

Glenlee Planning Proposal

Proposal Title : **Glenlee Planning Proposal**

Proposal Summary : **To facilitate the creation of approximately 60ha of employment land by rezoning land from a non urban zone to:**

**general industry,
special uses arterial roads, and
environmental conservation zones.**

The subject site straddles the boundary between Camden and Campbelltown LGAs, with a total area of 110 hectares. Of this total area, 101 hectares of the site is located within Campbelltown Council LGA and 8.8 hectares in the Camden LGA.

Both councils have chosen to lodge separate planning proposals for that part of the site within their respective LGAs.

Campbelltown Council seeks to amend its Planning Scheme Ordinance (i.e IDO 15), while Camden Council proposes to amend its standard Instrument Local Environmental Plan. Camden Council intends to introduce complimentary zones of: IN1 General Industrial, SP2 - Infrastructure and E3 Environmental Management.

This report should be considered in conjunction with the Camden planning report and planning proposal (see PP_2013_CAMDE_012_00).

PP Number : **PP_2013_CAMPB_001_00** Dop File No : **13/08773**

Proposal Details

Date Planning Proposal Received :	12-Jun-2013	LGA covered :	Campbelltown
Region :	Sydney Region West	RPA :	Campbelltown City Council
State Electorate :	CAMPBELLTOWN	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :
Suburb : City : Postcode :
Land Parcel : **LOT 38 DP 1098588 LOT 1 DP 250033 PART LOT 1 DP 405624 LOT 1102 DP 883495 LOT 54 DP 864754**

Glenlee Planning Proposal

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Employment Land
No. of Lots :	0	No. of Dwellings (where relevant) :	0
	<i>70,000m²</i>		
Gross Floor Area :	5,000.00	No of Jobs Created :	1,000 <i>140</i>

The NSW Government Yes
Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? : No

If Yes, comment :

Supporting notes

Internal Supporting Notes : Date Received
The planning proposal was received by the regional team on 21 May 2013. However, further information was requested from Council and finalised on 12 June 2013.

Statutory Situation

That portion of the site within the Campbelltown LGA is currently zoned non urban under the provisions of Interim Development Order No 15 - City of Campbelltown. As the southern and eastern boundaries of the site adjoins land zoned under CLEP 2002, Campbelltown Council proposes to include the subject site within the area subject to that instrument (i.e

CLEP 2002).

The land within the Camden LGA is currently zoned RU1 – Primary Production and SP2 – Infrastructure (Waste or Resource Management Facility). Camden Council intends to rezone this portion of the total site to: IN1 – General Industrial, SP2 – Infrastructure and E3 – Environmental Management.

Background and Context

The area is noted as employment land in the draft Sydney Metropolitan Strategy and the combined Camden and Campbelltown proposals will provide approximately 60ha of employment land.

While the site is currently used for industrial purposes (placement of coal reject and as a landfill for domestic waste) it is of a low employment generation and the proposal will create new job opportunities by allowing industrial and commercial land uses, such as warehousing and light industrial activities, which will be more sympathetic to surrounding residential landuses.

The site is served by an existing rail spur into the site and a possible, but not confirmed, road connection to major road networks.

The land adjoins two large existing and proposed residential areas. North of the site is Spring Farm, (a residential growth area which is approximately 50% developed) and to the south of the site is Menangle Park (a Landcom [now Urban Growth NSW] proposed development which, when completed, will yield approximately 3,500 new dwellings).

Having an existing heavy industrial use (landfill and coal wash) between a future and an established residential area is not ideal, especially one with no physical buffers such as roads or natural features to manage the effects of the industrial landuses. One of the key benefits of the planning proposal is that it will create an environmental management zone buffer around the site and change the landuses to relatively 'clean' industrial uses, which may be more sympathetic to the surrounding residential areas.

The limitations for development include a lack of public transport in the area and timing and location of road upgrades.

Both Councils (Camden and Campbelltown) agree that road infrastructure in the area is currently inadequate to serve the total development of the site under the proposed industrial zone and seek to limit GFA until supporting road infrastructure or agreements are in place.

This aspect of the proposal is supported in part and is further discussed in this report.

Employment Lands

Advice from the Department's Employment Lands Unit is provided (in part) as follows:

The Planning Proposal is generally supported as it would zone land to industrial which currently is largely used for industrial activities and add to stocks of zoned industrial land for the South West subregion.

The subject land has also been included in the ELDP for a number of years as 'proposed' employment lands, following its identification in the draft South West Subregional Strategy, and is included in stocks of 'Strategy Identified Lands'.

The objective of the PP that 'land be used for industrial and related developed (but not retailing, bulky goods retailing and stand alone office commercial development)' is also supported given its proximity to Campbelltown Major Centre and to protect the site for industrial uses.

The assumption that the zoning of 60 ha of land to industrial would have capacity to provide approximately 1,200 jobs, would equate to a job density of 20 jobs per hectare. This would appear realistic in this location given job densities for recent warehouse developments in Western Sydney.

Note: A number of technical studies were previously prepared during 2008/2009 supporting a previous proposal for the land. This rezoning proposal did not proceed and council officers have agreed that these studies will need to be reviewed and up-dated. These studies are not included in the documents section of this report.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

To:

- . enable the redevelopment of the site mainly for industrial purposes (excluding bulky goods retailing and stand alone commercial development),
- . provide a corridor for environmental conservation, which will provide a link with the Australian Botanic Gardens (ABG) and the bush corridor in the Spring Farm Urban Release Area and road infrastructure, and
- . restrict industrial development on the subject land to a total of 12,500sqm of GFA of warehousing or 10,000 GFA of general industrial until such a time as a link for to the F5 Freeway is established.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

Proposed amendments are:

- . Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002 Land Zoning Map in accordance with the proposed zoning map from Non Urban to General Industry and Special Uses Arterial Roads Zones and a new environmental conservation zone;
- . Inclusion of a new land use table, to provide for the environmental conservation of the open space corridors within the subject site and;
- . Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002 to include provisions to ensure that Council is satisfied that arrangements have been made for the provision of local infrastructure to service the needs generated by the development of the land, and/or to make the land suitable for industrial development, before the subdivision of land, including the source of funding for such infrastructure, and compliance with an infrastructure delivery plan to be approved by Council.

Comment

The above proposed amendment is considered necessary by Council 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 industrial purposes. This requirement is proposed to ensure that no more than a total of 12,500m² GFA of warehousing or 10,000m² GFA of general industrial use (or a combination of both) is developed until such time as a road link to the F5 Freeway is established.

This aspect of the planning proposal is further discussed in the team report.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 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
- 3.4 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

Is the Director General's agreement required? Yes

c) Consistent with Standard Instrument (LEPs) Order 2006 : No

d) Which SEPPs have the RPA identified?

- SEPP No 1—Development Standards
- SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development
- SEPP No 6—Number of Storeys in a Building
- SEPP No 19—Bushland in Urban Areas
- SEPP No 33—Hazardous and Offensive Development
- SEPP No 44—Koala Habitat Protection
- SEPP No 55—Remediation of Land
- SEPP No 60—Exempt and Complying Development
- SEPP No 64—Advertising and Signage
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SREP No 9—Extractive Industry (No 2—1995)
- SREP No. 20 - Hawkesbury—Nepean River (No. 2 - 1997)

e) List any other matters that need to be considered :

Relevant section 117 directions are considered, as follows:

1.1 Business and Industrial Zones

Considered to be consistent with the direction, particularly as:

- . the planning proposal seeks to increase the amount of industrial floor space available for the region in a suitable location, and
- . the Sydney Metropolitan Strategy nominates the site as a candidate area for employment.

1.2 Rural Zones

It is noted that while the site is currently zoned non-urban. It is not used for rural or agricultural purposes and is currently used for semi-industrial uses.

Further, the site is noted in the draft South West Subregional Strategy for investigation for future employment opportunities.

In these circumstances, any inconsistency is considered to be of a minor nature and the approval of the Director General (or delegate) is recommended on this basis.

1.3 Mining, Petroleum Production and Extractive Industries

It is noted that the proposal does not intend to prohibit mining, petroleum production

and extractive industries and that coal seam gas operations are located within the Glenlee area.

While the planning proposal is therefore considered to be generally consistent with this direction, it is recommended that council consults with the Department of Primary Industries to ensure that the proposal is compatible with current and proposed extractive undertakings.

1.4 Rural Lands

The planning proposal proposes to rezone the land from rural to partly employment related uses. This is justified by the land being identified in the Sydney Metropolitan Strategy, etc. (see Items 1.1 and 1.2, above).

While this is the case, to ensure full compliance with the direction, it is recommended that the approval of Director General (or delegate) is given on the basis that any inconsistency is of minor significance.

2.1 Environmental Protection Zones

Not considered to be inconsistent as this planning proposal aims to include a new environmental protection zone for a significant part of the subject land, particularly adjoining the Nepean River.

2.3 Heritage Conservation

Glenlee House has been identified as an Item of State heritage in previously prepared technical studies, but is not located within the land subject to the current planning proposal.

It is proposed that a heritage study will accompany the planning proposal following a gateway determination.

The proposal is considered to be consistent with the objective of this direction.

3.4 Integrating Land Use and Transport

While it is noted that the planning proposal aims to provide employment land within close proximity to new urban release areas, further consideration should be given to the direction as part of proposed transport studies. This is recommended in this report.

4.2 Mines Subsidence and Unstable Land

The site is located within a Mines Subsidence Area and this has been confirmed in previous technical studies. Consultation with the Mine Subsidence Board is required in terms of the direction and this is recommended in this report.

4.3 Flood Prone Land

Campbelltown Council indicates that the proposal is not inconsistent with the direction as it does not propose to rezone any flood affected land for industrial uses. However, in the Camden Planning Proposal it is noted that there is some indication of flood affectation.

Water management/flood studies are recommended which will allow further consideration of the direction.

4.4 Planning for Bushfire Protection

Council has indicated it will comply with the direction.

5.1 Implementation of Regional Strategies

The Planning Proposal is not inconsistent with relevant regional strategies. The site has been identified as an area for investigation for future employment opportunities in the Metropolitan Strategy (2005) and the draft South West Subregional Strategy.

6.2 Reserving Land for Public Purposes

Part of the subject site is proposed to be zoned Special Uses (Arterial Roads) to

accommodate a section of the proposed Spring Farm Parkway (discussed in consideration of the following direction - 6.3).

Council has indicated it will consult with Roads and Maritime Services in this regard and council will be required to abide by the provisions of the direction.

It is recommended that, as a condition of a favourable Gateway determination, that this consultation occurs prior to exhibition, as such consultation may require amendment of the planning proposal.

6.3 Site Specific Provisions

The planning proposal seeks to insert an additional local provision into the LEP which will serve to protect the local road network and residential amenity. Council's proposal in this regard requires clarification.

This issue is addressed on page 6 and pages 19 to 20 of Camden's planning proposal, which highlights that an assessment of the proposal and the local road network indicates that existing road capacity could only support traffic generation resulting from a maximum potential of 12,500 m2 gross floor area of warehousing or 10 000 m2 gross floor area of general industrial use (or a proportion of both). In order to achieve the planned potential (i.e. 60 ha of industrial land), a connection through to the Hume Highway at Menangle Park is required.

In recognition of this impediment, Camden Council has resolved to:

'include within the Planning Proposal an additional local provision to prevent development over 12,500 m2 gross floor area or warehousing of 10,000m2 gross floor area of general use (or a proportionate combination of both) until such time that a connection through to the Hume Highway at Menangle Park is established'.

Similarly, Campbelltown Council's planning proposal (p.7) aims to 'restrict industrial development on the subject land to a total of 12,500m2 of GFA of warehousing or 10,000m2 GFA of general industrial use (or a combination of both) until such time as a road link to the F5 Freeway is established'.

In informal discussions with both Camden and Campbelltown council officers it has been established that it is intended to introduce a 'satisfactory arrangements' type clause in the LEP(s), to permit development above the GFA limits (see above), when road improvements have been made in the future.

Comment

The issue of traffic access is of major concern, particularly to Camden Council in the short term, as the current access to the site is via the Camden LGA. For the subject land to be fully developed, the construction of a major roadway (known as the Spring Farm Parkway proposal) between the urban release area of Spring Farm and the F5 Freeway is required (an indicative alignment diagram is attached - see 'Documents'). As there is no commitment for the development of this road from any government agency, both councils have sought the restriction.

Recommendation

Given that a traffic assessment clearly indicates that access is currently limited, there is no objection to the implementation of a cap as proposed to control traffic generation in the short term. As the cap would apply to both Campbelltown and Camden, it may be necessary for the councils (in consultation with the proponent) to nominate the proportion of the total cap(s) applying to the two LGA portions of the site.

However, the inclusion of a further 'satisfactory arrangements' type clause is not supported. It is envisaged there may be legal objections to allowing councils to interpret when and how satisfactory arrangements have been made to permit further development under the zone. Further, there is no certainty over the construction of the road and its timing. Therefore, it would be more desirable if the cap was applied

without the local clause allowing further development in an unspecified and unwieldy manner, e.g. one council may consider that road arrangements were satisfactory and the other may not.

Informal discussions with council officers indicate that no objections are held to the introduction of a local clause to cap development - only, and that removal of the cap can be undertaken by a further planning proposal(s) when future road improvements have been made.

7.1 Implementation of the Metropolitan Strategy

The subject land is identified in the Metropolitan Strategy as employment land. The proposal is considered to be consistent with the Strategy.

SEPPs

The Proposal is generally consistent with all State Environmental Planning Policies.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment : The mapping provided is sufficient to understand the proposal, location and strategic context.

Further mapping information was requested on the 20.5.13 to ensure the subject site was allocated for employment lands within the draft Sydney Metropolitan Strategy.

While the mapping is considered to be adequate for the purposes of a Gateway determination, a number of proposed supporting studies are required and further detailed mapping, as part of these studies, will clarify the proposal to assist with subsequent consultation.

In particular, it is noted that figures showing the location of proposed access, roads, in the short, medium and long term, from the Camden Bypass to the site (and ultimately, to the F5 Freeway) are not included in the planning proposal. It is recommended that these figures be included in the planning proposal with suitable notation.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment : Council proposes to undertake community consultation for a period of 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? Yes

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment : Overall the proposal, and the further information requested on the 20.5.13, adequately meets the requirements of the Department's guidelines for planning proposals and contains enough information to put forward a recommendation.

However, it is recommended that the planning proposal be amended to include a plan making time frame with milestones.

Proposal Assessment**Principal LEP:**

Due Date : December 2013

Comments in relation to Principal LEP : Council seeks to amend its existing EPIs at this time.

Assessment Criteria

Need for planning proposal :	The planning proposal is necessary for the orderly development of the land to facilitate proposed employment opportunities and other uses.
Consistency with strategic planning framework :	The proposal is consistent with the Metropolitan Plan for Sydney 2036 and the draft South West Subregional Strategy, particularly by facilitating additional employment opportunities.
Environmental social economic impacts :	The range of studies to be updated will determine the existence of environmental, social and economic impacts. However, it would appear that any potential impacts may be adequately managed.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	28 Days
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Timeframe to make LEP :	12 Month	Delegation :	DG
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Public Authority Consultation - s56(2)(d) :	Hawkesbury - Nepean Catchment Management Authority Office of Environment and Heritage NSW Department of Primary Industries - Minerals and Petroleum Department of Trade and Investment Landcom Mine Subsidence Board Transport for NSW NSW Rural Fire Service Transport for NSW - Roads and Maritime Services Sydney Water Telstra Adjoining LGAs Other
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

Flora
Fauna
Heritage
Bushfire
Flooding

Glenlee Planning Proposal

Air Quality

Economic

Other - provide details below

If Other, provide reasons :

Traffic and transport and impacts;

Heritage – both indigenous and non-indigenous;

Geotechnical and mine subsidence;

Surface and Groundwater

Infrastructure (including water and sewerage services)

Identify any internal consultations, if required :

Employment Lands (ELDP)

Is the provision and funding of state infrastructure relevant to this plan? Yes

If Yes, reasons : Council will need to consult with State agencies responsible for the provision of key infrastructure to establish servicing requirements.

Council should also be required to consult with Camden Council as part of the site is within that local government area

Documents

Document File Name	DocumentType Name	Is Public
Glenlee maps.pdf	Map	Yes
Planning Proposal.pdf	Proposal	Yes
Council's minutes of 19 February 2013 - extract.pdf	Proposal Covering Letter	Yes
Appendix 1 - Summary of technical studies.pdf	Study	Yes
Appendix 2 - Letter of 5 May 2006 -.pdf	Study	Yes
Spring Farm Parkway Proposal - indicative location.pdf	Map	No
Council's letter of 9 May 2013.pdf	Proposal Covering Letter	Yes

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
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 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

- Additional Information :
- Recommended as advice:**
- (a) Council is to consider the provisions of: SEPP 55 - Remediation of Land, SEPP (Mining, Petroleum Production and Extractive Industries) 2007 and SREP 20 - Hawkesbury Nepean River;
 - (b) Council may care to give further consideration to either amending its existing instruments or its proposed draft Campbelltown standard instrument LEP, however, it is to be clearly indicated which instrument(s) is being amended at the exhibition/consultation stage;
 - (c) the planning proposal be amended to include proposed plan making milestones.

Recommended: The Director General (or delegate) approves the inconsistency with section 117 directions: 1.2 Rural Zones, 1.4 Rural Lands and 6.3 Site Specific Provisions, on the basis of minor significance.

Delegation: Council has not formally resolved to exercise the the Minister's plan making powers. Council officers have not objected to these powers being delegated and it is recommended that delegation be given to Council in this regard.

Recommended conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act for a period of 28 days.

2. The timeframe for completing the local environmental plan is to be 18 months from the week following the date of the Gateway determination;

3. Prior to exhibition, Council is to amend the planning proposal by:

- 3.1 clarifying that the proposed cap on GFA does not extend to permitting the GFA to be exceeded by virtue of a local clause and can only be removed by a fresh planning proposal, and
- 3.2 Council is to nominate the portion of the cap applying to the the site within the Campbelltown LGA in consultation with Camden Council, or alternatively, indicate that the proposed cap(s) (in total) applies to all the land subject to both the Campbelltown planning proposal (PP-2013-CAMPB-001-00) and the Camden planning proposal (PP-2013-CAMDE-012-00) ; and
- 3.3 Include figures to show road access to the site in the short, medium and long term.

4. Council is to undertake the following studies:

- Flora, fauna and habitats,
- Geotechnical,
- Contamination,
- Surface, groundwater and flooding,
- Bushfire hazard management,
- Aboriginal and European heritage,
- Scenic Quality,
- Visual Assessment,
- Acoustic Assessment,
- Air Quality Issues,
- Transport, access and movement,
- Capacity of infrastructure, services and facilities.

5. Council is to consult with the Department of Trade and Investment - Mineral Resources and Energy (Minerals & Petroleum) and subsequently demonstrate consistency with section 117 Direction 1.3 Mining, Petroleum Production and Extractive Industries.

6. Council is to consult with the Office of Environment and Heritage and the Hawkesbury-Nepean Catchment Management Authority and subsequently demonstrate consistency with section 117 direction 2.1 Environmental Protection Zones.

7. Council is to consult with the Office of Environment and Heritage to demonstrate consistency with section 117 direction 2.3 Heritage Conservation, particularly in relation to the State listed heritage item known as Glenlee House.

8. In the preparation of a transport study, consideration of section 117 direction 3.4 (Integrating Land Use and Transport) is to be included in that study to demonstrate consistency with the direction.

9. Prior to exhibition, Council is to consult with the Mine Subsidence Board and, if necessary, take action as required by the direction.

10. Prior to exhibition, Council is to consult with Roads and Maritime Services to

Glenlee Planning Proposal

determine an appropriate Special uses zone (and acquisition responsibilities) and, if necessary, amend the planning proposal accordingly.

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

- Hawkesbury Nepean Catchment Management Authority
- Office of Environment and Heritage
- Landcom
- NSW Department of Primary Industries - Agriculture
- NSW Department of Primary Industries – Minerals and Petroleum
- Endeavour Energy
- Mine Subsidence Board
- Fire and Rescue NSW
- Transport for NSW
- NSW Rural Fire Service
- Roads and Maritime Services
- Sydney Water
- Telstra
- AGL
- Department of Trade and Investment
- The owner of the rail spur
- Australian Botanic Gardens
- Adjoining LGAs

Supporting Reasons : The planning proposal should proceed as it will contribute to providing employment opportunities in accordance with the Metropolitan Plan for Sydney 2036 and the draft South West Subregional Strategy.

Signature:



Printed Name:

T DORAN

Date:

21/6/13