

8.2 Menangle Park - Draft Planning Proposal

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Officer's Recommendation

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Menangle Park Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure and monetary contributions relating to the Menangle Park Urban Release Area which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to 'make' the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

Executive Summary

- Dahua Group Australian Pty Ltd (Dahua) has submitted a Planning Proposal Request (PPR) that seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in respect of land within the Menangle Park Urban Release Area (MPURA). The PPR does not apply to land within the existing village that is under separate fragmented ownership.

- The PPR is based upon the proponent's revised vision for the MPURA and seeks to expand and rationalise the current urban zonings, realign some existing zones, introduce the R4 High Density Residential zone, relocate the B2 Local Centre zone, introduce a B1 Neighbourhood Centre zone and zone two critically endangered ecological communities for conservation.

The PPR is supported by a revised draft masterplan that proposed:

- a. Approximately 4,000 dwellings (an increase of 1,000 dwellings in the site) in a range of densities, lot sizes and dwelling types across the Dahua holdings to increase gross dwelling density from approximately 12 to 18 dwellings per hectare.
- b. The relocation of the town centre to provide a super neighbourhood shopping centre within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway, adjacent to Howes Creek and associated open space.
- c. The introduction of a new neighbourhood centre (adjacent to the proposed new school and open space).
- d. A revised road and street network to provide improve permeability throughout the site including a new north-south green active transport link.
- e. A total of 34.81 hectares of active and passive open space, including a new 5 ha site for new sporting fields.
- f. A total of 43.96 hectares of land for environmental conservation.
- g. Opportunity to enhance and relocate the community facility within the town centre to support the proposed increase to the population.
- h. A two-hectare primary school site adjacent to the neighbourhood centre and associated open space.

It is considered that the PPR has strategic merit and would allow a more diverse and sustainable urban release outcome, with an enhanced range of dwelling opportunities, supporting commercial and community facilities, greater conservation of sensitive ecological areas, increased open space and appropriate road and stormwater management infrastructure supported by a local voluntary planning agreement.

Purpose

The purpose of the report is to present a Planning Proposal (PP) (attachment 1) derived from a Proponent initiated Planning Proposal Request (PPR) (attachment 2) relating to a significant portion of the Menangle Park Urban Release Area and to recommend that Council seek a Gateway Determination in accordance with the provision of the EP&A Act with amendments as outlined in this report.

Property Description The Planning Proposal Request applies to the lands:

Lot 1 DP 534114
 Lot 1 DP 554242
 Lot 3 DP 236059
 Lot 1 DP 727098
 Lot 7 DP 787284
 Lot 1 DP 249393
 Lot 1 DP 707225
 Lot 31, 32 and 33 DP 1101983
 Lot 1 DP 708770
 Lot 124 DP 1097090
 Lot 125 DP 1097138
 Lot 641 DP 600334
 Lot 1001 DP 1219028
 Lot 32 DP 1101983
 Lot 1 DP 598067
 Lot 1000 DP 1219023
 Lot 1001 DP 1219023
 Lot 32 DP 1105615
 Lot 1 DP 1091474
 Lot 2 DP 554242
 Lot 59 DP 10718
 Lot D DP 19853
 Lot 9 DP 249530
 Lot 12, 15 and 17 DP 251335
 Lot 4 DP 628052
 Lot 1 DP 349475
 Lot A DP 380033
 Lot 642 DP 600334
 Lot 1002 DP 1234642
 Lot 2006 DP 1234643
 Lot 2007 DP 1234643
 Lot 2008 DP 1234643
 Lot 2009 DP 1234643
 Lot 2010 DP 1234643
 Lot 2011 DP 1234643
 Lot 2012 DP 1234643
 Lot 2013 DP 1234643
 Lot 1 DP 737485
 Lot 1 DP 1232321

Application Number 4106/2018/E-PP**Applicant** Dahua Group Sydney

Land Owner Dahua Group Sydney 3 Pty Ltd
 Dahua Group Sydney 2 Pty Ltd
 Landcom
 SydneyWater Corporation
 John Robert Brownlee & Marion Brownlee
 Troy Barrie Martin & Jason James Young
 Field Developments Pty Ltd

Rogan Property Group Pty Ltd
 Shirley Lorraine Cocker & Helen Margaret Martin
 Epsilon Distribution Ministerial Holding Corporation

Provisions

- Campbelltown Local Environmental Plan 2015
- Section 9.1 Ministerial Directions
- Greater Sydney Region Plan
- Western City District Plan
- Greater Macarthur: An Interim Plan for the Greater Macarthur Growth Area.
- Campbelltown Community Strategic Plan
- Campbelltown Draft Local Strategic Planning Statement
- State Environmental Planning Policies
- Campbelltown (Sustainable City) Development Control Plan 2015

Date Received

19 November 2018

History

The Menangle Park Urban Release Area (MPURA) was rezoned in November 2017 after a decade long strategic planning phase. The relevant LEP amendment and site specific Development Control Plan amendment provided comprehensive planning controls for development of approximately 3400 dwellings, support infrastructure and conservation outcomes.

Since rezoning, the Proponent and other land owners within the precinct have commenced the process of seeking development consent to enable commencement of works as per the applicable planning framework. The subject applications and their current status is summarised in Table 1 below:

Table 1: Development Application Summary		
Development Application	Details	Status
3885/2017/DA-SW	Stage 1 – Subdivision of 255 residential lots and 7 super lots including works	Under Assessment
292/2018-SW	Stage 2A – Subdivision of 67 residential lots and one residue lot.	Under Assessment
681/2018/DA –SW	Stage 2B – Subdivision of 87 residential lots and three residue lots.	Under Assessment
2023/2018/DA-CW	Temporary Sales Office - construction of a temporary sales office on land to the south of the intersection of Cummins and Menangle Road, Menangle Park	Approved/Constructed
2393/2018/DA-CW	Landscaping works and associated civil works – design and construction of	Under Assessment

	two parks (Hill Top Park on the northern side of Menangle Road; and Linear Park along the northern side of Menangle Road and western side of the Hume Highway).	
2807/2018/DA-CW	Cummins and Menangle Road Intersection - design and construction of a new four leg roundabout at the intersection of Cummins and Menangle Road	Approved
3199/2017/DA-A	Advertising/Signage – construction of eight freestanding pylon signs	Approved
3315/2018/DA-DW	Vegetation Management – development of vegetation management on site including removal, proposed offset areas and areas that will be retained.	Under Assessment
4057/2018/DA-SW	Stage 3 - Subdivision to create 355 residential lots, within 6 sub stages and works	Under Assessment
3574/2019/DA-CW	Bulk earthworks to regrade the site, vegetation removal and subdivision works	Under Assessment
3573/2019/DA-CW	Remediation of contaminated land and enabling site works	Under Assessment
3953/2019/DA-S	Creation of 5 lots from 10 existing lots	Under Assessment

In addition to the above applications, the Proponent lodged a PPR (attachment 2) in November 2018 with supporting technical studies. Councillors were briefed on the proposal by the Proponent on 16 October 2018 prior to lodgement.

The Campbelltown City Council Local Planning Panel (the Panel), at its meeting of 23 October 2019 considered the proposal and provided the following advice:

1. That the Panel advise the Council that it supports the PPR to amend the Campbelltown Local Environmental Plan 2015 as outlined in the Officer's report subject to the following key amendments:
 - a) The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living with a minimum lot size of 4000 square metres.
 - b) Areas of critically endangered Elderslie Banksia Scrub community proposed to be zoned RE1 Public Recreation should be zoned E2 Environmental Management.

- c) That the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31 Roads be zoned SP2 Infrastructure and be subject to Roads and Maritime Services being the responsible authority for acquisition and ownership.
 - d) Amend the Floor Space Ratio standard in Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.
 - e) The Panel is of the view that at 11.5 hectares, the proposed large B2 zone appears to be of excessive area to provide for the requested 30,000 square metres of gross floor area. The area of the proposed B2 zone therefore requires review commensurate with the proposed increase of gross floor area from 15,000 to 30,000 square metres.
 - f) The final B2 area be determined following a more detailed economic modelling study and land use assessment of the zoned area and its impact on existing and proposed surrounding commercial centres. This work should be undertaken prior to referral for Gateway Determination.
 - g) That Dahua commit to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure within its land holdings, including early provision of public transport.
2. That the PPR, as amended in 1 above, has strategic merit in regard to the natural environment, dwelling diversity, and consistency with relevant requirements of the Regional and District Plans.

Subject to addressing the above matters, the Panel recommends to Council that it considers it appropriate for the proposal to proceed for a Gateway Determination to enable public comment to be obtained on the proposal.

Those items above that require a response from Council are addressed in Section 2 Evaluation.

Most recently, Councillors were briefed by the Proponent on the final draft PPR on 25 February 2020.

The Site

The MPURA comprises both the fragmented Menangle Park Village holdings and the larger properties principally owned and/or controlled by the Dahua Group.

The land subject to the PPR (the land) is located approximately 5.5km south west from the Campbelltown CBD. The site is generally bound by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the North. The Main Southern Railway Line dissects the MPURA in a north south direction and the planned Spring Farm Parkway is planned to be constructed along the northern edge of Howes Creek. The site comprises numerous lots of variable size and has a total area of 507 hectares (76 percent of the MPURA) and excludes land known as the Village as illustrated in figure 1 within attachment 1.

The land has an overall relief of approximately 60m from the highest part of the site to the Nepean River, the lowest part. There are two gas wells in the open space/riparian area adjacent to Howes Creek, in the eastern portion of the site. AGL has confirmed that these gas wells are anticipated to cease production in 2022 and following this will be scheduled for rehabilitation.

The land does not contain any items of State or local heritage significance and is not located within a heritage conservation area. The Glenlee House Estate is a State Heritage Listed Item and is located to the immediate north-west of the site.

Report

The proposal is comprised of three parts being the PPR, Development Control Plan Amendment and commitment to infrastructure delivery via a proposed Voluntary Planning Agreement as summarised below.

The Planning Proposal Request (PPR) as originally lodged with Council seeks to comprehensively amend Campbelltown Local Environmental Plan 2015 (the CLEP 2015) to:

- Amend the land use zones and principle development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development. Further detail is provided in Section 1.9 below.
- Relocate and expand the local centre from around 15,000sqm of Gross Floor Area (GFA) to permit 30,000sqm of GFA of commercial uses within the northern portion of the site with access to and from Stage 1 of the Spring Farm Parkway.
- Introduce a new neighbourhood centre (adjacent to the proposed new school and open space) to permit 3500sqm of GFA for commercial uses.
- Relocate and provide for a two-hectare primary school site adjacent to the proposed neighbourhood centre and associated open space.
- Adjust the provision of public open space consisting of sporting fields and local parks from 31.37 hectares to 43.77 hectares.

The Development Control Plan Amendment proposes to:

- Deliver a more diverse range of housing types and densities in proximity to the proposed local centre, neighbourhood centre and local open spaces to facilitate approximately 4000 dwellings (an increase of 1000 dwellings in the site).
- Amend the road and street network and introduce a new major north south green spine/active transport link.
- Relocate and increase the provision of passive and active open space comprising sporting fields, local parks, pocket parks and a riparian corridor network.
- Introduce the provision of conservation lands arising from detailed site investigations to support the making of development applications.

- Introduce a precinct based approach to guiding dwelling mix and density based on existing and future place characteristics.
- Update built form controls for residential development to ensure controls are suitable for development of a range of lot sizes and dwelling types.
- Update street design, road hierarchy and cycle way links to provide a logical and connected street network.
- To provide landscape controls that seek to address tree canopy and heat island effect measures.

The approach to infrastructure delivery seeks to:

- Progress a local Voluntary Planning Agreement for Dahua lands based on a revised Section 7.11 Contribution Plan.
- Apply to all works in kind and land dedications included in the new Section 7.11 Contribution Plan that are situated on the Dahua Land.
- Demonstrate there will be no additional financial risks or costs to Council for the balance lands of the MPURA above and beyond what is in the current Section 7.11 Contributions Plan.
- Deliver works generally to coincide with the adjacent stage of development or based on yield triggers for phases of works.

The VPA would be negotiated and prepared to coincide with a review of the current Menangle Park Development Contributions Plan which is required as a result of the current proposal.

The PPR is supported by the following specialist technical studies.

Specialist Technical Studies	Author	Date
Preliminary Site Investigations with Limited Intrusive sampling, Menangle Park North	Douglas Partners Pty Ltd.	April, 2017
Detailed Site Investigations for Contamination with Limited Sampling Menangle Park South	Douglas Partners Pty Ltd.	April, 2017
Menangle Park Master plan – Preliminary European Heritage Assessment	Extent Heritage Pty Ltd.	November, 2018
Menangle Park – Proposed Masterplan Assessment of Impact on Aboriginal Cultural Heritage	Kelleher Nightingale Consulting Pty Ltd.	November, 2018
Menangle Park Urban Design Report	Roberts Day	November, 2018
Menangle Park Open Space and Landscape Strategy Report	Place Design Group	November, 2018
Masterplan Water Cycle Management Menangle Park Urban Design	SMEC	November, 2018
Masterplan – Master Plan Biodiversity Assessment	Cumberland Ecology	November, 2018
Menangle Park Planning Proposal Bushfire Management Strategy	Eco Logical Australia	May, 2018

Menangle Park Planning Proposal Traffic Impact Assessment	GTA Consultants	November, 2018 amended December, 2018
Menangle Park Social Infrastructure Study and Social Impact Assessment	Elton Consulting	May, 2018
Menangle Park Urban Release Area Acoustic Report	TTM	November, 2018
Menangle Park Masterplan Economic Impact Assessment	AEC Group Ltd	November, 2018
Menangle Park Target Market and Dwelling recommendations – Summary of Highlights	Colleen Coyne Property Research	February, 2018
Service Infrastructure Report - Menangle Park	SMEC	November, 2018
Menangle Park Market Potential Report	Location IQ	December 2018
Menangle Park Town Centre Response to Local Planning Panel	Locaton IQ	December 2019

Since submission of the PPR, elements of the supporting studies may no longer be relevant due to iterative amendments to the proposal arising from Council Officer Review.

Discussion

This report considers the strategic context of the PPR in relation to State and local planning policies and the potential impacts of the proposal.

1. Strategic Context

The following State and local planning policies are relevant to the Proposal as discussed below.

1.1. Greater Sydney Region Plan

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PPR against the relevant Directions and Objectives of the Greater Sydney Regional Plan is provided in table 2 of attachment 1. The PPR is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

1.2. Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Menangle Park as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, the MPURA has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PPR against the relevant Directions and Priorities District of the Plan is provided in table 2 of attachment 1. The PPR is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

1.3. Greater Macarthur Growth Area

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including Menangle Park.

Greater Macarthur 2040 identifies that Menangle Park will be:

- rezoned and release land for urban development
- deliver around 4,000 new homes
- create a new town centre providing local retail and commercial services

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including:

- sub-regional shopping centre at Wilton providing around 52,600sqm Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600sqm GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000sqm GLA overall

The Menangle Park centre is proposed to be located in close proximity to the Menangle Park Railway Station.

The PPR is supported by an Economic Impact Assessment that indicates that up to 33,500sqm of Gross Floor Area (GFA) could be supported, comprising:

- a new local centre (Town Centre) comprising 30,000sqm of retail and employment
- a new neighbourhood centre comprising 3500sqm of employment

However, the figures within the Economic Impact Statement are based on the Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan, which precedes Greater Macarthur 2040. This Plan identifies Menangle Park as having a local centre with approximately 20,000 to 30,000sqm of GFA.

The PPR proposes to relocate the Town Centre closer to the Spring Farm Parkway connection to ensure that a full-line supermarket and associated retailers are provided the best opportunity to achieve a high sustainability level and to be open at the earliest possible time. The retention of a neighbourhood centre within the southern portion of the release area, and integrated with the future primary school and open space would provide retail choice for future residents.

The Campbelltown Local Planning Panel identified a need to further review the footprint of the relocated Town Centre of 11.5 hectares in providing for 30,000sqm of GFA. Additionally, the Panel advised that the final amount of land zoned B2 Local Centre, be established after detailed modelling of commercial impacts upon nearby existing and proposed commercial centres and land use assessment of the zoned area. This matter is addressed in Section 2.1 of this report.

1.4. Consideration of State Regional Environmental Plans

State Regional Environmental Plan 20 – Hawkesbury Nepean River applies to the Menangle Park Urban Release Area. The aim of the SREP 20 is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The PPR is generally consistent with SREP 20 as it aims to protect the environment of the Hawkesbury-Nepean River with appropriate development controls in place for development impacted by the probable maximum flood.

1.5. Consideration of State Environmental Planning Policies

The PPR is consistent with relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and statement of consistency is provided in table 5 of attachment 1. This includes the recently made Greater Macarthur Growth Area amendment to State Environmental Policy (Sydney Region Growth Centres) 2008 which was notified on the NSW Legislation Website on 6 December 2019.

1.6. Consideration of Section 9.1 Ministerial Directions

The PPR is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions forms table 6 in attachment 1.

1.7. Campbelltown Community Strategic Plan 2017-2027

The Campbelltown City Community Strategic Plan (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PPR is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city.	<ul style="list-style-type: none"> • The community will be afforded the opportunity to review the Planning Proposal and engage at key stages in the decision-making process. • The proposal seeks to revise the masterplan to improve place making, public domain and open space outcomes. • Provides for the interpretation of historical uses and ownership of the site. • Provides for greater housing choice and diversity.
Outcome 2	
A respected and protected natural environment	<ul style="list-style-type: none"> • The proposal seeks to preserve additional areas of critically endangered ecological communities that were incorrectly identified during the previous plan making process. • Is consistent with Council's Natural Assets Corridor Map.
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> • Delivery of infrastructure is supported by Council's Menangle Park Development Contributions Plan and the Proponents offer to enter into a Voluntary Planning Agreement.
Outcome 4	
A successful city	<ul style="list-style-type: none"> • The proposal seeks to implement a more permeable road network and transport system that will serve a greater walking catchment within the site. • The proposal seeks to implement an iconic 'Green Spine' to provide a connected pedestrian link through the site with opportunity to form part of a regional connection to the Western Sydney Parklands.

1.8. Draft Local Strategic Planning Statement 2019

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting on 18 February 2020. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- outline the characteristics that make our city special
- identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is generally consistent with the draft LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

1.9. Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework, proposed amendments and planning response is discussed below:

CLEP 2015 Current	Proposed Amendment	Comment
Land Use Zoning Map		
The zoning of land in the MPURA uses the R2 Low Density Residential, R3 Medium Density and RU5 Large Lot Residential zones to control density and residential housing form. Commercial uses are supported by a B2 Local Centre zone.	<p>The PPR seeks to introduce or amend the spatial location of land use zones to:</p> <ul style="list-style-type: none"> Relocate and enlarge the B2 Local Centre adjacent to Howes Creek and the future Spring Farm Parkway. Introduce a B1 Neighbourhood Centre to provide for convenience retailing and local place making adjacent to a proposed primary school. Increase the area zoned R3 Medium Density Residential along the Green Spine and around the relocated B2 Local Centre and proposed B1 Neighbourhood Centre zones. Introduce the R4 High Density Residential zone along the southern side of the Howes Creek and as part of the Town Centre precinct. Replace the RU2 Rural Landscape zone with E4 Environmental Living zone. Increase the provision of RE1 Public Recreation land to support additional passive and active recreation. 	<p>The updated land use strategy is based on providing a greater address to Howes Creek and the future Spring Farm Parkway which will become the main arterial road that supports the precinct.</p> <p>Concern is raised the footprint of the proposed Town Centre exceeds the supportable commercial floor space and should be reduced. This would best be achieved by specifying suitable areas of land for retail, business and support uses and returning the balance to a residential use.</p> <p>The expansion of R3 Medium Density Residential and introduction of the R4 High Density Residential Zone is supported on the basis that housing diversity will be required to align with locations that either have good access to services, education or public open space. The provision of a diverse range of housing will also assist in providing appropriate density in the right locations.</p> <p>The R4 High Density Residential zone allows for residential flat buildings within walking distance to the town centre and would provide certainty to future residents regarding the</p>

CLEP 2015 Current	Proposed Amendment	Comment
		<p>agreed location for this form of housing.</p> <p>The replacement of the RU2 Rural Landscape zone with the E4 Environmental Living zone is proposed on the grounds that agricultural uses are not appropriate and that the land has certain environmental interface and scenic qualities.</p> <p>Any future application for a dwelling would require submission of a development application to Council and could be considered as complying development.</p> <p>Finally, as further discussed in Section 2.1 (biodiversity) below, areas of the critically endangered Elderslie Banksia Scrub community have been identified by the Proponent for conservation within open space.</p> <p>It is recommended these areas (known as parks K and L within the Proponents supporting material) be part zoned part E2 Environmental Protection. This would support offsetting as part of future development applications.</p>
Minimum Lot Size Map		
<p>The current minimum lot sizes are:</p> <ul style="list-style-type: none"> • R2 Zone: 420sqm • R3 Zone: 300sqm • R5 Zone: 950sqm and 2,000sqm 	<p>The PPR seeks to amend the Minimum Lot Size Map as follows:</p> <ul style="list-style-type: none"> • R2 Zone: 420sqm (No change) • R3 Zone: NA • R4 Zone: NA • R5 Zone: 750sqm 	<p>The PPR does not propose to amend the existing Minimum Lot Size Map for the R2 zone.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and R4 High Density Residential zones is to provide consistency with a proposed new subdivision clause to provide for a</p>

CLEP 2015 Current	Proposed Amendment	Comment
<ul style="list-style-type: none"> RU2 Zone: 3ha 	<ul style="list-style-type: none"> E4 Zone: 4,000sqm <p>The PPR also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes “Area 1” which would apply to the R3 Medium Density Residential zone and “Area 2” which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards below.</p>	<p>diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p> <p>The proposal to reduce the minimum lot size for the E4 Environmental Living zone to 4,000sqm would ensure a reasonable transition in built form to the R2 Low Density Residential zone and provide greater opportunity for increased dwelling setbacks, particularly adjoining Menangle Park Road.</p> <p>Subdivision to a minimum of 4,000sqm lots in the E4 Environmental Living Zone (as recommended above) would support the provision of homes within a landscape setting and would require a development application to be lodged for any dwelling. The provisions of the Exempt and Complying SEPP would not apply due to the sensitive interface with the Nepean River.</p> <p>The proposed identification of specific areas for reduced lot sizes would allow dwelling diversity within the release area. This approach is supported on the grounds that the proposal would only apply to the Proponents land holdings.</p> <p>As the Proponent has control of the site, there is greater opportunity to provide a master planned estate that is supported by high quality open spaces, green streets and active commercial areas.</p>

Height of Building Map		
<p>The current maximum buildings heights are:</p> <ul style="list-style-type: none"> • B2 Zone: 15m • R2 Zone: 8.5m • R3 Zone: 8.5m • R5 Zone: 8.5m • RU2 Zone: 8.5m 	<p>The PPR seeks to amend the Height of Building Map as follows:</p> <ul style="list-style-type: none"> • B2 Zone: 24m (6–8 sty) • B1 Zone: 15m (4-5-sty) • R2 Zone: 9m (1-2 sty) • R3 Zone: 12m (2-3 sty) • R4 Zone: 18m (4-6 sty) • E4 Zone: 8.5m (1-2 sty) 	<p>The proposal seeks to apply a 9m height of building control for the R2 Low Density Residential Zone. This control is 0.5m higher than the standard 8.5m control applied by the Codes SEPP and is considered appropriate for development on sloping land.</p> <p>The proposed 12m height limit on R3 Medium Density Land is commonly applied in similar land release settings and ideally supports terrace style housing. Clause 4.3A of the CLEP would continue to apply and limit development to two storeys.</p> <p>Within the B2 Local Centre and R4 High Density Residential zones, opportunity to provide developments up to 6 and 8 storeys is supported on the grounds that the subject land would be within a town centre setting, have excellent access to services and lifestyle opportunities. Development of this scale would also be consistent with other centre locations along the Growth Area corridor.</p>
Floor Space Ratio Map		
<p>The current maximum floor space ratios are:</p> <p>R2 Zone: 0.55:1</p> <p>R3 Zone: 0.55:1</p> <p>No FSR standard applies to the B2, R5 or RU2 zones.</p>	<p>The PPR seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates to.</p>	<p>The application of an FSR control within a land release context is uncommon. The usual approach is for floor area to be addressed via building envelope and site coverage controls within a DCP.</p> <p>The Proponent is seeking to control bulk and scale using building footprint limits, minimum landscaped area, maximum site coverage, solar access controls and</p>

		<p>minimum boundary setbacks. These matters will be appropriately dealt with in the revised Menangle Park DCP.</p> <p>This outcome would provide a consistent approach with the Greenfield Housing Code for Complying Development and would improve the customer experience for land owners seeking to either lodge a Development Application with Council or to seek a Complying Development Certificate from an Accredited Certifier.</p> <p>However, development in the town centre would benefit from the application of a floor space ratio control due to the opportunity for mixed use development up to 8 storeys. It is recommended that a floor space ratio be determined as a condition of Gateway Determination prior to commencement of public exhibition.</p>
Land Reservation Map		
The land reservation map identified land required for a public purpose such as open space roads and utilities.	The PPR seeks to update the land reservation map based on the updated Land Zoning Map where reserved exclusively for a public purpose, including the provision of open space and environmental conservation land.	<p>The proposed amendments are generally supported on the grounds of an appropriate provision of open space.</p> <p>Funding for acquisition via the Menangle Park Development Contributions Plan will require an update and further review by the Independent Pricing and Regulatory Tribunal.</p> <p>In progressing the amendment, it is recommended that Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining</p>

		the north facing ramps onto the M31 as these form batters to the road structure.
Principal Development Standards: Subdivision		
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> • Dual occupancy • Semi-detached dwelling • Attached dwelling • Multi Dwelling Housing • Centre based child care facilities • Residential Flat Buildings <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PPR seeks to insert additional subdivision clauses to enable development consent to be granted for subdivision of land to achieve the following:</p> <p>On R2 Low Density Residential land, to permit 150 lots no less than 375sqm subject to meeting the following criteria:</p> <ul style="list-style-type: none"> • Each lot has a minimum lot size of not less than 375sqm • Each lot has a minimum primary road frontage of 11.5sqm • Each lot is not a corner allotment, • No more than 150 lots have a lot size of less than 420sqm within a defined area of R2 zoned land • No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420sqm and • Each lot is located not more than 200m from a bus stop or open space area. <p>On R3 Medium Density Residential zoned land, to permit a variety of low rise dwelling types with the following minimum lot sizes:</p> <p>Dwelling House: 250sqm Semi-detached dwellings: 250sqm Dual Occupancy: 500sqm Secondary Dwellings: 450sqm</p>	<p>On 11 June 2019, Council adopted amendments to CLEP 2015 to prohibit multi dwelling housing in the R2 Low Density Housing Zone. This will provide certainty that subdivision for dwellings and dual occupancy development may only occur in the R2 zone.</p> <p>However, for development in the R3 Medium Density Residential zone, CLEP 2015 does not currently have controls that would be suitable for Menangle Park. Therefore, the inclusion of a new subdivision clause is appropriate to support medium density development in specified areas.</p> <p>This approach would position Menangle Park to provide a similar housing product to the Willowdale Precinct whilst providing certainty that this housing may only occur in the R3 zone in locations close to open space, services and public transport.</p> <p>It would also enable these forms of development to occur as either local development (CLEP 2015) or complying development (State Environmental Planning Policy (Exempt and Complying Development) 2008.</p> <p>The proposal to allow some lots below 420sqm in the R2 Low Density Zone is already applied in the Mt Gilead Urban Release Area and</p>

	<p>Attached Dwellings: 200sqm Multi Dwelling Housing: 1500sqm</p> <p>It is intended that the Menangle Park Development Control Plan guide the applicable built form and site requirements in relation to driveways, parking and access.</p>	<p>provides for a 'salt and pepper' approach to delivering lot diversity. On the grounds that only 150 smaller lots are proposed, this amendment is supported as it would support a diversity of lot widths assist to improve streetscape diversity.</p>
Principal Development Standards: Floor Space Ratio		
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential: 0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential: 0.75:1</p> <p>Centre-based child care facilities in a residential zone: 0.55:1</p>	<p>The applicant has not sought to amend this development standard.</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floor space controls are in addition to the Floor Space Ratio Map.</p> <p>Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the Menangle Park URA in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.</p>

In summary, the above amendments are considered to have strategic merit subject to the following changes:

- The proposed use of the R5 Large Lot Residential zone for land addressing the Nepean River be amended to E4 Environmental Living, with a minimum 4000sqm Lot size provision.

- The height of building map for land within the town centre zoned B1 Neighbourhood Centre is reduced to 15 metres and R3 Medium Density Residential reduced to 12 metres.
- A floor space ratio be determined as a condition of Gateway Determination prior to commencement of public exhibition.
- Areas of critically endangered Elderslie Banskia Scrub community are to be zoned E2 Environmental Management and not RE1 Public Recreation.
- Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31.
- Amend Clause 4.4 (2A) to exclude its application for areas shown on the Urban Release Area Map.

The recommended amendments listed above are included in the Planning Proposal prepared by Council officers in attachment 1.

The current planned residential density of the MPURA is approximately 12 dwellings per hectare. This density is considered low by contemporary standards and would not support future business cases for improved public transport or contemporary expectations on local service provision.

The proposal would result in approximately 1000 additional dwellings on land under the control of Dahua, lifting the density to approximately 18 dwellings per hectare on Dahua controlled land. This density would be less than many nearby growth area precincts that have gross residential densities above 20 dwellings per hectare.

1.10. Campbelltown (Sustainable City) Development Control Plan 2015

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 8 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the MPURA.

The PPR foreshadows an amendment to Part 8 of the CSCDCP (April, 2019) including the adoption of the new Structure Plan and Character Areas controls. The amendments are intended to guide the projected development yield and structured provision of diverse housing forms in respect of minimum lot size and density distribution.

Should the matter progress to Gateway Determination, staff would commence the process of reviewing and updating the DCP. Importantly, the proposed amendments would not compromise established planning for the existing Village area.

2. Evaluation

As the precinct is already a release area, the assessment is limited to matters relevant to likely impacts arising from the proposal as discussed below.

2.1. Town Centre

The PPR proposed the following key changes to the provision of commercial facilities; supported by reports by Location IQ 2018 and AEC:

- Relocation of the Menangle Park Town Centre to a location proximate to the Spring Farm Parkway so as to enhance its early and longer-term trade.
- Increase the Town Centre commercial footprint to approximately 11.5ha and increase the gross floor area (GFA) from 15,000sqm to 30,000sqm.

The Campbelltown City Council Local Planning Panel (the Panel) considered the proposed footprint of the Town Centre of 11.5ha to be excessive for the proposed 30,000sqm of gross floor area and that the area of the proposed B2 zone should be reviewed commensurate with the proposed increase of gross floor area from 15,000sqm to 30,000sqm.

Additionally, the Panel advised that the area of land to be zoned B2 Local Centre should be determined after detailed economic modelling and land use assessment having regard to impact on existing and proposed surrounding commercial centres, prior to being referred to Gateway Determination.

In response, the Proponent submitted the following additional information specific to the town centre:

- a draft Town Centre Masterplan compiled by Allen Jack and Cottier Architects (AJC)
- Location IQ Menangle Park, Potential Market Report, December 2018
- Location IQ Menangle Park, Response to LPP Report, December 2019
- ARUP – Menangle Park Town Centre Traffic Advice

Arising from the above reports, the Proponent has agreed to reduce the proposed commercial footprint from 11.5ha to 6.2ha and use the B1 Neighbourhood Centres (2.2ha) and B2 Local Centre (4ha) zones to provide greater certainty regarding the permissibility of retail versus other business related land uses. This outcome generally addresses the Panel's concern and results in a slightly smaller (-2000sqm) town centre than zoned under the existing CLEP 2015.

2.2. Biodiversity

The current planning controls for Menangle Park seek to ensure appropriate biodiversity conservation outcomes in an urban release area context. Review of the PPR has confirmed the presence of significant additional patches of the critically endangered Elderslie Banksia Scrub community that require specific protection and management measures.

It is proposed that the conservation of the Elderslie Banksia Scrub community include supplementary planning and the forging of linkages to proximate remnants, together with perimeter buffering. Conservation protection measures for these land may be either be via stewardship sites, positive covenant or zoning with related Vegetation Management Plans. Any open space opportunities within close proximity of the subject conservation areas shall be clearly delineated.

The current controls in respect of terrestrial biodiversity are contained principally in Clause 7.20 of the Campbelltown Local Environmental Plan 2015 and the associated Terrestrial Biodiversity Map.

Assessment of biodiversity impacts is currently ongoing with respect to separate development applications lodged with Council. These applications as described in the history section of this report have been prepared in accordance with the Biodiversity Conservation (Savings and Transitional) Regulation 2017.

2.3. Bushfire

The original rezoning demonstrated that urbanisation of the site could incorporate appropriate bushfire protection measures in accordance with the provisions of Planning for Bushfire Protection 2006 (PBP). The most recent amendments to PBP by the NSW Rural Fire Service (RFS) has resulted in changes to various requirements, in particular Asset Protection Zones (APZs) and the categorisation of bushfire hazards.

The general principles of the former bushfire management strategy remain largely intact. Minor modifications may potentially be needed to the Masterplan as a result of public agency feedback from the NSW Rural Fire Service or as future development applications are lodged and determined.

2.4. Contamination

The original rezoning deemed the site suitable for urban purposes with identified Areas of Environmental Concern (AEC) considered capable of practical and economic remediation. More recent site investigations accompanying the PPR undertaken by Douglas Partners Pty Ltd (DP) concluded the potential for contamination constraints, excluding the AECs to be low. The investigation further concluded that a Sampling and Analysis Quality Plan (SAQP) should be prepared for each AEC and should also include an Unexpected Finds Protocol within future subdivision determinations.

In summary, it is considered that contamination remains a matter that does not preclude development of the site for urban purposes and that more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.

2.5. Mine Subsidence

The site falls within the South Campbelltown Mine Subsidence District. Mine subsidence was previously considered as part of the original rezoning of the site for urban purposes.

The Department of Planning previously 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.

The current planning proposal as it relates to Menangle Park does not change the conclusions of the previous assessment. As part of staged subdivision and early works Development Applications (DAs) within Menangle Park approval from Subsidence Advisory NSW under section 22 of the *Coal Mine Subsidence Compensation Act 2017* will be progressively required.

The previous conclusion of the suitability of the site for urban purposes remains unaltered.

2.6. Open Space Provision

The PPR is supported by an open strategy that provides a series of diverse open space opportunities and performs a diversity of functions including:

- Riparian land/flood plain
- Informal open space (parks and play spaces)
- Formal playing fields/Structure sport
- Ecological land

Assessment of the strategy is based on the traditional standard of 2.83ha of open space per 1000 people. Under the current plan, a total of 31.37ha of open space is provided as detailed in the Menangle Park Contributions Plan.

The PPR is based on an updated population estimate arising from an addition 1000 dwellings on land controlled by Dahua, the updated masterplan proposes to provides an extra 12.4ha of open space comprised of a new double playing field on Lot D in DP 19853 (Rural lot north of Club Menangle) and various local parks and linear links adjoining riparian areas. Further open space would be delivered within the town centre in the form of pedestrian plazas and town square treatment that could be privately managed space.

Areas excluded from the assessment as usable open space include land adjoining the north facing ramps for Stage 1 of the Spring Farm Parkway, land reserved for an entry feature at the intersection of the Spring Farm Parkway, proposed north-south spine road, the steep knoll adjoining the M31 and land recommended in this report to be zoned E2 Environmental Conservation.

2.7. Traffic Assessment

The support traffic modelling indicates satisfactory levels of performance both midblock and at critical intersections, during both morning and afternoon peak periods. It is noted however, that traffic and accessibility of the masterplan level requires review, inclusive of proposed bus route planning. Traffic impacts beyond the site are considered to be manageable. Further analysis should however, be undertaken in the context of traffic modelling for the Greater Macarthur Growth Area and occur prior to finalisation of the amendment.

2.8. Water Cycle Management

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the SPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the one percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes are to be addressed in future DA's for development of these areas. The PPR does not result in significant increases in development of land affected by the one percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the one percent AEP and stormwater pollutant load reduction targets. It is proposed to continue to address the final sizing of stormwater quality and detention facilities for each DA that progresses on the site and adopting these parameters will ensure the facilities are appropriately sized and meet the water quality targets.

3. Local Infrastructure Delivery

Council approved the Menangle Park Contributions Plan, which became effective on 24 April 2018. Council commenced the process of seeking IPART assessment of the Plan in May 2018 with the view of seeking consideration to contributions exceeding the \$20,000 per lot/dwelling cap. IPART commenced assessment of the Plan in June 2018 and completed its final report on 18 December 2018.

IPART recommended an increase to the total costs within the plan from \$132.88m (in September 2016 dollars) to \$171.32m (in June 2018 dollars). This amounts to an increase of 28.9 percent (when including inflation) and a real increase of 25.7 percent (when excluding inflation).

In dollar terms, IPART's recommendations would increase uncapped contributions for a standard residential lot by about \$12,700 (or in other words), from approx. \$43,500 (in September 2016 dollars) to approx. \$56,200 (in June 2018 dollars).

The increase in costs is the result of:

- The cost of additional land for transport and stormwater management works, which were not originally included in the plan.
- Adopting updated (June 2018) land value estimates because Menangle Park land values have risen significantly above forecasted land values since the plan was prepared in 2016.
- Consistent with changing the base period for land costs, changing the base period for cost estimates of works in the plan from September 2016 to June 2018.

In response to IPART's recommendations, the Minister for Planning is yet to advise Council of any required changes.

The updated Masterplan proposed by Dahua will require amendments to the adopted Contributions Plan and further revision by IPART. In lieu of this process, Dahua has offered to enter into a Voluntary Planning Agreement (VPA) with Council for the provision of all required infrastructure within their land holdings and to make a contribution towards any relevant external infrastructure.

The specific infrastructure requirements, including functions and embellishment levels, are yet to be negotiated and would occur in conjunction with the preparation and finalisation of the draft planning policies. The infrastructure to be considered would include open space, recreation, community facilities, roads and stormwater management.

The key benefit to Council from entering into a VPA would be the timely delivery of essential community infrastructure to support development. In addition, the risk of cost escalation to Council beyond plan assumptions would be minimised and any amendment to the cap on developer contributions would not apply.

Should Council support progression of the PPR in its current form, a further report to Council would be progressed providing further detail on the VPA including a formal letter of offer.

4. State Infrastructure

The Department of Planning, Infrastructure and Environment (DPIE) has executed two State Voluntary Planning Agreements (SVPAs) for the Menangle Park Urban Release Area.

Clause 6.1 of the Campbelltown Local Environment Plan 2015 provides that the Consent Authority must not grant Development Consent for certain land subdivision in an Urban Release Area unless the Secretary has issued a Satisfactory Arrangements Certificate regarding the provision of Designated State Public Infrastructure.

The Developer (Dahua) has entered into the SVPAs with the Minister to enable a Satisfactory Arrangements certificate to be issued for future development applications, subject to compliance.

The SVPAs require the Developer to provide monetary contributions totalling \$113,125,000, being:

- Monetary Contribution 1: \$23,000,000
- Monetary Contribution 2: \$125,000
- Monetary Contribution 3: \$12,000,000
- Monetary Contribution 4: \$63,000,000
- Dedicated Land Contribution: land to be dedicated as part of the Spring Farm Parkway
- Education Land Contribution: land to be dedicated for a School
- Monetary Contribution 6: being the difference between \$90,000,000 and the sum of the previous 4 contributions

A total of \$86m of the contributions received from Monetary Contribution 1, 3 and 4 are to be directed towards the Menangle Park Spring Farm Parkway Transport Infrastructure Contributions Deed. This Deed is between the Roads and Maritime Services, Landcom, Dahua Group Sydney Project 3 Pty Ltd and Dahua Group Sydney Project 2 Pty Ltd. The purpose of the Deed is to deliver:

- 880m of upgraded Menangle Road
- 860m of Spring Farm Parkway, including bridge over the M31
- Northbound Entry Ramp to the M31
- Southbound Exit Ramp from the M31

Timing of delivery is set out within the agreements and is linked to new lot registration thresholds.

5. Public Benefit

The community benefit test is an important element of determining whether a Planning Proposal has merit. Relevant matters for consideration of a Local Environmental Plan amendment include whether it accurately reflects the strategic direction and changing circumstances of an area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and whether the planning controls are too prescriptive to facilitate a sensible development. The test also considers whether there is a demonstrable public interest in considering an alternative proposal to the existing planning scheme, which may not have been considered by the Council or the community when the scheme was adopted.

In the case of this proposal, a public benefit is achieved by amending the CLEP 2015 as is reflected in the following:

- Introduce a new neighbourhood centre (adjacent to the proposed new school and open space) to permit 3500sqm of GFA for commercial uses.
- Relocate and provide for a two-hectare primary school site adjacent to the proposed neighbourhood centre and associated open space.
- Relocate and increase the provision of passive and active open space comprising sporting fields, local parks, pocket parks and a riparian corridor network.
- To provide landscape controls that seek to address tree canopy and heat island effect measures.

6. The Existing Village

The PPR does not apply to the existing Menangle Park Village precinct. The Village will continue to develop under the current planning policy provisions.

However, recent development applications within the Village precinct have identified the need for an amendment to the proposed road network within the Menangle Park Development Control Plan (DCP). The need for a change in the road network has resulted from the existing allotment boundaries and the ability to develop an efficient subdivision pattern over the existing allotments to achieve the required residential dwelling yields. Therefore, it is proposed that a future amendment to the road network layout that applies to the Village would occur as part of the proposed amendments to the CSCDCP to reflect the revised masterplan within the PPR.

7. Formal Consultation

A guide to preparing local environmental plans has been prepared by the Department of Planning, Industry and Environment (DPIE) to assist councils in preparing planning proposals and LEPs. Should Council resolve to proceed with the draft Planning Proposal, and Gateway Authorisation is issued by the DPIE, consultation would be undertaken in accordance with the Gateway Determination requirements.

8. Statutory Consideration

The preparation of a draft Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to progress the draft Planning Proposal to Gateway Determination, the DPIE would confirm the technical studies required and relevant parts of the draft Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 3.34 of the EP&A Act allows the Minister and the Secretary to delegate functions to a Council and/or officer or employee of a Council. When submitting a draft Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must not be considered and which stages of the plan making process must be carried out again.

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director of Planning and Environment (now titled Director City Development).

On the grounds that the Planning Proposal is consistent with the types of draft LEPs routinely delegated by the DPIE, it is recommended that council seek to exercise the Authorisation in this instance.

9. Next Steps

Following the advice and support of Council, the process for requesting a Gateway Determination will be undertaken. Any further report would extend to address proposed amendments to the local development guidelines contained in the Menangle Park Development Control Plan.

Conclusion

This report has outlined a comprehensive suite of amendments to the Menangle Park Urban Release Area that is under the control of the Proponent. The proposed relocation of the commercial centres and increase of housing diversity is consistent with prevailing requirements of the Regional, District and draft Macarthur 2040 Plans and would be supported by a voluntary planning agreement to ensure all required infrastructure is delivered to coincide with the need of future residents with minimum financial risk to Council.

Strategic merit is demonstrated by an overall improvement in the provision of open space, delivery of the green spine and new primary school in proximity to a neighbourhood centre and local park.

Accordingly, it is recommended that the Council support progression of the draft Planning Proposal with amendments as outlined in this report and provided in the Planning Proposal at attachment 1.

Attachments

1. Attachment 1 - Menangle Park Planning Proposal (contained within this report)
2. Attachment 2 - Menangle Park Planning Proposal Request (due to size - 189 pages) (distributed under separate cover)



Planning Proposal Menangle Park

Proposed amendment of Campbelltown Local Environmental Plan 2015

Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

DCP means Development Control Plan

DPIE means Department of Planning, Industry and Environment

EP&A Act 1979 means *Environmental Planning and Assessment Act 1979*

GSC means Greater Sydney Commission

Ha means hectares

LGA means local government area

LVPA means Local Voluntary Planning Agreement

M means metres

MPURA means Menangle Park Urban Release Area

PP means Planning Proposal

PPR means Planning Proposal Request

SEPP means State Environmental Planning Policy

SIC means Special Infrastructure Contribution

SQM means m²

Introduction/Background

The Menangle Park Urban Release Area (MPURA) was rezoned in November 2017 after a decade long planning phase. The relevant LEP amendment and site specific Development Control Plan amendment provided comprehensive planning controls for development of approximately 3,400 dwellings, support infrastructure and conservation outcomes.

Since rezoning, the proponent and other land owners within the precinct have commenced the process of seeking development consent to initiate commencement of subdivision, infrastructure and marketing works.

The local infrastructure delivery mechanism is underpinned by a Development Contribution Plan which is currently with the Minister of Planning for final endorsement. Additionally, a number of Local Voluntary Planning Agreements (LVPA) is being finalised with the Proponent.

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The State Government also imposes a SIC in respect of 'higher order' infrastructure. In this regard, the Proponent has met their obligation via the execution of two State Voluntary Planning Agreements.

Since rezoning the Proponent has commenced the process of seeking development consent to enable the commencement of works as per the applicable planning framework.

The Site

The MPURA comprises both the fragmented Menangle Park Village holdings and the larger properties principally owned and/or controlled by the Dahua Group.

The land comprising of the Planning Proposal (the land) is located approximately 5.5km south west from the Campbelltown CBD. The site is generally bound by the Nepean River to the south and west, the Hume Highway (M31) to the east and the Australian Botanic Gardens to the north. The Main Southern Railway Line dissects the MPURA in a north south direction and the planned Spring Farm Parkway is planned to be constructed along the northern edge of Howes Creek.

The land includes a number of allotments of variable size and has a total area of 507 hectares (76 percent of the MPURA) which excludes land known as the 'Village' illustrated in Figure 1 location map.

The land has an overall relief of approximately 60m from the highest part of the site to the Nepean River, the lowest part. There are two gas wells in the open space/riparian area adjacent to Howes Creek, in the eastern portion of the site. AGL has confirmed that these gas wells are anticipated to cease production in 2022 and following this will be scheduled for rehabilitation. The site does not contain any items of State or local heritage significance and is not located within a heritage conservation area. The Glenlee House Estate is a State Heritage Listed Item and is located to the immediate north-west of the site.

An aerial photograph extract of the planning proposal in its immediate context is illustrated in Figure 1 below.



Menangle Park Existing Village



Menangle Park Proposal

Figure 1 Location Map

Part 1 – Objectives or Intended Outcomes

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Development Controls in the form of zoning, principal development standards and specific clauses to facilitate an increase in dwelling yield and achieve a more diverse range of housing types with supporting land uses for the Menangle Park Urban Release Area.

The Planning Proposal aims to:

- Provide for an increase in dwelling yield and diversity in a contemporary green field environment
- Ensure appropriate supporting infrastructure is facilitated

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- Enhance the protection of sensitive ecological communities, including endangered and critically endangered species
- Provide a diverse open space network
- Detail a statutory planning framework to assist in realising the Menangle Park vision
- Minimise local hazards

Part 2 - Explanation of provisions

The PP seeks to amend the CLEP 2015 as follows:

- Amend the land use zones and principal development standards relating to minimum lot size, building height, floor space ratio, land acquisition and subdivision requirements for certain forms of development.
- Relocate the town centre and introduce a new neighborhood centre to adjoin a new planned primary school
- Increase the provision of open space land
- Increase the protection of critically endangered *Elderslie Banksia Scrub*
- Identify the Roads and Maritime Services as an acquisition authority for specific land

The PP is accompanied by proposed amendments to the prevailing Development Control Plan. These companion planning document will be the subject of separate review and public consultation. The existing structure plan and proposed structure plan are reproduced as attachments 6 and 7 respectively.

Part 3 - Justification

Section A – Need for the Planning Proposal

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

The Menangle Park Urban Release Area (MPURA) has been identified for urban development since 1973.

Its role as an urban release area has been reinforced in district level planning including most recently the Western Parkland City District Plan.

The MPURA was the subject of a rezoning that occurred in 2017.

A comprehensive review of the existing planning framework, which was established in 2017, was recently undertaken in response to market developments and more detailed environment and infrastructure studies associated with the initial development planning for the MPURA. This review was assembled as a Planning Proposal Request (PPR) and is supported by technical studies and reports as detailed below:

Table 1: Background Studies and Reports

Specialist Technical Studies	Author	Date
Preliminary Site Investigations with Limited Intrusive sampling, Menangle Park North	Douglas Partners Pty Ltd.	April, 2017

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Specialist Technical Studies	Author	Date
Detailed Site Investigations for Contamination with Limited Sampling Menangle Park South	Douglas Partners Pty Ltd.	April, 2017
Menangle Park Master plan – Preliminary European Heritage Assessment	Extent Heritage Pty Ltd.	November, 2018
Menangle Park – Proposed Masterplan Assessment of Impact on Aboriginal Cultural Heritage	Kelleher Nightingale Consulting Pty Ltd.	November, 2018
Menangle Park Urban Design Report	Roberts Day	November, 2018
Menangle Park Open Space and Landscape Strategy Report	Place Design Group	November, 2018
Masterplan Water Cycle Management Menangle Park Urban Design	SMEC	November, 2018
Masterplan – Master Plan Biodiversity Assessment	Cumberland Ecology	November, 2018
Menangle Park Planning Proposal Bushfire Management Strategy	Eco Logical Australia	May, 2018
Menangle Park Planning Proposal Traffic Impact Assessment	GTA Consultants	November, 2018 amended December, 2018
Menangle Park Social Infrastructure Study and Social Impact Assessment	Elton Consulting	May, 2018
Menangle Park Urban Release Area Acoustic Report	TTM	November, 2018
Menangle Park Masterplan Economic Impact Assessment	AEC Group Ltd	November, 2018
Menangle Park Target Market and Dwelling recommendations – Summary of Highlights	Colleen Coyne Property Research	February, 2018
Service Infrastructure Report- Menangle Park	SMEC	November, 2018
Market Potential Assessment	Location IQ	December, 2018
Economist Report	Location IQ Location IQ	December, 2018 December, 2019
Traffic Advice	ARUP	October, 2019

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the only relevant means of achieving the intended outcomes.

Importantly, it proposes the amendment of the principal local planning instrument applying to the Campbelltown Local Government Area, namely CLEP 2015.

Section B – Relation to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)

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Greater Sydney Region Plan

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

An assessment of the PP against the relevant Directions and Objectives of the GSRP is provided below in Table 2. The PP is generally consistent with the GSRP particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

Table 2: Key Directions and Planning Priorities

Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
Infrastructure and Collaboration				
<i>A City Supported by Infrastructure</i>				
<ul style="list-style-type: none"> Infrastructure supports the three cities Infrastructure aligns with forecast growth - growth infrastructure compact Infrastructure adapts to meet future needs Infrastructure use is optimised 		<ul style="list-style-type: none"> Planning for a city supported by infrastructure (W1) 	Yes	The requisite social and physical infrastructure required to support the proposal have been identified and an outline strategy for their delivery provided, including suggested framework for amending the prevailing Developer Contribution Plan (CP) and principles of a Voluntary Planning Agreement (VPA).
<i>A Collaborative City</i>				
<ul style="list-style-type: none"> Benefits of growth realised by collaboration of governments, community and business 		<ul style="list-style-type: none"> Working through collaboration (W2) 	Yes	<p>The realisation of the revised vision underpinning the PP will require collaboration with various government agencies, Council, the development sector and existing and envisaged community.</p> <p>Upon issuing of a Gateway Determination, Council would undertake public consultation to seek the views of relevant agencies and interested persons.</p>

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Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
Liveability				
A City of Great Places				
<ul style="list-style-type: none">Services and infrastructure meet communities' changing needsCommunities are healthy, resilient and socially connectedGreater Sydney's communities are culturally rich with diverse neighbourhoods'Greater Sydney celebrates the arts and supports creative industries and innovation	<ul style="list-style-type: none">Providing services and social infrastructure to meet peoples changing needs (W3)Fostering healthy, creative, culturally rich and socially connected communities (W4)	Yes	<p>The revised vision, planning controls and support infrastructure provide a template for people focused planning outcomes</p> <p>Community infrastructure, business and retail facilities, access to diverse open space and transport means future residents would be capable of living as a healthy, resilient and socially connected community.</p>	
Housing in the City				
<ul style="list-style-type: none">Greater housing supplyHousing is more diverse and affordable	<ul style="list-style-type: none">Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)	Yes	<p>A central foundation of the proposal is increased housing diversity in a local market that is relatively already affordable in comparison with metropolitan Sydney.</p> <p>The proposed expansion of the R3 Medium Density Residential zone, introduction of an R4 High Density Residential zone (providing an additional 1000 dwellings) and lower minimum lot size provisions underpin the proposal.</p> <p>Larger lots providing aspirational housing opportunities leverage off high amenity areas rural/environmental interfaces</p>	

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Key Directions and Planning Priorities				
Greater Sydney Region Plan	Western City District Plan	Consistent	Response	
A City of Great Places				
<ul style="list-style-type: none">Great places that bring people togetherEnvironmental heritage is identified, conserved and enhanced.	<ul style="list-style-type: none">Creating and renewing great places and local centres, and respecting the District's heritage (W6)	Yes	A character/place focus underpins the accompanying amended masterplan and proposed development controls. Additionally, enhanced access to diverse open space resources and commercial and community facilities would be available, sensitive ecologically communities conserved and broad ranging infrastructure generally provided.	
Productivity				
A Well Connected City				
<ul style="list-style-type: none">A metropolis of three cities - integrated land use and transport creates walkable and 30 minute citiesThe Eastern, GOP and Western Economic corridors are better connected and more competitive and efficientFreight and logistics network is competitive and efficientRegional connectivity is enhanced	<ul style="list-style-type: none">Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)	Yes	A hierarchical, fine grained accessibility strategy underpins the proposal. Direct access is proposed to higher order roads, existing roads are to be upgraded, intersections enhanced and alternate movement means (pedestrian/cycle) integrated to provide a highly permeable structure, facilitating appropriate public transport service levels.	
Jobs and Skills for the City				
<ul style="list-style-type: none">Harbour CBD is stronger and more competitiveGreater Parramatta is	<ul style="list-style-type: none">Leveraging industry opportunities from the Western Sydney Airport	Yes	The proposal maintains an employment lands precinct on the north western side of the railway line. Significant employment opportunities will	

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Key Directions and Planning Priorities				
Greater Region Plan	Sydney	Western City District Plan	Consistent	Response
stronger and better connected		and Badgerys Creek		be provided in the expanded Town Centre and local Neighbourhood Centre.
• Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City		• Growing and strengthening the metropolitan city cluster (W9)		Additionally, significant local construction and maintenance employment opportunities will evolve.
• Internationally competitive health, education, research and innovation precincts		• Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)		
• Investment and business activity in centres		• Growing investment, business opportunities and jobs in strategic centres (W11)		
• Industrial and urban services land is planned, protected and managed				
• Economic sectors are targeted for success				

Sustainability

A City in its Landscape

• The coast and waterways are protected and healthier	• Protecting and improving the health and enjoyment of the District's waterways (W12)	Yes	The proposal seeks to conserve and embellish sensitive remnant ecological communities and riparian zones. Additionally, it provides a green grid dimension through structured and informal recreation areas and linkages, including the proposed iconic north/south active green transport link. A sustainable street tree planting regime is to be implemented via the DCP.
• A cool and green parkland city in the South Creek corridor	• Creating a Parkland City urban structure and identity with South Creek as a defining spatial element (W13)		
• Biodiversity is protected, urban bushland and remnant vegetation is enhanced	• Protecting and enhancing bush land and biodiversity (W14)		
• Scenic and cultural landscapes are protected	• Increasing urban tree canopy cover and delivering Green Grid connections (W15)		
• Environmental, social and economic values in rural areas are			

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Key Directions and Planning Priorities				
Greater Sydney Region Plan	Western City District Plan	Consistent	Response	
<ul style="list-style-type: none">protected and enhancedUrban tree canopy cover is increasedPublic open space is accessible, protected and enhancedThe Green Grid links, parks, open spaces, bushland and walking and cycling paths	<ul style="list-style-type: none">Protecting and enhancing scenic and cultural landscapes (W16)Better managing rural areas (W17)Delivering high quality open space (W18)			
<i>An Efficient City</i>				
<ul style="list-style-type: none">A low carbon city contributes to net-zero emissions by 2050 and mitigates climate changeEnergy and water flows are captured, used and re-usedMore waste is re-used and recycled to support the development of a circular economy	<ul style="list-style-type: none">Reducing carbon emissions and managing energy, water and waste efficiently (W19)	Yes	<p>The proposal will provide a highly permeable and accessible network to support public transport and healthy lifestyles.</p> <p>Water management is addressed by appropriate stormwater management and implementation of BASIX requirements at the dwelling construction stage.</p> <p>Measures to minimise adverse potential urban heat island impacts are to be addressed in updated DCPs controls regarding tree planting and materials.</p>	
<i>A Resilient City</i>				
<ul style="list-style-type: none">People and places adapt to climate change and future shocks and stressesExposure to natural and urban hazards is reducedHeatwaves and extreme heat are managed	<ul style="list-style-type: none">Adapting to the impacts of urban and natural hazards and climate change (W20)	Yes	<p>Appropriate flood and bushfire hazard management strategies underpin the proposal and opportunities to proactively address potential urban heat island impacts.</p>	

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The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Menangle Park as a Land Release Area within the Greater Macarthur Growth Area. The majority of new communities in land release areas identified by the District Plan are located within precincts contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Unlike the majority of land release areas, CLEP 2015 is the principal environmental planning instrument that applies to the land. Therefore, the MPURA has not been subject to the various incremental State Government led amendments such as the 2016 Housing Diversity Package which resulted in development precincts such as Willowdale and New Breeze having a wider variety of lot sizes and dwelling types.

An assessment of the PP against the relevant Directions and Priorities District Plan is provided in Table 3. The PP is generally consistent with the District Plan particularly as the proposal seeks to ensure that development outcomes meet contemporary expectations.

Greater Macarthur Growth Area

The Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (Greater Macarthur 2040) provides the land use and infrastructure implementation plan for the Glenfield to Macarthur urban renewal precincts and the urban releases to the south of Campbelltown, including Menangle Park.

Greater Macarthur 2040 identifies that Menangle Park will be:

- rezoned and release land for urban development,
- deliver around 4,000 new homes,
- create a new town centre providing local retail and commercial services.

Greater Macarthur 2040 is supported by the Greater Macarthur and Wilton Retail Market Analysis (2016) which states that the Greater Macarthur Priority Growth Area has the potential for a network of centres including in particular:

- Sub-regional shopping centre at Wilton providing around 52,600m² Gross Leasable Area (GLA) in total
- second sub-regional shopping centre at West Appin providing around 32,600m² GLA in total
- supermarket based shopping centre at Menangle Park providing around 15,000m² GLA overall.

The Menangle Park centre is proposed to be located in close proximity to the Menangle Park Railway Station.

The PP is supported by an Economic Impact Assessment that justifies a total 33,500m² Gross Floor Area (GFA) for the proposal, comprising:

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- A new local centre (Town Centre) comprising 30,000m² of retail and employment,
- A new neighbourhood centre comprising 3,500m² of employment.

However, the figures within the Economic Impact Statement are based on the Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan, which precedes Greater Macarthur 2040. This Plan identifies Menangle Park as having a local centre with approximately 20,000 to 30,000m² of employment GFA.

In summary, the PPR is seeking an increase and redistribution of retail and commercial floor space within the Menangle Park urban release area. Although the increase in GFA is larger than proposed within the relevant State strategies, it provides a significant opportunity to meet market requirements and achieve good spatial urban design outcomes within the Town Centre.

The PPR proposes to relocate the Town Centre closer to the Spring Farm Parkway connection to ensure that a full-line supermarket and associated retailers are provided the best opportunity to achieve a high sustainability level and to be open at the earliest possible time. The retention of a neighbourhood centre within the southern portion of the release area, and integrated with the future primary school and open space, will provide retail choice for future residents.

The Campbelltown Local Planning Panel identified a need to further review the footprint of the relocated Town Centre of 11.5 hectares in providing for 30,000m² of GFA. Additionally, the Panel advised that the final amount of land zoned B2 Local Centre, be established after detailed modelling of commercial impacts upon nearby existing and proposed commercial centres and land use assessment of the zoned area.

This issue was addressed by reducing the proposed size of the town centre from 11.5ha to approximately 6.2ha and adjusting the zoning to part B2 Local Centre (4.2ha) and part B1 Neighbourhood Centre (2ha) and the balance area returned to part R4 High Density Residential and part R3 Medium Density Residential. This outcome would likely support less than 30,000 of commercial GFA.

To confirm this outcome, it is recommended that an FSR study be undertaken to confirm an appropriate FSR control for the proposed B2 and B1 zones.

Local Strategic Planning Statement

The Draft Local Strategic Planning Statement (LSPS) recently concluded public consultation and was adopted by Council at its Extraordinary Meeting of 18 February 2020. It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained

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- Direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PP is consistent with the LSPS as the proposal has good alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

Campbelltown Local Environmental Plan 2015 (CLEP2015)

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are discussed below:

Table 3: Campbelltown Local Environmental Plan 2015 Proposed Amendments

CLEP 2015 Current	Proposed Amendment
Mapping	
Zoning Zoning of land in the MPURA uses the R2 Low Density Residential, R3 Medium Density and RU5 Large Lot Residential zones to control density and residential housing form. Commercial uses are supported by a B2 Local Centre zone.	<p>The PP seeks to introduce or amend the spatial location of land use zones to:</p> <ul style="list-style-type: none"> • Relocate and enlarge the Town Centre adjacent to Howes Creek and the future Spring Farm Parkway. • The Centre is to be zoned Part B1 Neighbourhood Centre, Part B2 Local Centre. Additionally, the Centre is to have an integrated cell of R4 High Density Residential and R3 Medium Density Residential in a "sleeving" configuration. • Introduce a B1 Neighbourhood Centre to provide for convenience retailing and local place making adjacent to a proposed primary school. • Increase the area zoned R3 Medium Density Residential along the Green Spine and around the relocated B2 Local Centre and proposed B1 Neighbourhood Centre. • Introduce the R4 High Density Residential zone to the immediate east of the Proposed Town Centre. • Replace the RU2 Rural Landscape zone with E4 Environmental Living. • Increase the provision of RE1 Public Recreation land to support additional passive and active recreation. • Open Space Areas (Parks known as K and L) be part zoned E2 Environmental Conservation in recognition of their Environmental Conservation purposes. <p>The proposed zoning amendments are shown in attachment 1.</p>
Minimum Lot Size The current minimum lot sizes	The PP seeks to amend the Minimum Lot Size Map as

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CLEP 2015 Current	Proposed Amendment
<p>are:</p> <ul style="list-style-type: none"> R2 Zone: 420m² R3 Zone: 300m² R5 Zone: 950 & 2,000m² RU2 Zone: 3ha 	<p>follows:</p> <ul style="list-style-type: none"> R2 Zone: 420m² R3 Zone: NA R4 Zone: NA R5 Zone: 750m² E4 Zone: 4,000m² <p>The PPR does not propose to amend the existing Minimum Lot Size Map for the R2 zone.</p> <p>The proposal to have no minimum lot size within the R3 Medium Density Residential and R4 High Density Residential zones is to provide consistency with a proposed new subdivision clause to provide for a diversity of dwelling types within the zone. This approach is consistent with other council Growth Area controls.</p> <p>The proposal to reduce the minimum lot size for the E4 Environmental Living zone to 4,000m² would ensure a reasonable transition in built form to the R2 Low Density Residential zone and provide greater opportunity for increased dwelling setbacks, particularly adjoining Menangle Park Road.</p> <p>Subdivision to a minimum of 4,000m² lots in the E4 Environmental Living Zone (as recommended above) would support the provision of homes within a landscape setting and would require a development application to be lodged for any dwelling. The provisions of the Exempt and Complying SEPP would not apply due to the sensitive interface with the Nepean River.</p> <p>The PP also seeks to add specific areas on the minimum lot size map to allow additional provisions relating to lot sizes for specific development types. This includes "Area 1" which would apply to the R3 Medium Density Residential zone and "Area 2" which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards below and as shown I attachment B.</p> <p>(The proposed minimum lot size amendments are shown in attachment 2)</p>
<p>Maximum Height of Building</p> <p>The current maximum buildings heights as shown on HOB_003 are:</p> <ul style="list-style-type: none"> I: 8.5 O: 15 	<p>The PP seeks to amend the Height of Buildings Map, as follows:</p> <ul style="list-style-type: none"> I: 8.5m (reduced extent) J: 9m (R2 Zone) M: 12m (R3 zone) P: 18m (R4 zone) S: 24m (B2 zone) <p>This would involve updating all HOB map sheets to reflect the updated legend.</p> <p>The proposed building heights amendments are shown in attachment 4.</p>

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CLEP 2015 Current	Proposed Amendment
<p>Floor Space Ratio</p> <p>The current maximum floor space ratios are:</p> <p>R2 Zone: 0.55:1</p> <p>R3 Zone: 0.55:1</p> <p>No FSR standard applies to the B2, R5 or RU2 zones.</p>	<p>The PP seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates.</p> <p>With the respect to the Town Centre, however, it is recommended that a floor space ratio be determined as a condition of Gateway determination prior to public exhibition.</p> <p>The proposed amended floor space ratio map is shown in attachment 5.</p>
<p>Land Reservation</p> <p>The land reservation map identified land required for a public purpose such as open space roads and utilities.</p>	<p>The PP seeks to update the land reservation map based on the updated Land Zoning Map, where land reserved exclusively for a public purpose, including the provision of open space and environmental conservation land.</p> <p>It is recommended that Roads and Maritime Services be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension and land adjoining the north facing ramps onto the M31 as these form batters to the road structure.</p> <p>The proposed amended Land Reservation Acquisition Map forms attachment 3</p>
<p>Clauses</p>	
<p>Other than the requirements of Clause 4.1 (Minimum subdivision lot size) of CLEP 2015, Clause 4.1C also applies in respect to defining the minimum lot size for the following form of development:</p> <ul style="list-style-type: none"> • Dual occupancy • Semi-detached dwelling • Attached dwelling • Multi Dwelling Housing • Centre based child care facilities • Residential Flat Buildings <p>The minimum lot sizes established by this clause currently only apply to land in the R2 and R4 zones and apply city wide.</p>	<p>The PP seeks to insert additional subdivision clauses to enable development consent to be granted for subdivision of land to achieve the following:</p> <p>On R2 Low Density Residential land (Area 2), to permit 150 lots less than 420m² subject to meeting the following criteria:</p> <ul style="list-style-type: none"> • Each lot has a minimum lot size of not less than 375m², • Each lot has a minimum primary road frontage of 11.5m, • Each lot is not a corner allotment, • No more than 150 lots have a lot size of less than 420m² within (defined area of R2 zoned land); • No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m², and • Each lot is located not more than 200m from a bus stop or open space area. <p>On R3 Medium Density Residential zoned land (Area 1), to permit a variety of low rise dwelling types with the following minimum lot sizes:</p> <ul style="list-style-type: none"> • Dwelling House: 250m² • Semi-detached dwellings: 250m² • Dual Occupancy: 500m² • Secondary Dwellings: 450m² • Attached Dwellings: 200m² • Multi Dwelling Housing: 1,500m² • Area 1 and Area 2 are shown in attachment 8 and 9.

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CLEP 2015 Current	Proposed Amendment
	It is intended that the Menangle Park Development Control Plan guide the applicable built form and site requirements in relation to driveways, parking and access.
<p>Clause 4.4 Floor Space Ratio sets out specific floor area controls for the following purposes.</p> <p>Dwelling houses in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential:</p> <p>0.55:1</p> <p>Dual occupancies in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R5 Large Lot Residential:</p> <p>0.45:1</p> <p>Multi dwelling housing in Zone R2 Low Density Residential:</p> <p>0.45:1</p> <p>Multi dwelling housing in Zone R3 Medium Density Residential:</p> <p>0.75:1</p> <p>Centre-based child care facilities in a residential zone:</p> <p>0.55:1</p>	<p>Currently, Clause 4.4(2A) is drafted such that the defined floorspace controls are in addition to the Floor Space Ratio Map. Under the current CLEP 2015, this would result in future dwellings having a permissible floor space ratio of 0.55 (map) + 0.55 (Clause 4.4(2A)) being 1.1:1 which is excessive.</p> <p>This outcome would be an unintended consequence arising from the translation of Council's LEP into the standard format in 2015 and gazettal of the MPURA in 2017.</p> <p>Therefore, it is recommended that Clause 4.4(2A) be amended to exclude its application for areas shown on the Urban Release Area Map.</p>

Campbelltown (Sustainable City) Development Control Plan, 2015

The Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) provides development guidelines and site specific controls to support the delivery of CLEP 2015.

Volume 2, Part 8 of the CSCDCP contains a structure plan and series of development controls to guide delivery of the MPURA. The subject provisions will be revised to support achievement of the objectives of the proposed LEP amendment.

4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

Campbelltown Community Strategic Plan – Campbelltown 2027

The Campbelltown City Community Strategic Plan (CSP) is a ten (10) year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local

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Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PP is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

Table 4: Consistency with Campbelltown Community Strategic Plan

CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	<ul style="list-style-type: none"> The community will be afforded the opportunity to review the PP and engage at key stages in the decision-making process. The PP seeks to establish a framework to inform the future review of the masterplan to improve place making, public domain and open space outcomes. Provides for the interpretation of historical uses and ownership of the site. Provides for greater housing choice and diversity.
Outcome 2	
A respected and protected natural environment	<ul style="list-style-type: none"> The PP seeks to preserve additional areas of critically endangered ecological communities that were not accurately identified during the previous plan making process.
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> Delivery of infrastructure is supported by Council's Menangle Park Development Contributions Plan and the Proponent's offer to enter into a Voluntary Planning Agreement.
Outcome 4	
A successful city	<ul style="list-style-type: none"> The PP seeks to provide a framework for a more permeable road network and transport system that will serve a greater walking catchment within the site. The PP seeks to provide for an iconic 'Green Spine' to provide a connected pedestrian link through the site with opportunity to form part of a regional connection to the Western Sydney Parklands.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are relevant to the PPR.

Table 5: Consistency with State Environmental Planning Policies

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP No 1 Development Standards	Yes	Not applicable as CLEP 2015 is a Standard Instrument LEP and incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	Yes	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 44 - Koala Habitat Protection	Yes	Although the initial investigations establish that no Koala habitat is present on the site further investigations need to be completed as a possible condition of Gateway and prior to public exhibition. Koala habitat however was not a constraint in the current planning regime.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 - Remediation of Land	Yes	The site identified generally low areas of contamination, a detailed site investigation will be required prior the issuing of development consent, it being noted that the land is currently zoned for urban purposes.
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will be assessed in accordance with the provisions of the SEPP.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	Future Residential Flat Buildings would be designed in accordance with the provisions of the SEPP.
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this SEPP.
SEPP (Affordable Rental Housing) 2009	Yes	The PP does not prejudice the application of the SEPP and development of the various forms of affordable housing.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP is not inconsistent with the application of the SEPP to residential development.
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	The PP recognises that a school will be situated within the site with appropriate road and site planning to suit. An assessment of the school and any childcare centres would be subject to assessment at the development assessment stage, in accordance with the SEPP.

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Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Exempt & Complying Development Codes) 2008	Yes	The PP is not inconsistent with the SEPP, the provisions of which would apply to future developments.
SEPP (Housing for Seniors or People with a Disability)	Yes	The PP does not preclude future merit based provisions of housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Yes	Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	The current planning controls to facilitate urban development satisfactorily addressed the provisions of the SEPP. Mineral and extractive industries are not imperiled by the PP.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The PP does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	Justifiably Inconsistent	The site is currently zoned 'urban release area.' 'Any interfaces with primary production areas and rural development will be addressed.
SEPP (State & Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Yes	The PP is consistent with the subject SEPP which was recently amended to include Greater Macathur.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	Vegetation removal is initially to be minimised in the Proposal. Any vegetation proposed for removal will need to comply with the provisions of the SEPP and other companion legislation.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 directions)?

The PP is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 6 for an assessment of the PP against the S9.1 Ministerial Directions.

Table 6: Consistency with Ministerial Directions

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
1.1 Business and Industrial Zones		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	Yes	<p>The Proposal seeks to relocate and expand the current supermarket based shopping centre and maintain a small neighbourhood centre within proximity of the proposed school.</p> <p>The relocation and expansion of the proposed Town Centre would provide a sustainable centre without adversely impacting the 'residual' proposed "freestanding" neighbourhood centre (B1).</p> <p>Further, it would not likely adversely impact the higher order centres of Campbelltown and Macarthur.</p> <p>The light industrial (IN2) employment precinct remains unchanged.</p>
1.2 Rural Zones		
This Direction seeks to protect the agricultural production value of rural lands.	Yes	<p>The subject land, within the exception of several fringing holdings was zoned for urban purposes in 2017. The former RU2 – Rural Landscape zoned lands on the southern frame of the precinct, adjoin the Nepean River and are proposed to be rezoned E4 – Environmental Living to support large lot residential development that addresses the scenic and environmental attributes of the land. This area is not identified as forming part of the Metropolitan Rural Area and would not be appropriate to maintain agricultural uses with a direct interface with conventional housing.</p>
1.3 Mining, Petroleum Production		
This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	Yes	<p>The PP does not propose additional constraints to the subject resources.</p>
1.5 Rural Lands		
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	Yes	<p>The PP does not impact upon the rural residue holdings in the urban release area or nearby similarly zoned areas.</p>

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Assessment Against Relevant S9.1 Ministerial Directions

Ministerial Direction	Consistency	Evaluation
2.1 Environmental Protection Zones		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	<p>The PP has identified additional environmentally sensitive areas and seeks to protect these together with the previously identified areas.</p> <p>Preservation is to be afforded by Clause 7.20 in respect of Terrestrial Biodiversity and the zoning of certain lands RE1 - Public Recreation and E2 - Environmental Management.</p>
2.3 Heritage Conservation		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Yes	<p>The Proposal does not compromise the heritage sensitivity strategy underpinning the current planning controls.</p> <p>Additionally, some of the revised masterplan principles provide a template for improved planning outcomes as is highlighted by a more sensitive interface treatment with the Glenlee House precinct.</p> <p>Items such as former silos would be further addressed at the development application stage, largely in an interpretive manner.</p> <p>The cultural landscape would be significantly altered in accordance with its urban release status. Aboriginal</p> <p>Archaeological significance is not further compromised by the proposal.</p>
3.1 Residential Zones		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Yes	<p>The PP seeks to introduce the R4 High Density Residential zone to facilitate apartments and expand the R3 Medium Density Residential zone for terrace and small lot housing product.</p> <p>Additionally, provision is made for increased diversity in allotment sizes which would increase development yield and support the feasible delivery of essential infrastructure.</p>
3.2 Home Occupations		

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
This Direction seeks to facilitate low impact small businesses in dwelling houses	Yes	The PP does not impact standard provisions that facilitate home occupations.
3.4 Integrating Land Use and Transport		
This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.	Yes	<p>The PP provides a sensitive juxtaposition of land uses, with appropriate accessibility.</p> <p>Provision of the Spring Farm Parkway and ramps accessing the M31 motorway are a key feature of the PP. A Separate VPA with the Department of Planning, Industry and Environment to support delivery of this work is separately progressing.</p>
3.6 Shooting Ranges		
This Direction seeks to maintain appropriate levels of public safety and amenity when rezoning land adjacent to shooting ranges.	Yes	There are no shooting ranges proximate to the development.
4.1 Acid Sulphate Soils		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Yes	A review of the NSW Natural Resource Atlas (NRA 2013) indicates there are no known occurrences of acid sulphate soils.
4.2 Mine Subsidence and Unstable Land		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Yes	The land is in the south Campbelltown Mine Subsidence district. The relevant mine subsidence considerations underpinned the zoning for urban purposes in 2017. The current proposal is generally consistent in terms of the development impacts apart from the introduction of medium rise residential apartments which can be addressed via further consultation.
4.3 Flood Prone Land		
This Direction seeks to ensure that development of flood prone land is consistent with the Policy and Principles as well as ensuring the LEP provides consideration of flood impacts and surrounding land.	Yes	The urban footprint of the proposal varies little from that zoned for urban purposes in the prevailing LEP. The most significant change is the nomination of flood affected land on the north western side of the rail-line for formal active recreation purposes.

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
		Flood modelling and stormwater management strategies identify acceptable flooding and stormwater management outcomes.
4.4 Planning for Bushfire		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Yes	<p>The PP has had regard to Planning for Bushfire Protection 2006 and generally does not increase the fire hazard for the release area.</p> <p>An outline strategy has been developed to provide for appropriate hazard outcomes and potentially requires further amendment (post gateway) to reflect amendments arising from Council officer assessment of the proposal.</p>
6.1 Approvals and Referral Requirements		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The PP does not contain provisions that require additional concurrence requirements.
6.2 Reserving land for Public Purposes		
This Direction seeks to facilitate the provisions of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Yes	The PP seeks to amend and increase the overall provision of open space to support the development. The reservation of land for the Spring Farm Parkway and north facing ramps onto the M31 will require ongoing consultation with relevant NSW Government departments.
6.3 Site Specific Controls		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	The PP relates to the 'standard instrument' Campbelltown LEP 2015. No site specific provisions are proposed to be introduced to Campbelltown LEP 2015, via the Proposal.
7.1 Implementation of a "Plan for Growing Sydney"		
This Direction seeks to give legal effect to the planning principles; directions and priorities for sub-regions, strategic centres and transport gateways.	Yes	The PP is consistent with the Greater Sydney Region Plan as detailed in table 2 of this PP.
7.2 Implementation of a "Greater Macarthur Land Release Investigation Area"		
This Direction seeks to ensure development within the Greater Macarthur Land Release	Yes	The proposal is generally consistent with the Draft Greater Macarthur 2040: An Interim Plan for the Greater

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Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.		Macarthur Greater Area. Minor departures previously documented are considered acceptable.

Section C – Environmental Social or Economic Impact

7. 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 current planning controls for Menangle Park seek to ensure appropriate biodiversity conservation outcomes in an urban release area context. Compilation of the PP has confirmed the presence of significant additional patches of the critically endangered Elderslie Banksia Scrub community that require specific protection and management measures.

It is proposed that the conservation of the Elderslie Banksia Scrub community include supplementary planning and the forging of linkages to proximate remnants, together with perimeter buffering. Conservation protection measures for these lands may be either via stewardship sites, positive covenant or zoning with related Vegetation Management Plans. Any open space opportunities within close proximity of the subject conservation areas shall be clearly delineated.

The current controls in respect of terrestrial biodiversity are contained principally in Clause 7.20 of the Campbelltown Local Environmental Plan 2015 and the associated Terrestrial Biodiversity Map.

Assessment of biodiversity impacts is currently ongoing with respect to separate development applications lodged with Council.

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

Bushfire

The original rezoning demonstrated that urbanisation of the site could incorporate appropriate bushfire protection measures in accordance with the provisions of Planning for Bushfire Protection 2006 (PBP). The most recent amendments to PBP by the NSW Rural Fire Service (RFS) has resulted in changes to various requirements, in particular Asset Protection Zones (APZs) and the categorisation of bushfire hazards.

The general principles of the former bushfire management strategy remain largely intact. Minor modifications may potentially be needed to the Masterplan as a result of public agency feedback from the NSW Rural Fire Service or as future development applications are lodged and determined.

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The original rezoning deemed the site suitable for urban purposes with identified Areas of Environmental Concern (AEC) considered capable of practical and economic remediation. More recent site investigations accompanying the PPR undertaken by Douglas Partners Pty Ltd (DP) concluded the potential for contamination constraints, excluding the AECs to be low. The investigation further concluded that a Sampling and Analysis Quality Plan (SAQP) should be prepared for each AEC and should also include an Unexpected Finds Protocol within future subdivision determinations.

In summary, it is considered that contamination remains a matter that does not preclude development of the site for urban purposes and that more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.

Mine Subsidence

The site falls within the South Campbelltown Mine Subsidence District. Mine subsidence was previously considered as part of the original rezoning of the site for urban purposes.

The Department of Planning previously 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.

The current Planning Proposal as it relates to Menangle Park does not change the conclusions of the previous assessment. As part of staged subdivision and early works Development Applications (DAs) within Menangle Park approval from Subsidence Advisory NSW under section 22 of the *Coal Mine Subsidence Compensation Act 2017* will be progressively required.

The previous conclusion of the suitability of the site for urban purposes remains unaltered.

Open Space Provision

The PP has adapted the general principles of the Open Space Strategy which accompanied the PPR. This Strategy provides a series of diverse open space opportunities and performs a diversity of functions including:

- Riparian land/flood plain
- Informal open space (parks and play spaces)
- Formal playing fields/ Structure sport
- Ecological land

Assessment of the PPR and suitability of provision is based on the traditional standard of 2.83 ha of open space per 1000 people. Under the current plan, a total of 31.37ha of open space is provided as detailed in the Menangle Park Contributions Plan.

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The PPR is based on an updated population estimate arising from an addition 1000 dwellings on land controlled by Dahua, the updated masterplan proposes to provide an extra 12.4ha of open space comprised of a new double playing field on Lot D in DP 19853 (Rural lot north of Club Menangle) and various local parks and linear links adjoining riparian areas.

Areas excluded from the assessment as usable open space include land adjoining the north facing ramps for Stage 1 of the Spring Farm Parkway, land reserved for an entry feature at the intersection of the Spring Farm Parkway, proposed north-south spine road, the steep knoll adjoining the M31 and land recommended in this report to be zoned E2 Environmental Conservation.

Traffic Assessment

The supporting traffic model indicates satisfactory levels of performance both midblock and at critical intersections, during both morning and afternoon peak periods. It is noted however, that traffic and accessibility of the masterplan level requires review, inclusive of proposed bus route planning. Traffic impacts beyond the site are considered to be manageable. Further analysis should however, be undertaken in the context of traffic modelling for the Greater Macarthur Area and occur prior to public exhibition of the PP.

Water Cycle Management

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address flood risk and detail the approach required to satisfy the principles of the NSW Floodplain Development Manual (as amended by the SPE's 2007 Flood Planning Guideline), and meet Council's stormwater detention and quality targets.

The assessment concluded that the 1 percent Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) are generally contained within riparian corridors and outside of land intended for development and unlikely to impact on residential development. Where there were minor areas of residential land affected by flooding, Council determined that the definition of habitable floor levels and evacuation routes are to be addressed in future DA's for development of these areas. The PP does not result in significant increases in development of land affected by the 1 percent AEP or PMF and this approach is proposed to be maintained.

A stormwater management strategy was prepared for the site to meet Council's engineering specifications and targets for stormwater management including stormwater detention to ensure post development flows and discharges do not exceed pre-development peak discharge rates for the 1 percent AEP and stormwater pollutant load reduction targets. It is proposed to continue to address the final sizing of stormwater quality and detention facilities for each DA that progresses on the site and adopting these parameters will ensure the facilities are appropriately sized and meet the water quality targets.

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

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The PP will contribute to the orderly development and social and economic benefit of the wider precinct.

The PP does not apply to the existing Menangle Park Village precinct. The Village will continue to develop under the current planning policy provisions.

Positive social benefits of the PP includes:

- Increased housing supply and diversity in an accessible, serviceable setting.
- Creation of an environment that provides access to public and private spaces, promotes healthy lifestyles and facilitates and will support a vibrant, robust, and sustainable community.
- Public benefits including additional public open space, sports and community facilities.
- Provision of physical and social infrastructure generally.

Positive economic benefits of the PP include:

- Access to local employment opportunities,
- Significant local centre based employment, service and retail opportunities
- Significant construction and on-going maintenance activities.

Section D – State and Commonwealth interests.

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

Local Infrastructure:

Council approved the Menangle Park Contributions Plan, which became effective on 24 April 2018. Council commenced the process of seeking IPART assessment of the Plan in May 2018 with the view of seeking consideration to contributions exceeding the \$20,000 per lot/dwelling cap. IPART commenced assessment of the Plan in June 2018 and completed its final report on 18 December 2018.

IPART recommended an increase to the total costs within the plan from \$132.88 million (in September 2016 dollars) to \$171.32 million (in June 2018 dollars). This amounts to an increase of 28.9 percent (when including inflation) and a real increase of 25.7 percent (when excluding inflation).

In dollar terms, IPART's recommendations would increase uncapped contributions for a standard residential lot by about \$12,700 (or in other words), from approx. \$43,500 (in September 2016 dollars) to approx. \$56,200 (in June 2018 dollars).

The increase in costs is the result of:

- The cost of additional land for transport and stormwater management works, which were not originally included in the plan.

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- Adopting updated (June 2018) land value estimates because Menangle Park land values have risen significantly above forecasted land values since the plan was prepared in 2016.
- Consistent with changing the base period for land costs, changing the base period for cost estimates of works in the plan from September 2016 to June 2018.

In response to IPART's recommendations, the Minister for Planning is yet to advise Council of any required changes.

The updated Masterplan proposed by Dahua will require amendments to the adopted Contributions Plan and further revision by IPART. In lieu of this process, Dahua has undertaken to enter into a Voluntary Planning Agreement (VPA) with Council for the provision of all required infrastructure within their land holdings and to make a contribution towards any relevant external infrastructure.

The specific infrastructure requirements, including functions and embellishment levels, are yet to be negotiated and would occur in conjunction with the preparation and finalisation of the draft planning policies. The infrastructure to be considered would include open space, recreation, community facilities, roads and stormwater management.

The background technical studies of relevance in respect of service infrastructure provision include in particular:

- Service Infrastructure Report (SMEC 2018)
- Menangle Park Social Infrastructures Study and Social Impact Assessment (Elton Consulting 2018)
- Menangle Park Open Space and Landscaping Strategy Report (Place Design Group 2018)

The key benefit to Council from entering into a VPA would be the timely delivery of essential community infrastructure to support development. In addition, the risk of cost escalation to Council beyond plan assumptions would be minimised and any amendment to the cap on developer contributions would not apply.

In a similar manner the State Government will be seeking a contribution to "higher order" infrastructure through a Special Infrastructure (SIC) mechanism.

State Infrastructure:

The Department of Planning, Infrastructure and Environment (DPIE) has executed two State Voluntary Planning Agreements (SVPAs) for the Menangle Park Urban Release Area.

Clause 6.1 of the Campbelltown Local Environment Plan 2015 provides that the Consent Authority must not grant Development Consent for certain land subdivision in an Urban

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Release Area unless the Secretary has issued a Satisfactory Arrangements Certificate regarding the provision of Designated State Public Infrastructure

The Developer (Dahua) has entered into the SVPAs with the Minister to enable a Satisfactory Arrangements certificate to be issued for future development applications, subject to compliance.

The SVPAs require the Developer to provide monetary contributions totalling \$113,125,000, being:

- Monetary Contribution 1: \$23,000,000
- Monetary Contribution 2: \$125,000
- Monetary Contribution 3: \$12,000,000
- Monetary Contribution 4: \$63,000,000
- Dedicated Land Contribution: land to be dedicated as part of the Spring Farm Parkway
- Education Land Contribution: land to be dedicated for a School
- Monetary Contribution 6: being the difference between \$90,000,000 and the sum of the previous 4 contributions

A total of \$86m of the contributions received from Monetary Contribution 1, 3 and 4 are to be directed towards the Menangle Park Spring Farm Parkway Transport Infrastructure Contributions Deed. This Deed is between the Roads and Maritime Services, Landcom, Dahua Group Sydney Project 3 Pty Ltd and Dahua Group Sydney Project 2 Pty Ltd. The purpose of the Deed is to deliver:

- 880m of upgraded Menangle Road
- 860m of Spring Farm Parkway, including bridge over the M31
- Northbound Entry Ramp to the M31
- Southbound Exit Ramp from the M31

Timing of delivery is set out within the agreements and is linked to new lot registration thresholds.

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

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur with State and Commonwealth agencies in the event of a Gateway Determination and will indeed be a requirements of the same.

The consultation will be undertaken pursuant to S3.34 of the EP&A Act.

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Part 4: Mapping

The planning proposal is accompanied by the following maps as shown in table 7 below:

Table 7: Schedule of Existing Maps, Map Amendments and New Clauses

Item	Location
Existing Zoning Map	Attachment 1
Proposed Zoning Map	Attachment 1
Existing Minimum Lot Size Map	Attachment 2
Proposed Lot Size Map	Attachment 2
Existing Land Reservation Map	Attachment 3
Proposed Land Reservation Map	Attachment 3
Existing Height of Buildings Map	Attachment 4
Proposed Height of Buildings Map	Attachment 4
Existing Floor Space Ratio Map	Attachment 5
Proposed Floor Space Ratio Map	Attachment 5
Existing Structure Plan	Attachment 6
Proposed Structure Plan	Attachment 7
Area Map	Attachment 8
Clause 4.1H	Attachment 9

Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination made by the Minister for Planning and Infrastructure in accordance with Sections 3.34 and Schedule 1, clause 4 of the Environmental Planning and Assessment Act 1979.

Part 6 - Project Timeline

A draft project timeline has been included in Table 9 below.

Table 8: Project Timeline

Milestone	Timeline
Gateway Determination	May 2020
Completion of additional supporting documentation	July 2020
Public Exhibition	October / November 2020
Consideration of Submissions	December 2020
Council submissions Report	February 2021
Request for finalisation of Planning Proposal	March 2021

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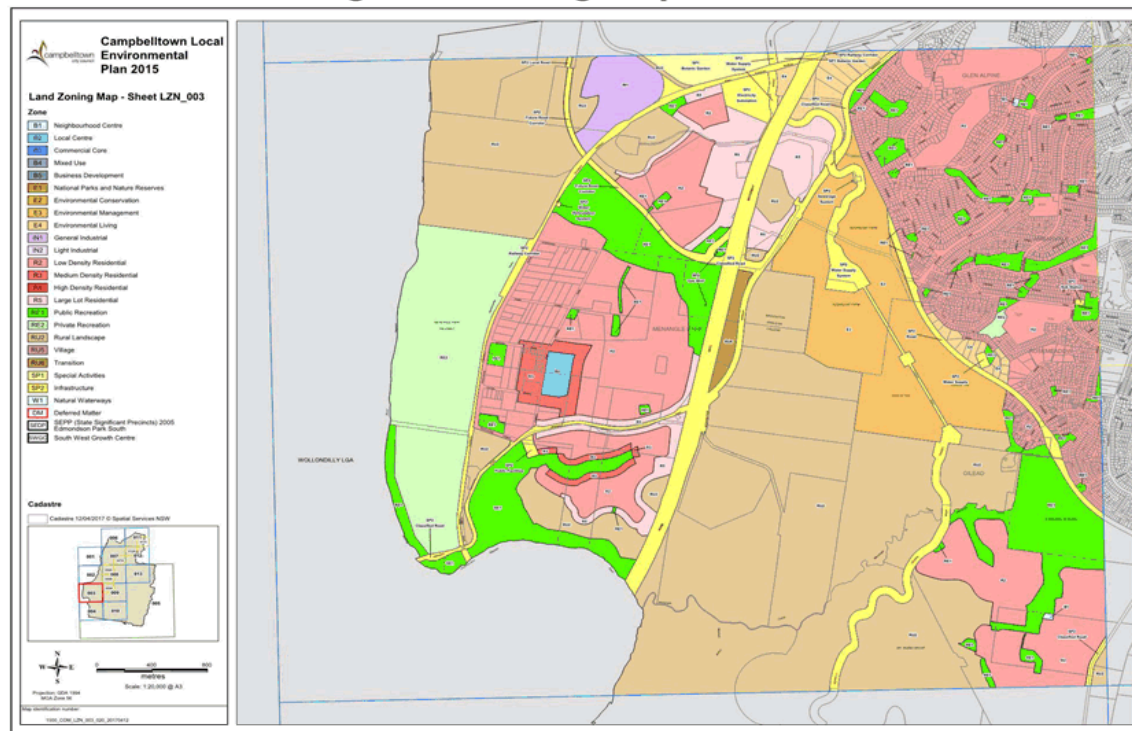
Plan amendment made

June 2022

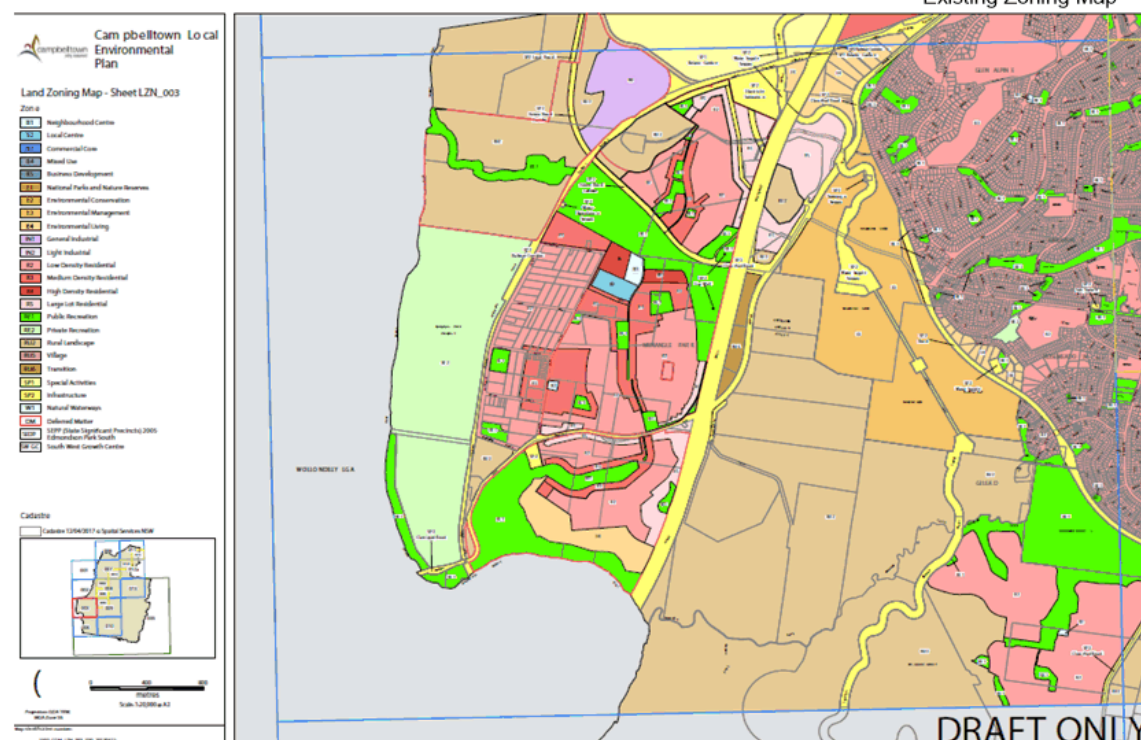
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Attachment 1 Changes to Zoning Map



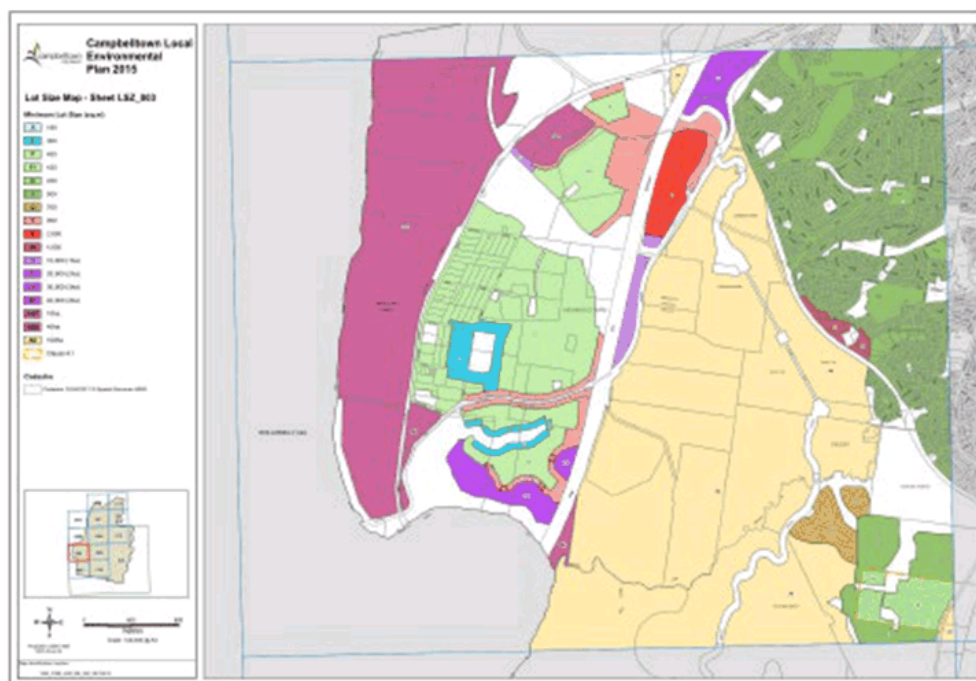
Existing Zoning Map



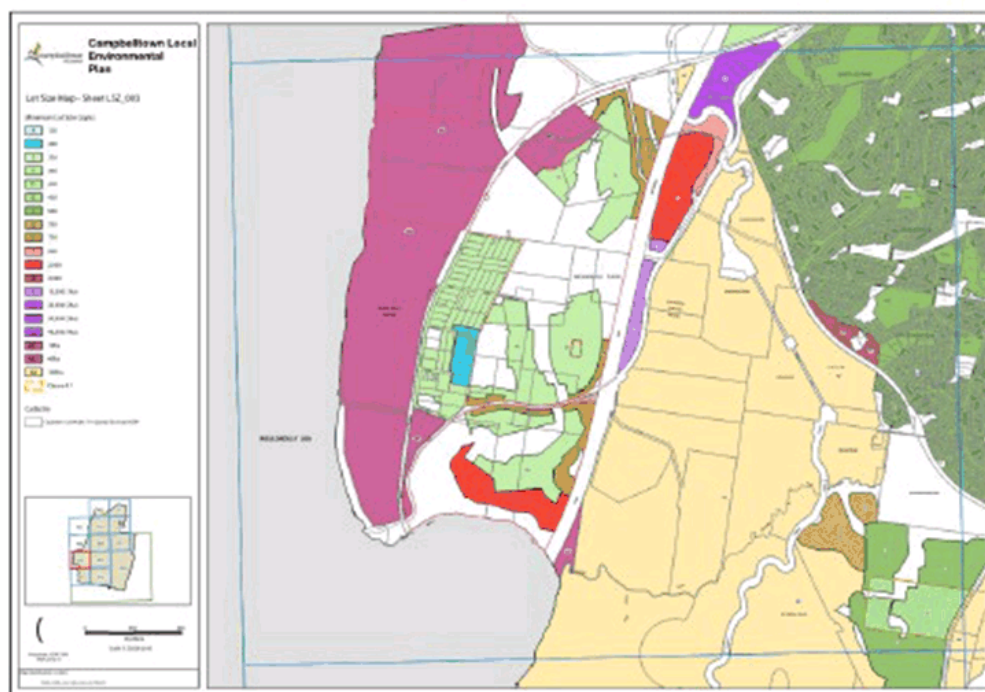
Proposed Zoning Map

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Existing Lot Size Map

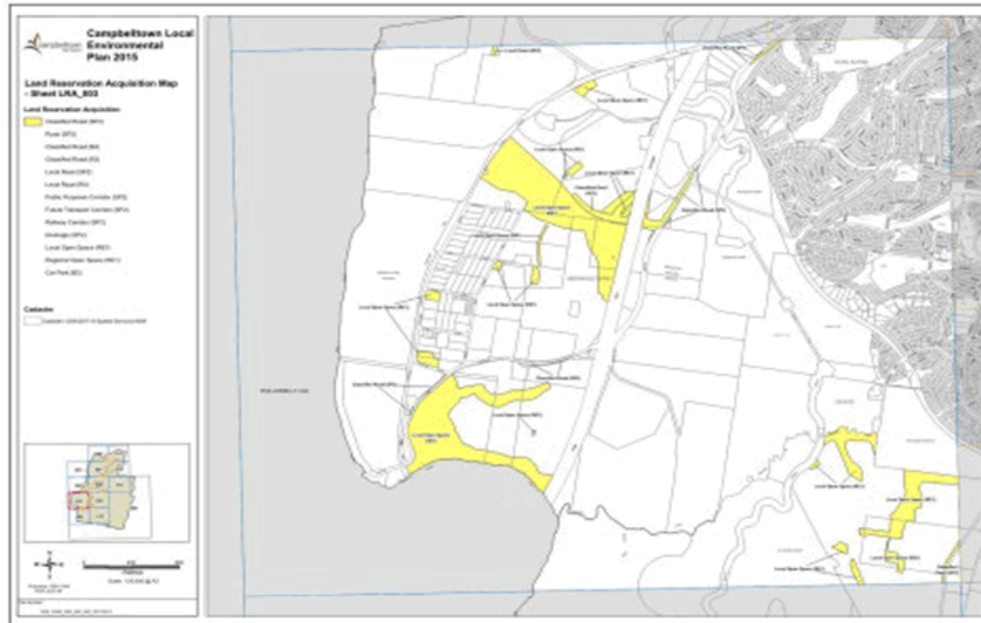


Proposed Lot Size Map



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Existing Land Reservation Acquisition Map

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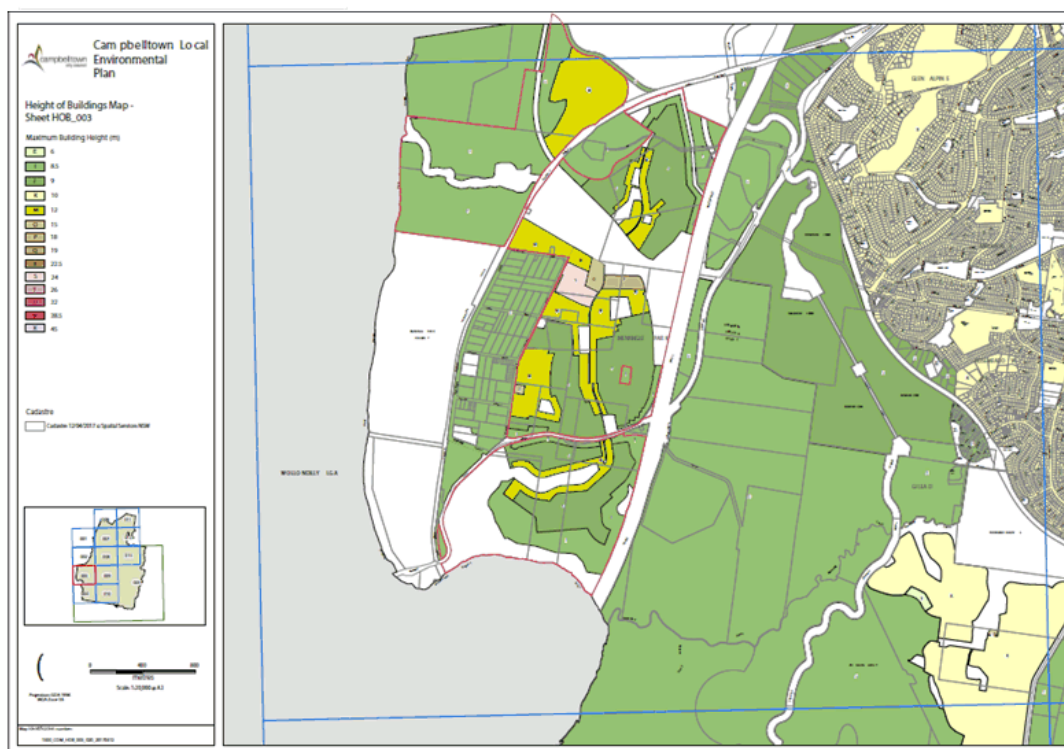
MENANGLE PARK PLANNING PROPOSAL

Attachment 4 – Changes to Height of Buildings Map

Existing Height of Building Map



Proposed Height of Building Map

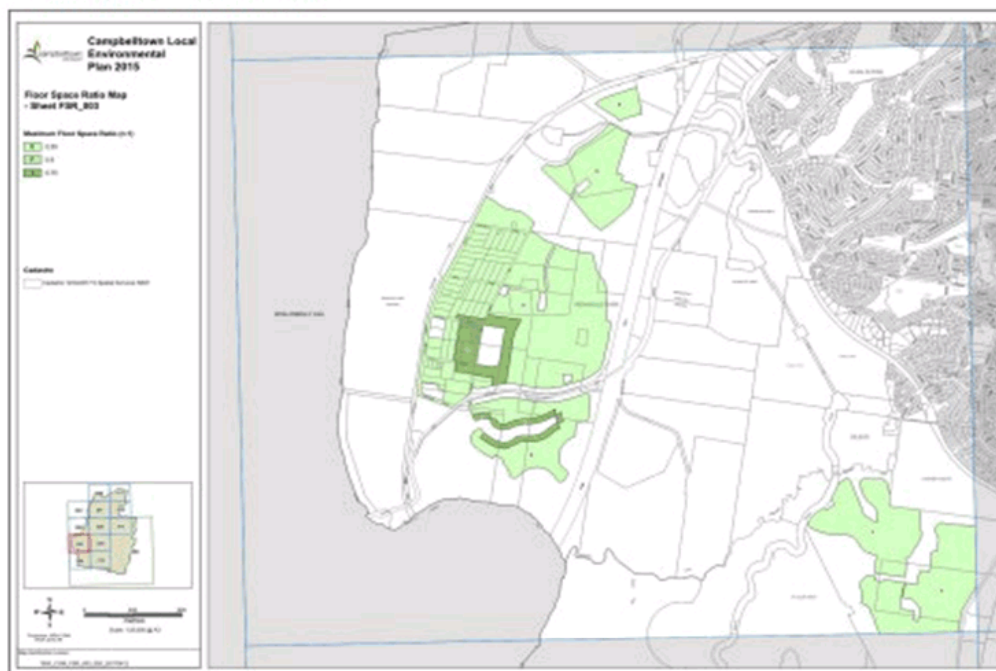


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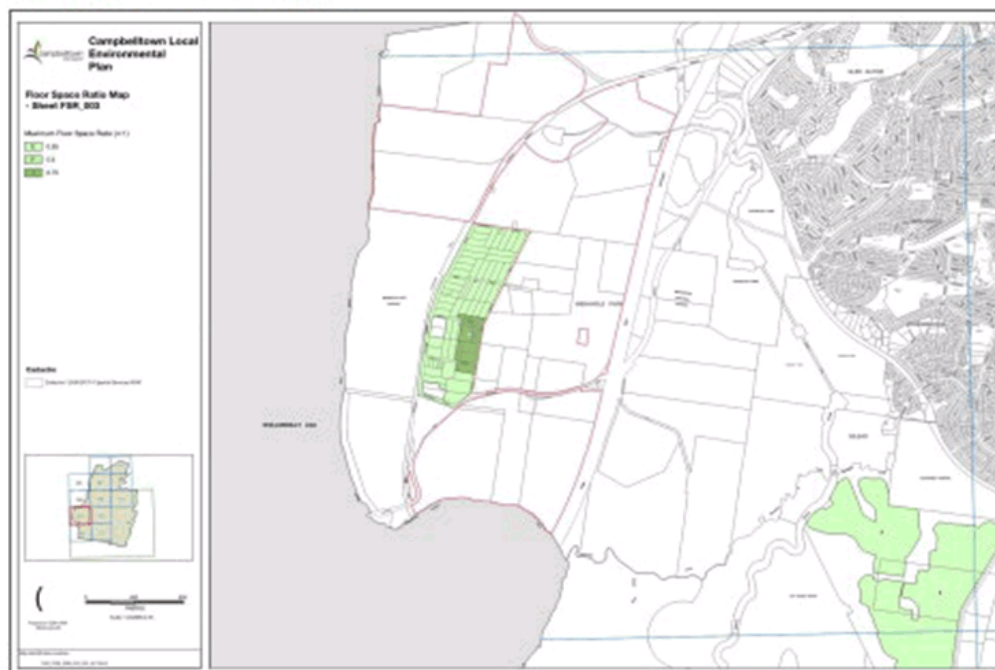
MENANGLE PARK PLANNING PROPOSAL

Attachment 5 – Changes to Floor Space Ratio Map

Existing Floor Space Ratio Map



Proposed Floor Space Ratio Map

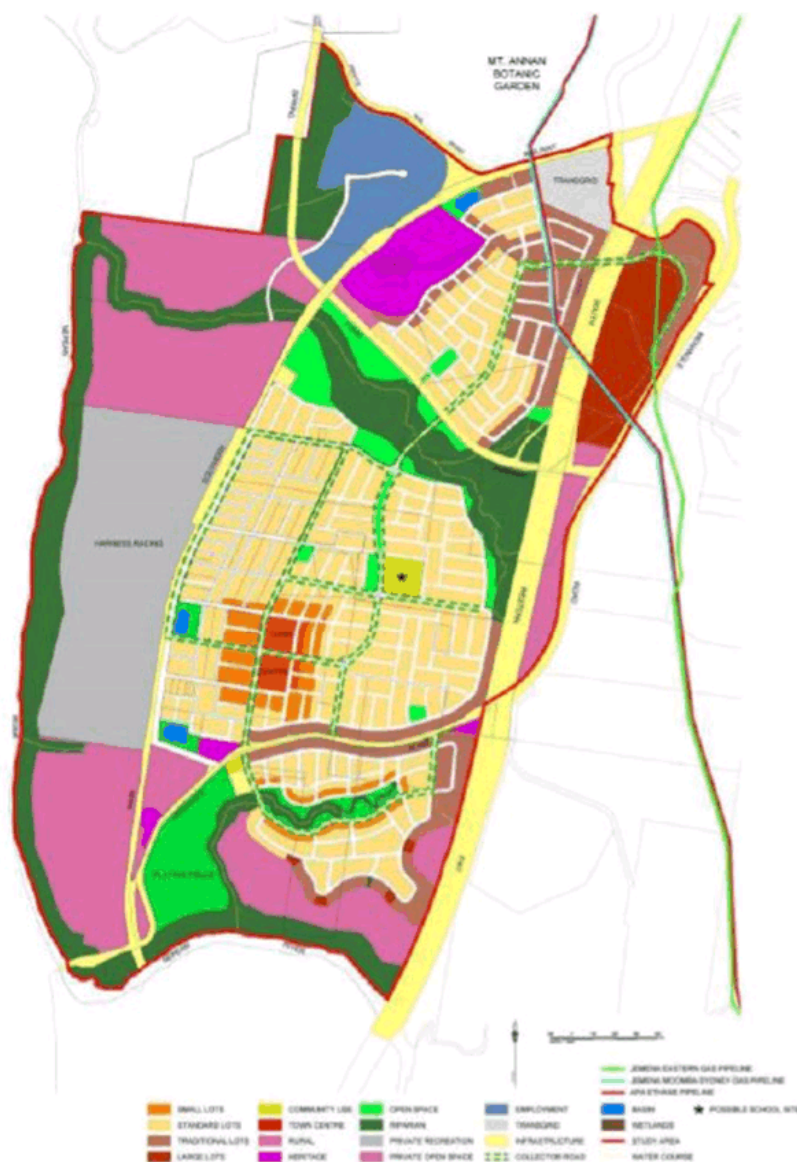


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Attachment 6 – Existing Structure Plan

Existing Structure Plan



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Attachment 7– Proposed Structure Plan

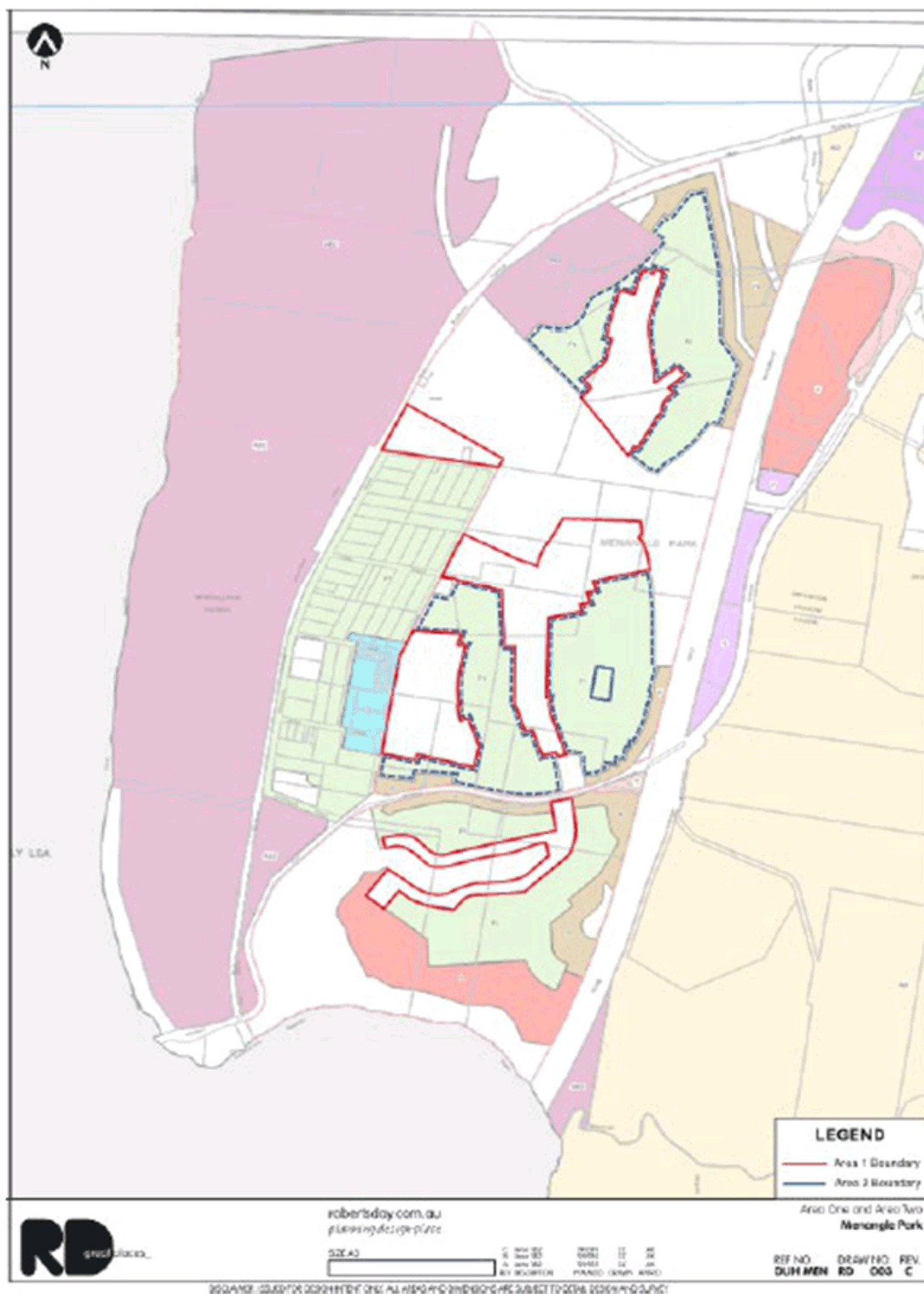
Proposed Structure Plan



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Attachment 8 – Area Map



Attachment 9 – Clause 4.1H

Clause 4.1H Minimum lot sizes for dwelling houses, semi-detached dwellings, attached dwellings, dual occupancy and multi-dwelling housing in Menangle Park.

This Clause applies to land within **Area 1** on the Urban Release Area Map.

1. The objective of this clause is to achieve planned residential density in certain zones.
2. Development must not be carried out on a lot in Zone R3 Medium Density Residential for any of the following purposes if the area of the lot is less than the area specified below in relation to those purposes:
 - Dwelling House (Detached): 250m²
 - Semi-Detached Dwellings: 250m²
 - Dual Occupancy: 500m²
 - Secondary Dwellings: 450m²
 - Attached Dwellings: 200m²
 - Multi-Dwelling Housing: 1,500m²
3. Development consent may be granted for the subdivision of land within **Area 2** on the Urban Release Area Map on land zoned R2 Low density Residential into lots that do not meet the minimum size show on the Lot Size Map if:
 - a) Each lot has a minimum lot size of not less than 375m², and
 - b) Each lot has a minimum primary road frontage of 11.5m, and
 - c) Each lot is not a corner allotment, and
 - d) No more than 150 lots have a lot size of less than 420m² within Area 2 to which this clause applies, and
 - e) No more than 3 contiguous lots sharing a street frontage have a lot size of less than 420m², and
 - f) Each lot is located no more than 200m from a bus stop or open space area.

027 The Motion on being Put was **CARRIED**.

8. REPORTS FROM OFFICERS

8.1 Development Application Status

It was **Moved** Councillor Thompson, **Seconded** Councillor Chowdhury:

That the information be noted.

028 The Motion on being Put was **CARRIED**.

Meeting note: Having declared an interest in Item 8.2 Councillor Chivers, Councillor Greiss and Councillor Lound left the Chamber at 6:49pm and did not take part in the discussion or vote on the matter.

8.2 Menangle Park - Draft Planning Proposal

It was **Moved** Councillor Morrison, **Seconded** Councillor Rowell:

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land within the Menangle Park Urban Release Area, to the Department of Planning Industry and Environment seeking endorsement for a Gateway Determination.
2. That Council note that the proponent has committed to enter into a Voluntary Planning Agreement with Council for the provision of infrastructure and monetary contributions relating to the Menangle Park Urban Release Area which will be the subject of a future report.
3. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979* that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
4. That following the public exhibition a report on any submissions received be presented to Council.
5. That Council exercise via the General Manager the 'approval' functions of the Minister under Section 3.31 (3)(b) of the EP&A Act, to 'make' the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.
