per the provisions of this SEPP. A copy of the *Land Capability Study* is included on the attached CD.

SEPP (Infrastructure) 2007

Future development applications within the subject land at Menangle Park will be required to take into consideration the provisions of this SEPP. However, Council proposes to include provisions within the draft Menangle Park Development Control Plan to assist with the amelioration of impacts of rail and road noise, eg orientation of living areas, acoustic insulation, double glazing, etc.

SREP No 20 – Hawkesbury Nepean-River (No 2 – 1997)

The planning proposal aims to maximise the protection of waterways, riparian corridors, remnant vegetation etc, and manage stormwater appropriately to ensure consistency with this SREP. Copies of the *Menangle Park Flood Study*, the *Flooding and Stormwater Quantity Management (Detention) Report*, and the *WSUD Strategy Report* are included on the attached CD.

7. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

It is considered that the planning proposal is either consistent or justifiably inconsistent with all applicable s117 directions (1.1 Business and Industrial Zones, 1.2 Rural Zones, 1.3 Mining, Petroleum Production and Extractive Industries, 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, 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).

Please note the following additional information:

1.1 Business and Industrial Zones

A small town centre is proposed to service the future population of this planning proposal. It is also proposed to zone approximately 30 hectares of land for employment purposes, which is part of the Glenlee Precinct land acknowledged in the draft South West Subregional Strategy of the Metropolitan Plan for Sydney 2036 for employment generation.

1.2 Rural Zones

It is considered that the planning proposal is justifiably inconsistent with this direction as the subject land is recognised in the draft South West Subregional Strategy of the Metropolitan Plan for Sydney 2036 as a future urban release area, and has been included in the Metropolitan Development Plan as a site for future housing for many years.

1.3 Mining, Petroleum Production and Extractive Industries

The subject site is underlain with significant coal resources. However, correspondence was received from the Department of Planning (dated 4 May 2006) which advised that *“mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park’s contribution to land supply in the Sydney Metropolitan Region”*. Please see copy of correspondence shown at attachment 6.

2.1 Environment Protection Zones

A small portion of the subject site (within the north eastern section either side of the F5 freeway) is currently zoned Environmental Protection (Scenic) under the provisions of Campbelltown LEP District 8 (Central Hills Lands). The bulk of the area on the western side of the F5 has already been developed by Transgrid for the purposes of an electricity substation. The area to the east of the F5 is proposed to be rezoned to provide for large residential allotments. However, this area is significantly constrained by a number of existing easements for services, eg electricity, which will impact on the development potential of this area. Also there are significant views to the north east in this eastern section from Glenlee Road towards Heritage Park in Glen Alpine which are proposed to be retained.

It is considered that the planning proposal is justifiably inconsistent with this direction as the area proposed to be rezoned being approximately 45 hectares has already been compromised by the development of the electricity substation (9.7 hectares), and that development of the rest of the site will be significantly constrained by existing easements.

3.1 Residential Zones

The planning proposal includes a variety of housing choices from large rural allotments to smaller residential allotments and provision for apartment living within the town centre. However, Council is very aware of the new infrastructure required to service approximately 3,400 residential allotments, and the impact that such development would have specifically on the existing road network if new works were not constructed. In this regard Council notes the provisions of clause 42D of *Campbelltown (Urban Area) Local Environmental Plan 2002* for urban release areas which aims *"to require that satisfactory arrangements be made for the provision of designated State public infrastructure before the subdivision of such land"*.

3.4 Integrated Land Use and Transport

The subject site is adjacent to the Menangle Park railway station which provides limited services to Sydney via Campbelltown, and south to Goulburn. Significant investigation was undertaken to explore the possibility of extending electrification of the rail line from Macarthur railway station to Menangle Park, but unfortunately advice was received that the cost is prohibitive, and that the rail corridor at Menangle Park falls under a 60 year lease agreement whereby Australian Rail Track Corporation Ltd has full responsibility for this line, and its priority is transportation of freight. However, Menangle Park is serviced by existing bus services which are able to be augmented as required. The planning proposal also provides for a network of cycle paths and pedestrian walkways throughout the subject site.

4.2 Mine Subsidence and Unstable Land

The subject land falls within the South Campbelltown Mine Subsidence District, however as noted above in 1.3 Mining, Petroleum Production and Extractive Industries, the Department of Planning advised in 2006 that *"mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region"*. Please see copy of correspondence from Department of Planning dated 4 May 2006 at attachment 6.

4.3 Flood Prone Land

A significant proportion of the subject land is flood prone, however the planning proposal aims to ensure that any residential, business, industrial or special purpose land use is constructed above the 1:100 year floodline.

4.4 Planning for Bushfire Protection

The NSW Rural Fire Service has been consulted and the provisions of Planning for Bushfire Protection 2006 have been taken into consideration in the planning proposal.

6.2 Reserving Land for Public Purposes

It is proposed to include provisions within the planning proposal to provide for the development of the proposed Spring Farm Parkway (SFP), which is a vital link from the Camden bypass to the F5 freeway and Menangle Road. This proposed road includes north facing ramps onto the F5 freeway with the option of south facing ramps at a later date. Whilst the construction of the eastern portion of the SFP is considered crucial in providing for adequate vehicular access to and from the Menangle Park Urban Release Area, the entire SFP will provide a regional link for traffic from western Sydney, the southern part of the South West Growth Centre and Camden to the F5 freeway, thus relieving pressure on other road links particularly Narellan Road. However, Council has consulted with the Roads and Traffic Authority (RTA) with regard to this matter under s62 of the *Environmental Planning and Assessment Act 1979*, but the RTA has not provided any commitment to the construction of the SFP, nor any agreement to list itself as an acquisition authority for purchase of the road corridor for this significant regional road link. Nonetheless, the Regional Director of the Department of Planning and Infrastructure Sydney West has advised that Council should zone the proposed road corridor Zone 5(b) – Special Uses Arterial Roads Zone under *Campbelltown (Urban Area) Local Environmental Plan 2002*. Thus it is considered that the planning proposal is justifiably inconsistent with this direction.

It is also proposed to address a minor zoning anomaly whereby Lot 1 DP 877582 Menangle Road (area approx 1ha) is in private ownership but is currently zoned 5(a) Special Uses Railway under the provisions of IDO No 15 – City of Campbelltown. Council has consulted with the relevant rail authority (NSW Transport Railcorp) with regard to this matter, who has advised that Railcorp originally owned the subject land but sold it in 1992 and therefore raised no objection to the proposed rezoning.

6.3 Site Specific Provisions

It is proposed to include a provision in the planning proposal to permit the development of a service station on rural land (Lots 7, 8 and 9 DP 791365 Menangle Road) adjacent to the F5 freeway. Service stations are a permitted land use within only industrial and business zones under *Campbelltown (Urban Area) Local Environmental Plan 2002*, but as the subject site is very visible from the F5 freeway, and this area is the entry to Sydney as well as Campbelltown from traffic travelling from the south, Council considers that industrial and general business land uses are not appropriate in this location. Therefore it is considered that the planning proposal is justifiably inconsistent with this direction.

Section C – Environmental, social and economic impact.

8. **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The ecological values of the subject site are highly degraded due to extensive clearing, sand mining, continuing agricultural activities, weeds, feral animals, fragmentation of habitat, barriers to the movements of both terrestrial and aquatic animals, erosion and poor water quality. However, the site does exhibit some remnant Cumberland Plain vegetation, the majority of which is proposed to be retained and rehabilitated. To address impacts on vegetation which is not proposed to be retained, an off setting strategy has been prepared and a copy is included on the attached CD. Consultation has been undertaken with the Department of Environment, Climate Change and Water with regard to this matter and its response can be seen at attachment 7 which includes all responses with regard to s62 consultation.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Other likely environmental effects have been addressed in the technical studies and resulting Menangle Park Local Environmental Study (LES), copies of which are included on the attached CD.

Most notably these include the issue of flooding, as part of the subject site is affected by the 1 in 100 year flood event of the Nepean River. However, it is not proposed to develop land below the 1 in 100 year floodline, except for the purposes of recreation areas, playing fields etc.

Bushfire hazard has been addressed within the technical studies and draft Menangle Park Local Environmental Study, and the Rural Fire Service has advised that appropriate asset protection zones must be defined at the development application stage.

As noted in the technical studies and draft Menangle Park Local Environmental Study, the visual impact of the planning proposal from certain areas will be significant. As such it is proposed to ameliorate this where possible by identifying and protecting important view corridors, using selective vegetative screening to minimise the visibility of the proposed development, and providing for larger residential allotments on elevated sites and adjoining heritage items, etc.

10. How has the planning proposal adequately addressed any social and economic effects?

Social and economic effects are addressed in the technical studies and resulting draft Menangle Park Local Environmental Study. However, the planning proposal includes provision for the development of significant social infrastructure to meet the needs of the future residents of this proposed release area. This includes an employment precinct to provide for jobs closer to home, a small retail centre to provide for the local community, large areas of passive open space which contain indigenous archaeology, a sporting oval and playing fields, children's play equipment, community centre, cycleways and pedestrian footpaths, provision for a rural fire service station, etc.

It is recognised that the planning proposal will require the development of significant infrastructure for it to be successful. As such Council has prepared the draft Menangle Park Section 94 Contributions Plan to provide funding towards this infrastructure.

Section D – State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

The provision of public infrastructure is proposed as follows:

- Sewer – connection is proposed to the existing Glenfield wastewater network.
- Water – extension from the existing Macarthur Water Supply System (Narellan inlet main).
- Electricity – a substation is proposed to be constructed on land owned by Council.
- Gas – not currently available but Council has received advice that gas can be supplied from either the Narellan or Campbelltown networks.
- Telecommunications – services on site are not sufficient to meet the expected demand but can be provided when required.
- Stormwater drainage – GHD has prepared a drainage strategy and AECOM a water sensitive urban design strategy to accommodate stormwater drainage. Copies of both strategies are included on the attached CD.
- Roads – AECOM prepared the Menangle Park Transport Management and Accessibility Plan (copy included in attached CD) which recommends a package of measures to support the planning proposal. Whilst these include provision for footpaths, cycleways, bus routes, intersection treatments etc, the major road infrastructure includes the widening of Menangle Road to 4 lanes from a new intersection of Glenlee Road with Menangle Road to Gilchrist Road, and the construction of the Spring Farm Parkway (SFP) and ramps to the F5 freeway. As mentioned above Council has not received any commitment from the RTA for the development of the SFP.
- Recreation areas and community facilities – provisions are included in the planning proposal to provide playing fields, a district park, 2 local parks, 2 reserves, a bushland park and a community centre.
- Schools – consultation has been undertaken with the Department of Education and Training and provision for the development of a primary school has been included in the planning proposal. Please see attachment 7 for a copy of the Department's response re s62 consultation.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with relevant government agencies and service providers has been undertaken throughout the preparation process of the technical studies and the draft Menangle Park Local Environmental Study (LES). On completion of the draft LES Council again consulted with relevant government agencies and service providers (with regard to the technical studies and the draft LES) and the table below summarises the responses that Council received in 2010.

Agency	Response – Main Issues
Department of Environment, Climate Change and Water	• Documents appear to reflect previous comments • No further comment.
Comment: No further action required.	
Sydney Water	• Notes that Council and Landcom are working on an integrated water servicing strategy for the release area.

	• Recommends inclusion of clause in development control plan re minimum water efficiency requirements for non residential development.
Comment: The draft Menangle Park DCP is proposed to be included within the Campbelltown (Sustainable City) DCP which already includes sustainability provisions including a reference to the provisions of SEPP (Building Sustainability Index – BASIX) 2004	
Railcorp	• Notes upgrades to various parts of the rail network within Sydney. • Supports increased residential development around train stations, and pedestrian and cycleway connectivity with Menangle Park station. • Requests consultation re any proposed road widening of Menangle Road to ensure no impact on access to Macarthur Station.
Comment: No further action required at this stage.	
Sydney South West Area Health Service	• Concerned by impact of increased traffic on air quality. • Concerned that cost of infrastructure will not provide affordable housing. • Need to ensure accessible physical and social environments for older people and people with a disability. • Notes possibility of future coal mining and cites detrimental impact of mine subsidence on properties in Appin and local river beds. • Notes need to retain suitable rural land for food production. • Considers that Spring Farm should be fully developed prior to commencement of Menangle Park
Comment: Whilst it is acknowledged that increased traffic may have an impact on air quality, the proposed release area will have access to public transport (both bus and rail) and new employment areas. With regard to infrastructure costs both Council and Landcom are dedicating large areas of land for public open space purposes in an effort to reduce development costs. The Building Code of Australia and Disability Discrimination Act ensure accessibility issues for the aged and people with a disability. This site has been listed as a designated release area for some considerable time and the issue of mine subsidence and the need for land for food production has already been addressed. The State government recognises that there is a shortage of housing within Sydney and thus it is not considered appropriate to delay the development of this release area until Spring Farm is fully developed.	
Department of Industry & Investment (Primary Industries)	Agriculture • Stock and farm equipment flood refuges and existing horse stables have not been addressed in documents. • Concerned by visual impact of development on views from Camden Park Estate. Fisheries • Commends proposed riparian zones and water sensitive design measures.

Comment: Access to existing land uses will not be affected by the proposed development of this release area. It is recognised that views from Camden Park will be affected but the proposed development is approximately 2.5km from Camden Park House.	
Department of Industry & Investment (Coal Advice)	Acknowledges previous agreed position of the Menangle Park Working Group, but recommends further study be undertaken to ensure that coal resources are not sterilised by inappropriate surface development.
Mine Subsidence Board	- Acknowledges that the Board has been involved in workshops etc re mining impacts. - Advises that the Board's previous site specific advice for the site remains. Recommends that any matters relating to potential coal mining be clarified before LEP exhibition.
BHP Billiton	- Does not oppose proposed Menangle Park development. - Is currently focused on a 30 year mine plan for Bulli Seam Operations Project which does not include longwall mining under Menangle Park. But the area is close to the project area. - Suggests inclusion of conditions similar to those for Bingara Gorge Estate DCP, into Council's planning documents. (These conditions include an information paragraph on longwall mining and subsidence issues, and a section relating to management of gas extraction including the wells and gathering lines). - Suggest provision of a brochure to all residential purchasers outlining activities associated with underground mining and possible subsidence impacts.
Comment: The Menangle Park Urban Release Area falls within the boundaries of the South Campbelltown Mine Subsidence District and thus the Mine Subsidence Board (MSB) must be consulted with regard to any future building construction within the District boundaries. Whilst the Department of Planning in May 2006 advised Council that <i>"....mining of the coal resource should be restricted to enable urban development to occur....."</i> the MSB verbally advised Council that it was concerned by the possibility of four storey development within the proposed town centre. However, no further comment has been received on this matter. In light of the advice of the Department of Planning in 2006 that development of the MPURA effectively takes precedence over the coal resource, the fact that future buildings will be required to be constructed in accordance with the Mine Subsidence Board's guidelines, and the advice of BHP Billiton that mining under the release area is at least 30 years away, it is considered that the planning proposal and draft LEP should proceed.	
Wollondilly Shire Council	- Advises of proposal for employment lands adjacent to Menangle Village (Moreton Park Planning Proposal) (Note: verbal advice given on 19/8/10 that Wollondilly Council at a recent council meeting had refused support for any such development) - Draft Wollondilly LEP proposes E2 zone along Nepean River, thus such corridors could link with those in Menangle Park. - Requests LES be revised to address the following:

	➤ Development of Menangle Park will not result in flooding of Menangle. ➤ Integrated approach to employment lands within Campbelltown, Wollondilly and Camden. ➤ Access to F5 that serves the above local government areas. ➤ Better outcome for rail travellers and freight, with electrification of line to Wollondilly Shire.
Comment: The Flood Study prepared by the consultants GHD does not identify any increase in the flooding potential of Menangle as a result of the development of the MPURA. It is considered that an integrated approach is already being undertaken between Campbelltown and Camden Councils with regard to the proposed Glenlee employment lands. Also it is considered that access to the F5 via the proposed Spring Farm Parkway will provide a service to all three Council areas. The issue of electrification of the rail line has been pursued and rejected.	
Sydney Catchment Authority	• Considers that neither the Heritage Study nor the Visual Assessment Study adequately identifies the impacts of the proposed development on the Upper Canal. • Concern re sandstone bridge over canal on Glenlee Road. • Road widening of Menangle Road has not addressed potential impacts on the canal. • Considers that the potential for visual impact of the canal should be treated the same as for Glenlee House and road area. • Concerned that Menangle Weir will be impacted by proposed cycleway along the Nepean River and this was not addressed in LES. • Flooding and stormwater impacts on the canal have not been addressed. • Remove any reference to the use of the Sugarloaf Dam as an option for WSUD. • Security and trespass of the canal are issues which have not been addressed in the LES.
Comment: The Upper Canal is securely fenced and not accessible to the public, thus the visual impact is not considered an issue, and neither is the security of the canal. The sandstone bridge will not be used by the public when Glenlee Road is realigned. Any road widening of Menangle Road will need to address the significance of the canal when planning for such widening occurs. Any impact on the Menangle Weir by a future cycleway will be addressed when planning for such cycleway occurs. A clause has been included in the draft Menangle Park DCP to address the issue of any likely impacts of flooding and stormwater on the canal.	
Department of Education and Training	• Site identified for future primary school. • No further comment at this time.
Comment: No further action required.	
Roads and Traffic Authority (RTA)	• Not able to give final response without a better understanding of the traffic implications, but is keen to work with Council!

and NSW Transport	• Supportive of land releases consistent with the Metro Strategy and particularly the Metropolitan Development Program subject to the provisions of adequate infrastructure. • Notes that the release area could result in approx 6622 trips per hour (peak) which would require significant road and transport infrastructure upgrades including widening of Menangle Road and new ramps to F5. • Also notes that the RTA has no firm plans or commitment to the required upgrades of State and Regional roads to support the rezoning. • Need further discussion with Department of Planning re regional infrastructure contributions for ultimate State and regional road network. • Considers that the Traffic Management and Accessibility Plan should be amended to address proposed 'works in kind' construction. • If the Spring Farm Parkway proceeds then it should initially be funded by Council as a local road. • Advises that the RTA has not received any traffic modelling files and details of modelling results.
Comment: A considerable amount of consultation has been undertaken with the RTA (now known as Transport, Roads and Maritime Services) over the years with regard to this project, with particular emphasis on the proposed Spring Farm Parkway. Also over the years Council has provided the Department of Planning and Infrastructure (DPI) with detailed information for discussion with the RTA, and Landcom has submitted a comprehensive proposal to DPI with regard to funding of the Spring Farm Parkway including the SIC levy. Please note that further consultation has been undertaken with the RTA subsequent to this submission and liaison has occurred between AECOM Australia Pty Ltd (the consultants who prepared the Menangle Park Transport Management & Accessibility Plan (TMAP)) and the RTA to address any outstanding issues with regard to the TMAP.	
Heritage Council	• Development of the study area should conserve all existing listed heritage items and archaeological sites and undertake assessment of unlisted possible heritage items. • Visual impacts of the Spring Farm Parkway on Glenlee House should be minimised. • Should consider stepping of building heights down towards heritage items and archaeological sites to minimise impact of new development. • Identified archaeological sites should be listed in DCP 83 and an archaeological management plan prepared. • Aboriginal heritage management plan should also be prepared.
Comment: It is considered that the provisions included in the Campbelltown (Urban Area) LEP 2002 and the draft Menangle Park DCP will adequately address the Heritage Branch's issues.	
Rural Fire Service	• Any proposals for residential or special fire protection purpose developments will be subject to the requirements of Section 79BA of the <i>Environmental Planning and Assessment Act</i>

	1979 and Section 100B of the <i>Rural Fires Act 1997</i>. - Proposed roads shall comply with the <i>Planning for Bush Fire Protection 2006</i> document. - Asset protection zones (APZ) will be determined at development application stage and subject to revegetation of the area. Note that APZs for special fire protection purpose developments (eg schools) will be greater than for residential developments. - Revegetation proposals must take account of existing dwellings.
Comment: No further action required at this stage.	
Office of Water	- Considers that the Structure Plan is reasonably close to the previously negotiated watercourse and riparian outcomes, however notes some issues: ➤ All Category 1 watercourses should have a 50 m wide riparian corridor on each side. ➤ Creeks S3 and M3b and associated riparian corridors are not marked. ➤ Part of the riparian corridor of Creek M4 appears to have been removed. - WSUD Report and Flooding and Stormwater Quantity Management (Detention) Report should both be amended to: ➤ Ensure creek N3a is classified as Category 1. ➤ Ensure that proposed stormwater drainage works are located outside of riparian land. - Recommends the LEP include a Riparian Land Map and a number of clauses to ensure the protection and enhancement of watercourses etc
Comment: The draft LEP proposes to include provisions to ensure the identification and protection of the riparian areas within the Menangle Park Urban Release Area.	

Copies of the responses received from the government agencies and service providers are marked attachment 7.

The following agencies/service providers were consulted but did not respond to this latest consultation, however please note that input from many of these bodies was received and included in the preparation of the technical studies and draft Menangle Park Local Environmental Study:

- Housing NSW
- NSW Department of Community Services
- Australian Rail Track Corporation Ltd
- NSW Transport and Infrastructure
- Busways Group P/L
- Interline Bus Services
- Integral Energy
- State Emergency Service
- Telstra
- NSW Fire Brigade

- AGL Energy Limited
- Tharawal Local Aboriginal Land Council
- Cubbitch Barta Native Title Claimants
- Camden Council
- Dams Safety Committee

Part 4 – Community Consultation

As this proposed amendment to *Campbelltown (Urban Area) Local Environmental Plan 2002* involves the rezoning of a significant area of rural land for urban purposes it is considered that a public exhibition period of a minimum of 28 days should be undertaken. Notice of the exhibition period would be given in accordance with the provisions of clause 4.5 Community Consultation – *A Guide to Preparing Local Environmental Plans*.

Please note that the local community is aware of this planning proposal, and Council has previously provided relevant information on the progress of this project to property owners by mail, public meetings and verbally.