



Planning Proposal

Menangle Park Urban Release Area

Proposed amendment of Campbelltown Local Environmental Plan 2015

Exhibition Phase

30th August 2021

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

LGA means local government area

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

SQM means square metres

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.

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.

The State Government also imposes a SIC in respect of 'higher order' infrastructure. In this regard, the proponent has meet 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 holding controlled by the Dahua Group. The Planning Proposal relates only to holdings under the control of Dahua.

The site comprises 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.

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

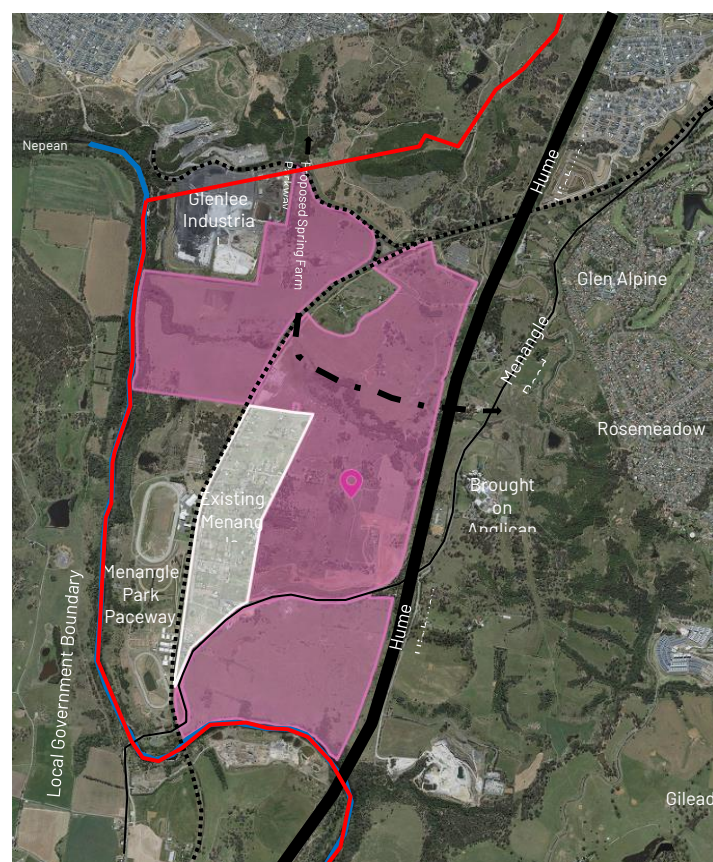


Figure 1 Location Map

Part 1 – Objectives or Intended Outcomes

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) to:

- a. Provide for an increase in dwelling yield from 3,000 to 4,000 by providing for a more diverse range of dwelling types;
- b. Ensure appropriate supporting infrastructure is facilitated;
- c. Enhance the protection of sensitive ecological communities, including endangered and critically endangered species;
- d. Provide a diverse open space network;
- e. Detail a statutory planning framework; and.
- f. Minimise local hazards.

Part 2 – Explanation of provisions

The Planning Proposal 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 neighbourhood centre to adjoin a new planned primary school.
- Increase the provision of open space land
- Increase the protection of critically endangered *Elderslie Banksia Scrub*

The PPR will be the subject of a future amendment to the prevailing Development Control Plan. This companion planning document will be the subject of separate public consultation.

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 subject of a rezoning that occurred in 2017.

A comprehensive review of the existing planning framework has been 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 its supported 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
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 and Addendum	Cumberland Ecology	November, 2018 – August 2021 Addendum
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 Location IQ	December, 2018 December, 2019
Traffic Advice	ARUP	October, 2019
Specialist Post-Gateway Studies	Author	Date
Menangle Park Gateway Determination Strategic Bushfire Study	Ecological Australia	June, 2021
Market Potential Assessment	Location IQ	May, 2021
Updated Masterplan Report	Allen Jack+Cottier	July, 2021
Vegetation Assessment Report	Cumberland Ecology	July, 2021

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)

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 817,000 new jobs and 725,000 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 in table 2. The Planning Proposal 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 Sydney Region Plan	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>			

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<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 Planning Proposal will require collaboration with various government agencies, Council, the development sector and existing and envisaged community.</p> <p>As part of the Gateway Determination, Council is to undertake public consultation to seek the views of relevant agencies and interested persons.</p>
Liveability			
<i>A City of Great Places</i>			
<ul style="list-style-type: none"> Services and infrastructure meet communities' changing needs Communities are healthy, resilient and socially connected Greater 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 a healthy, resilient and socially connected community.</p>
<i>Housing in the City</i>			
<ul style="list-style-type: none"> Greater housing supply Housing 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</p>

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
			<p>would support approximately 400 additional dwellings.</p> <p>Larger lots providing aspirational housing opportunities leverage off high amenity areas rural/environmental interfaces.</p>
<i>A City of Great Places</i>			
<ul style="list-style-type: none"> Great places that bring people together Environmental 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	<p>A character/place focus underpins the accompanying amended masterplan and proposed development controls.</p> <p>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.</p>
Productivity			
<i>A Well Connected City</i>			
<ul style="list-style-type: none"> A metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities The Eastern, GPOP and Western Economic corridors are better connected and more competitive and efficient Freight and logistics network is 	<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	<p>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.</p>

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
competitive and efficient <ul style="list-style-type: none"> Regional connectivity is enhanced 			
<i>Jobs and Skills for the City</i>			
<ul style="list-style-type: none"> Harbour CBD is stronger and more competitive Greater Parramatta is stronger and better connected Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City Internationally competitive health, education, research and innovation precincts Investment and business activity in centres Industrial and urban services land is planned, protected and managed Economic sectors are targeted for success 	<ul style="list-style-type: none"> Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8) Growing and strengthening the metropolitan city cluster (W9) Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10) Growing investment, business opportunities and jobs in strategic centres (W11) 	Yes	<p>The proposal maintains an employment lands precinct on the north western side of the railway line. Significant employment opportunities will be provided in the expanded Town Centre and local Neighbourhood Centre.</p> <p>Additionally, significant local construction and maintenance employment opportunities will evolve.</p>
Sustainability			
<i>A City in its Landscape</i>			
<ul style="list-style-type: none"> The coast and waterways are protected and healthier A cool and green parkland city in the South Creek corridor 	<ul style="list-style-type: none"> Protecting and improving the health and enjoyment of the District's waterways (W12) Creating a Parkland City urban structure and identity with 	Yes	<p>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</p>

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> Biodiversity is protected, urban bushland and remnant vegetation is enhanced Scenic and cultural landscapes are protected Environmental, social and economic values in rural areas are protected and enhanced Urban tree canopy cover is increased Public open space is accessible, protected and enhanced The Green Grid links, parks, open spaces, bushland and walking and cycling paths 	<p>South Creek as a defining spatial element (W13)</p> <ul style="list-style-type: none"> Protecting and enhancing bush land and biodiversity (W14) Increasing urban tree canopy cover and delivering Green Grid connections (W15) Protecting and enhancing scenic and cultural landscapes (W16) Better managing rural areas (W17) Delivering high quality open space (W18) 		<p>transport link. A sustainable street tree planting regime is to be implemented via the DCP.</p>
<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 change Energy and water flows are captured, used and re-used More 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 would 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 would be addressed in the updated DCP to be separately exhibited in relation to tree planting and materials.</p>
<i>A Resilient City</i>			

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> • People and places adapt to climate change and future shocks and stresses • Exposure to natural and urban hazards is reduced • Heatwaves 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	Appropriate flood and bushfire hazard management strategies underpin the proposal and opportunities to proactively address potential urban heat island impacts.

Western City District Plan - Connecting Communities

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 Planning Proposal against the relevant Directions and Priorities District Plan is provided in table 2. The Planning Proposal 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 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 initial Planning Proposal was supported by an Economic Impact Assessment that proposed 33,500m² of Gross Floor Area (GFA) for the proposal, comprising:

- 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 GFA.

The Campbelltown Local Planning Panel identified a need to further review the footprint of the relocated Town Centre of 11.5ha 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 modeling of commercial impacts upon nearby existing and proposed commercial centres and land use assessment of the zoned area.

Dahua submitted an updated Market Potential Assessment by Location IQ in May 2021, which recommended 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 (1.65ha) with the balance of the area returning to part R4 High Density Residential and part R3 Medium Density Residential. This outcome would support 23,000m² of commercial GFA.

The Planning Proposal 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 be successful. 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.

In summary, the updated Planning Proposal is seeking a redistribution of retail and commercial floor space within the Menangle Park urban release area. The reduction of GFA provides is more consistent with Greater Macarthur 2040.

Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) 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 proposal 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.

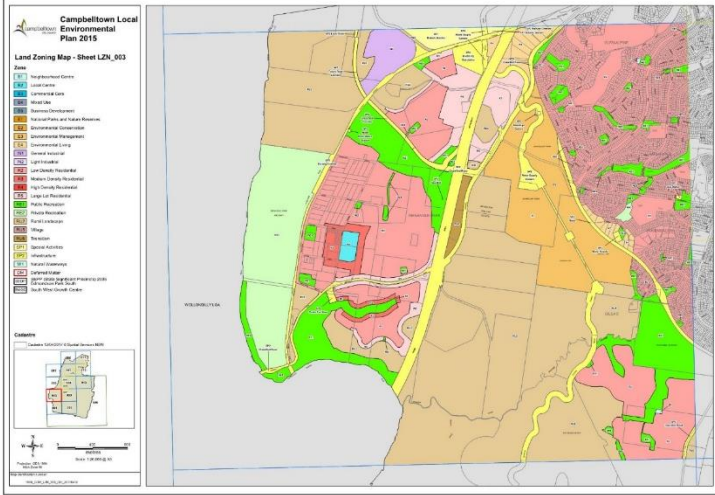
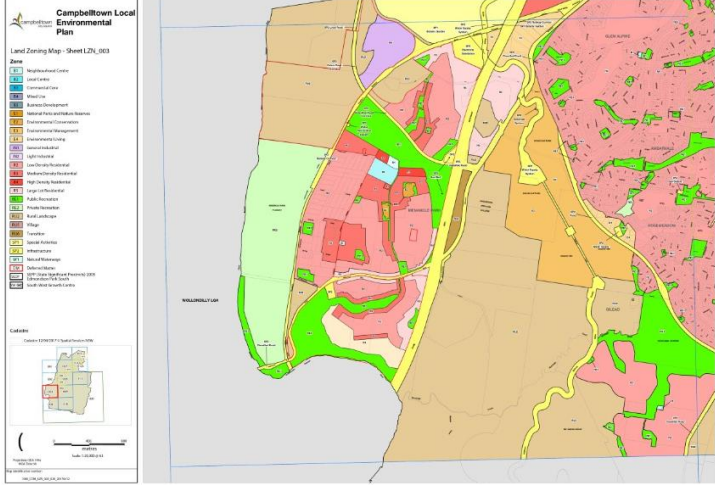
Campbelltown Local Environmental Plan 2015 (CLEP 2015)

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 and proposed amendment are discussed below:

Table 3: Campbelltown Local Environmental Plan 2015 Proposed Amendments

CLEP 2015 Current	Proposed Amendment
Mapping	
Zoning 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.	The Planning Proposal seeks to introduce or amend the spatial location of land use zones to: <ul style="list-style-type: none"> • Relocate and reduce the extent of the B2 Local 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

CLEP 2015 Current	Proposed Amendment																																										
	<p>immediate east of the Proposed Town Centre.</p> <ul style="list-style-type: none">• 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> <p>In summary, the table below provides the comparison of existing and proposed zones:</p> <table><tr><th>Zone</th><th>Existing</th><th>Proposed</th></tr><tr><td>IN1 General Industrial</td><td>28.1ha</td><td>28.1ha</td></tr><tr><td>RU2 Rural Landscape</td><td>132.7ha</td><td>108ha</td></tr><tr><td>RE1 Public Recreation*</td><td>98ha</td><td>103.7</td></tr><tr><td>R2 Low Density Residential</td><td>163ha</td><td>118.9ha</td></tr><tr><td>R3 Medium Density Residential</td><td>17.6ha</td><td>64.6ha</td></tr><tr><td>R4 Large Lot Residential</td><td>49.6ha</td><td>31.7ha</td></tr><tr><td>B2 Local Centre</td><td>6.3ha</td><td>5.7ha</td></tr><tr><td>SP2 Infrastructure</td><td>10.7ha</td><td>14.4ha</td></tr><tr><td>R4 High Density Residential</td><td>0</td><td>4.8ha</td></tr><tr><td>B1 Neighbourhood Centre</td><td>0</td><td>1.6ha</td></tr><tr><td>E4 Environmental Living</td><td>0</td><td>21.4ha</td></tr><tr><td>E2 Environmental Conservation</td><td>0</td><td>2.9ha</td></tr><tr><td>Total</td><td>506ha</td><td>506ha</td></tr></table> <p>*The public recreation increase includes playing fields, civic centre (Town Centre), 2 x 0.5ha Open Space within the village to be delivered via a voluntary planning agreement.</p>	Zone	Existing	Proposed	IN1 General Industrial	28.1ha	28.1ha	RU2 Rural Landscape	132.7ha	108ha	RE1 Public Recreation*	98ha	103.7	R2 Low Density Residential	163ha	118.9ha	R3 Medium Density Residential	17.6ha	64.6ha	R4 Large Lot Residential	49.6ha	31.7ha	B2 Local Centre	6.3ha	5.7ha	SP2 Infrastructure	10.7ha	14.4ha	R4 High Density Residential	0	4.8ha	B1 Neighbourhood Centre	0	1.6ha	E4 Environmental Living	0	21.4ha	E2 Environmental Conservation	0	2.9ha	Total	506ha	506ha
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CLEP 2015 Current	Proposed Amendment
	<p>Existing Zone:</p>  <p>Proposed Zone:</p> 
<p>Minimum Lot Size</p> <p>The current minimum lot sizes are:</p> <ul style="list-style-type: none"> • R2 Zone: 420m² • R3 Zone: 300m² • R5 Zone: 950 & 2,000m² • RU2 Zone: 3ha 	<p>The Planning Proposal seeks to amend the Minimum Lot Size Map as follows:</p> <ul style="list-style-type: none"> • R3 Zone: NA • R4 Zone: NA • R5 Zone: 750m² • E4 Zone: 4,000m² <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</p>

CLEP 2015 Current	Proposed Amendment
	<p>reasonable transition in built form to the R2 Low Density Residential zone and provide a greater opportunity for increased dwelling setbacks.</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 proposal 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 3' which would apply to the R3 Medium Density Residential zone and 'Area 4' which would apply to the R2 Low Density Residential zone as discussed under the Principal Development Standards below and as shown in attachments 1 - 9.</p> <p>(The proposed minimum lot size amendments are shown in attachment 2)</p>
<p>Building Heights</p> <p>The current maximum buildings heights are:</p> <ul style="list-style-type: none"> • I: 8.5m • O: 15 	<p>The Planning Proposal 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) • O: 15m (B1 Zone) • P: 18m (R4/B2 Zone) • S: 24m (R4 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>
<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 Planning Proposal seeks to amend the Floor Space Ratio Map to remove FSR for any building that the proposal relates to, this includes the Town Centre.</p> <p>Council discussions with Dahua deemed that a Floor Space Ratio is not appropriate for the Town Centre precinct, and that it would be better suited to a Gross Floor Area clause as shown in attachment 7 and 9.</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 Planning Proposal 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>Although Council recommends that Transport for New South Wales (TfNSW) be the responsible authority for acquisition and ownership of the Spring Farm Parkway extension, this matter</p>

CLEP 2015 Current	Proposed Amendment
	<p>is the subject of ongoing consultation between Dahua Group Australia, TFNSW and Campbelltown Council.</p> <p>Stage 2 of Spring Farm Parkway extension is still in the Strategic Assessment Phase and the final corridor has not been confirmed. Therefore, Stage 2 of the Spring Farm Parkway will not be shown on the Land Reservation Acquisition Map as per the Gateway condition.</p> <p>The proposed amended Land Reservation Acquisition Map forms attachment 3.</p>
Clauses	
<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 Planning Proposal 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 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, 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 <p>Area 3 and Area 4 are shown in attachment 2.</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>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>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</p>

CLEP 2015 Current	Proposed Amendment
<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>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 CLEP 2015 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 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 Planning Proposal 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 Planning Proposal and engage at key stages in the decision-making process. The proposal seeks to establish a framework to inform the future review of the masterplan to improve placemaking, 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.
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 provide a framework for 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.

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

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

Table 5: Consistency with State Environmental Planning Policy

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.

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
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
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable
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	Repealed
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable
SEPP No. 55 - Remediation of Land	Yes	The site identified low areas of contamination, a detailed site investigation will be required prior the issuing of development consent.
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
SEPP (Affordable Rental Housing) 2009	Yes	The proposal 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 proposal is not inconsistent with the application of the SEPP to residential development.
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	The proposal 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.
SEPP (Exempt & Complying Development Codes) 2008	Yes	The proposal is not inconsistent with the SEPP and the provisions of which would apply to future developments.
SEPP (Housing for Seniors or People with a Disability)	Yes	The proposal 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.

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
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 impacted by the proposal.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	Justifiably Inconsistent	<p>The site is currently zoned 'urban release area.' The proposal is seeking to reduce the existing RU2 Rural Landscape zone in the southern portion of the precinct (24ha), adjoining the Nepean River.</p> <p>The existing rural zone would not be appropriate to interface residential housing. Therefore, an E4 Environmental Living zone is proposed to protect the environmental qualities of the land and create an appropriate transition to the R5 Large Lot and R2 Low Density Residential areas.</p> <p>There is also a second portion of RU2 land facing the Hume highway which is proposed for rezoning to part R5 Large Lot Residential and RE1 Public Recreation. This would support a greater diversity of housing and access the scenic hill for open space.</p> <p>Whilst, there is a deduction to the RU2 Rural Landscape zone, the Planning Proposal is considered justifiably inconsistent as suitable land in the western and northern extent of the site have been maintained under the RU2 zoning to accommodate any small-scale agricultural activities.</p>
SEPP (State & Regional Development) 2011	N/A	Not Applicable.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not Applicable.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	Vegetation removal is minimised by the proposal. Any vegetation proposed for removal would need to comply with the provisions of the SEPP and other companion legislation.

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Koala Habitat Protection) 2021	Yes	<p>A Vegetation Assessment Report has been prepared by Cumberland Ecology to ensure that the proposal is consistent with the SEPP (Koala Habitat Protection) 2021 and the Campbelltown Comprehensive Koala Plan of Management.(CKPOM)</p> <p>The survey covered 75% of the site and identified ten locally-defined vegetation communities with 2,125 classified as Koala Use Trees Species within the study area. It is estimated 455 Preferred Koala Feed Trees are identified under the CKPOM.</p> <p>The Planning Proposal is consistent with SEPP (Koala Habitat Protection) 2021 and CKPOM as it provides for additional public open space and E2 Environmental Conservation Zones to protect the Koala habitat areas.</p>
SREP 20 Hawkesbury Nepean	Yes	<p>The aim of the SREP is to protect and enhance the Hawkesbury-Nepean River. Land adjoining the northern banks Nepean River is proposed RE1 Public Recreation and managed with respect to a Vegetation Management Plan.</p> <p>Land has also been identified as riparian lands and consists of natural environment and terrestrial biodiversity under CLEP 2015. Any future DA's will need to consider clauses 7.3 Riparian Land and Water Courses, 7.5 Preservation of the natural environment and 7.20 Terrestrial Biodiversity.</p> <p>To the north and north west, beyond the northern banks of the Nepean River are zoned E4 Environmental Living and RU2 Rural Landscape. These zones provide for an appropriate buffer between the riparian interface and proposed urban purposes. Any future DA's will need to demonstrate consistencies with the zoning objectives and any other relevant considerations under the SREP.</p> <p>Therefore, based on the above factors Council is satisfied that the proposal is consistent with the SREP.</p>

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

The Planning Proposal 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 proposal 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		
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 the current supermarket based shopping centre and maintain a small neighbourhood centre with proximity of the proposed school.</p> <p>The relocation 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 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 remnant RU2 – Rural Landscape zoned lands on the southern frame of the precinct, adjoin the Nepean River is proposed to be rezoned E4 – Environmental Living to support large lot residential development that addresses the scenic and environmental attributes of land.</p> <p>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	Yes	The proposal does not propose additional constraints to the subject resources. The matters regarding coal

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
compromised by inappropriate development.		deposits, coal bed methane and sand and soil deposits were adequately considered in the original rezoning of the site for urban purposes in November 2017.
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	The proposal does not impact upon the rural residue holdings in the urban release area or nearby similarly zoned areas.
2.1 Environmental Protection Zones		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Yes	<p>The proposal 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 Conservation.</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 Archaeological significance is not further compromised by the proposal.</p>
2.6 Remediation of Contaminated Land		
This Direction seeks to reduce the risk of harm to human health and	Yes	Land Capability Studies were undertaken as part of the MPURA

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
the environment by ensuring that contamination and remediation are considered.		rezoning in 2017, and concluded it would be suitable for residential purposes. However, more detailed investigation, remediation action plans and unexpected finds protocols should be pursued as part of the usual subdivision process.
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 proposal seeks to introduce the R4 High Density Residential zone to facilitate residential flat building development 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		
This Direction seeks to facilitate low impact small businesses in dwelling houses	Yes	The proposal includes standard provisions to 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 proposal provides a sensitive juxtaposition of land uses, with appropriate accessibility.</p> <p>A Separate VPA with the Department of Planning and Environment to support delivery of the Spring Farm Parkway 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		

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
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	<p>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.</p> <p>Flood modelling and stormwater management strategies identify acceptable flooding and stormwater management outcomes.</p>
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>An updated Strategic Bushfire Study was prepared by Ecological in June 2021 and has regard to Planning for Bushfire Protection 2019. The proposal generally does not increase the fire hazard for the release area.</p> <p>Pre-Consultation with the RFS took place 15 July 2021 who required the Strategic Bushfire Study be updated to reflect the <i>Planning for Bushfire Protection 2019</i>.</p> <p>An updated report is to accompany the exhibition which reflects these requirements.</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 proposal does not contain provisions that require additional concurrence requirements.

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
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 proposal 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	<p>The proposal relates to the 'standard instrument' Campbelltown LEP 2015.</p> <p>The proposal is inconsistent with this Direction as it will impose a development standard within the CLEP 2015. However, the purpose of the proposed 4.1J is to facilitate a diverse range of housing types across the precinct.</p> <p>Therefore, this inconsistency is considered justified as it will support housing affordability within the Campbelltown LGA.</p>
7.1 Implementation of a "Plan for Growing Sydney" (revoked)		
This Direction seeks to give legal effect to the planning principles; directions and priorities for sub-regions, strategic centres and transport gateways.	Yes	The proposal is consistent with the Greater Sydney Region Plan as detailed in Table 2 of this report.
7.12 Implementation of Greater Macarthur 2040		
This Direction seeks to ensure that development within the Greater Macarthur Growth Area is consistent with the Greater Macarthur 2040 dated November 2018.	Yes	The proposal is generally consistent with the Greater Macarthur 2040: An Interim Plan for the Greater 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. Council's review of the planning

proposal request 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.

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. An updated Strategic Bushfire Study has been prepared by Ecological in June 2021 to address the amendments to the PBP 2019.

The general principles of the former bushfire management strategy remain largely intact, within the updated study. 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.

As part of the Gateway Determination the NSW RFS was required to be consulted with prior to exhibition. The NSW RFS has indicated that the Strategic Bushfire Report is required to be updated to respond to the *Planning for Bushfire Protection 2019*. As such, the proponents have updated the report to reflect this comment and will be on exhibition with the Planning Proposal.

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 planning proposal request 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 planning proposal request 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)
- Active Open Space and Structure Sport
- Ecological land

Council's assessment 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.

The planning proposal 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 increase of 5.5ha 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. Provision of this land is not identified by the planning proposal, and would be addressed in the supporting offer by the proponent, to enter into a voluntary planning agreement.

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 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.

Water Cycle Management

As part of the original rezoning, a Water Cycle Management Report was prepared for the site to address floor 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 Planning Proposal 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?

Town Centre

As part of the Gateway requirements, the Town Centre was required to be reviewed to address the distribution of densities and the floor space ratio.

In response, an updated Market Potential Assessment was prepared by Location IQ, and the recommendations resulted in the Town Centre being scaled back from 30,000m² to 23,000m² of GFA, which is now reflected in the proposed Land Zone Map and Height of Building Map.

Distribution of Densities

As part of the Gateway Requirement, further consideration of dwelling density was undertaken in relation to proximity to the railway station, active transport and other linkages to the town centre.

Notably, the railway corridor through to Menangle Park is not identified for future electrification, and is heavily relied upon as a freight corridor. Therefore, the convenience that an electrified railway would offer is not anticipated in the Menangle Park precinct. Alternatively, density is more appropriately located within and adjoining the proposed Town Centre, which has access to the proposed Spring Farm Parkway via the Green Spine. Public transport would be accessible from this location with convenient access to Macarthur via Stage 1 of the Spring Farm Parkway upgrade.

An updated Urban Design Report by Hatch dated July 2021 has been provided to justify the proposed location of higher density.

Floor Space Ratio

The Department of Planning, Industry and Environment imposed a Gateway Condition requiring a floor space ratio to be formulated within the Town Centre.

Concern is raised that imposing a floor space ratio is not appropriate to control total retail floor area and may put upward pressure on built form to maximise allowable floor area.

Rather, an alternative solution involves a new site-specific LEP clause that establishes the maximum gross floor area of commercial land uses only, with building setback and envelope controls to inform the design of other land uses which may occur on upper levels (Refer to attachment 9)

In summary, positive social benefits of the planning proposal include:

- 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; and
- Provision of physical and social infrastructure generally.

Positive economic benefits of the planning proposal 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.

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 finalized and would occur in conjunction with the finalisation of the planning proposal. 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.

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 totaling \$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 the 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 threshold.

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

The planning proposal is currently in the post-Gateway phase. The Gateway Determination requires the following public authorities/organisations under section 3.34(2)(d) of the Act:

- NSW Rural Fire Service (Prior to exhibition)
- Transport for NSW
- Environment, Energy and Science Group
- NSW State Environmental Service
- Sydney Water and
- Relevant Utility Providers

The consultation will be undertaken pursuant to S3.34 of the EP&A Act, and will allow **21 days** for the public authorities/organisations to comment on the PP.

Part 4: Mapping

In seeking to achieve the PP objectives & outcomes the following map amendments are proposed:

Table 8: Mapping

Item	Mapping	Location
Changes to Zoning Map	1500_COM_LZN_003_020_20170412	Attachment 1
Changes to Minimum Lot Size Map	1500_COM_LSZ_003_020_20200424	Attachment 2
Changes to Land Reservation Map	1500_COM_LRA_003_020_20170412	Attachment 3
Changes to Height of Buildings Map	1500_COM_HOB_003_020_20210420	Attachment 4
Changes to Floor Space Ratio Map	1500_COM_FSR_003_020_20170412	Attachment 5
Changes to Dual Occupancy Map	1500_COM_LSD_003_020_20170412	Attachment 6
Proposed Area Map 7.25		Attachment 7
Proposed Clause 4.11		Attachment 8
Proposed Clause 7.25		Attachment 9

Part 5 - Community Consultation

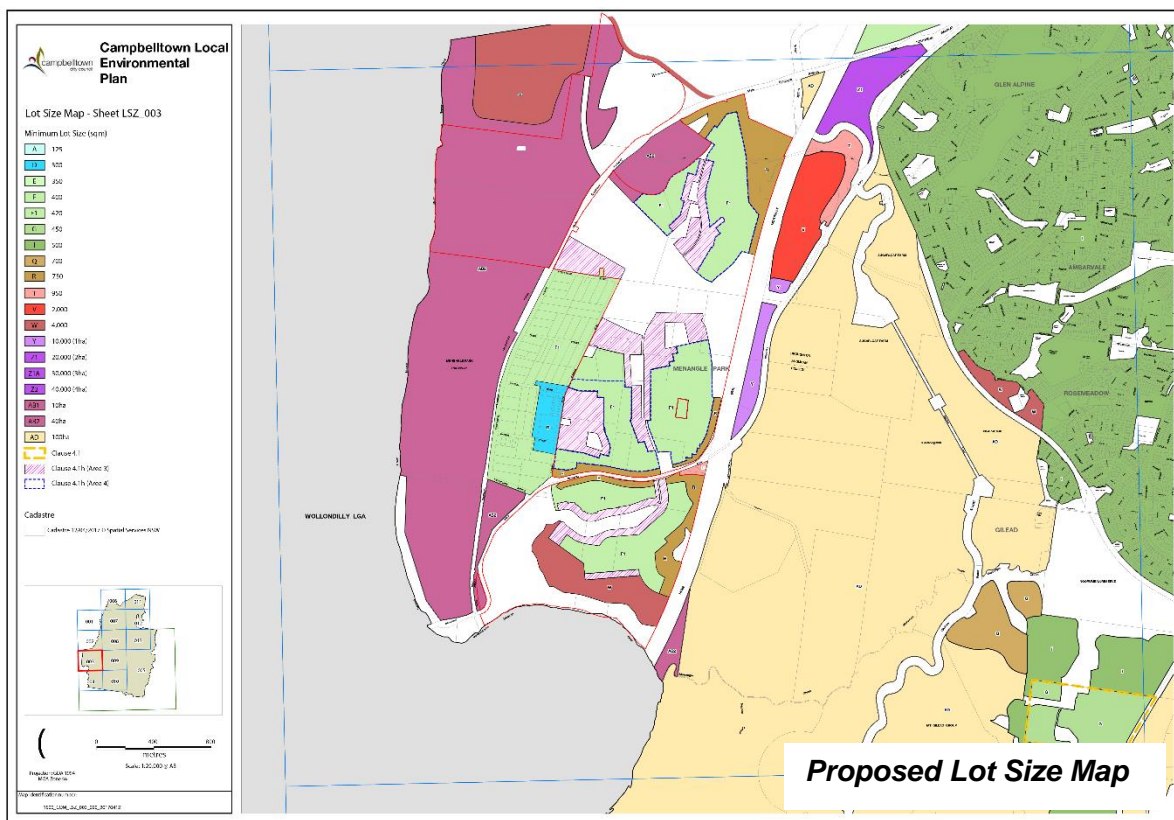
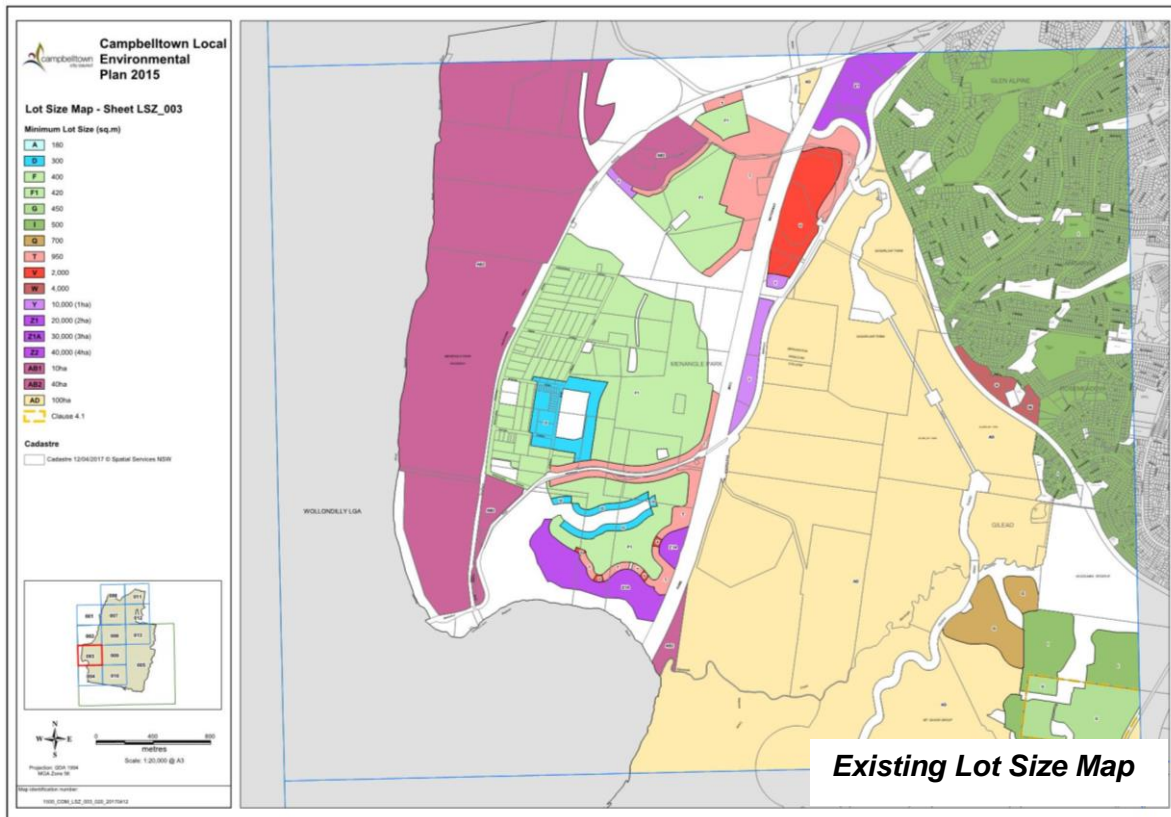
A Gateway Extension was requested and granted on 19 April 2021 subject to section 3.34(7) of the Environmental Planning and Assessment Act 1979. The amendment requires exhibition to be commenced by 31 August 2021. The Planning Proposal and supporting documentation will be on exhibition from 30th August 2021 until 27th September 2021 in satisfaction of this requirement.

Part 6 Project Timeline

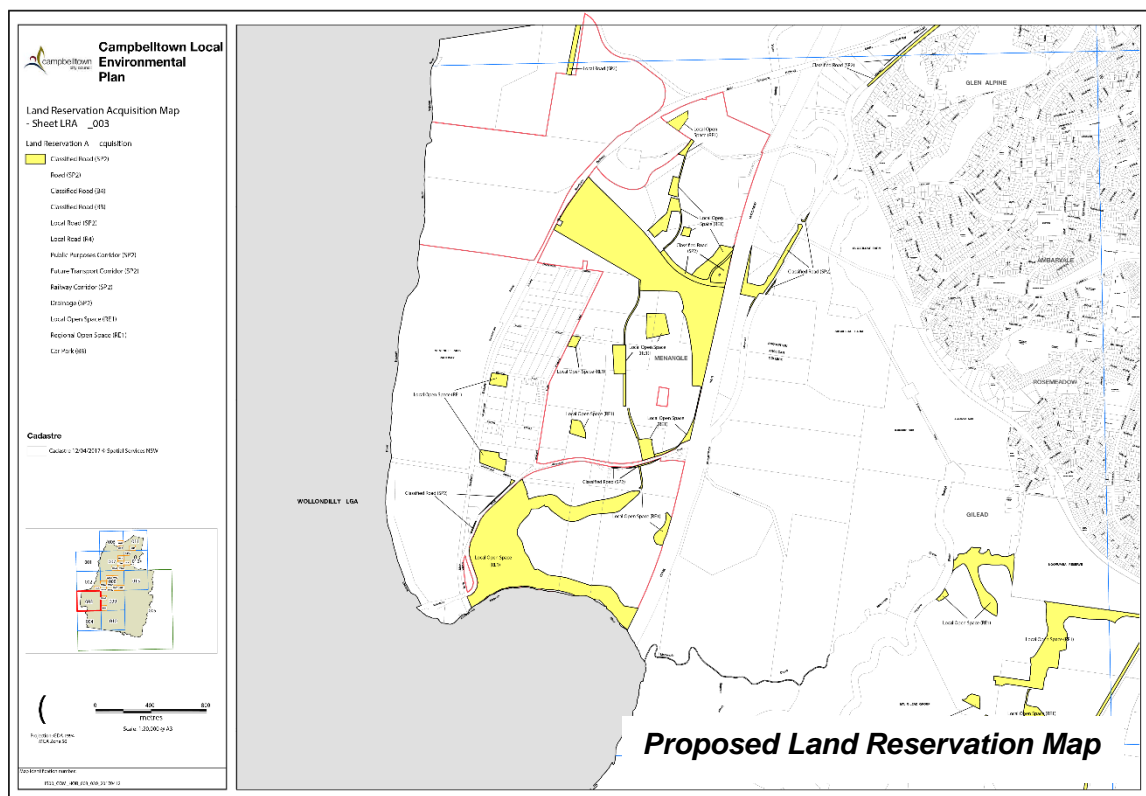
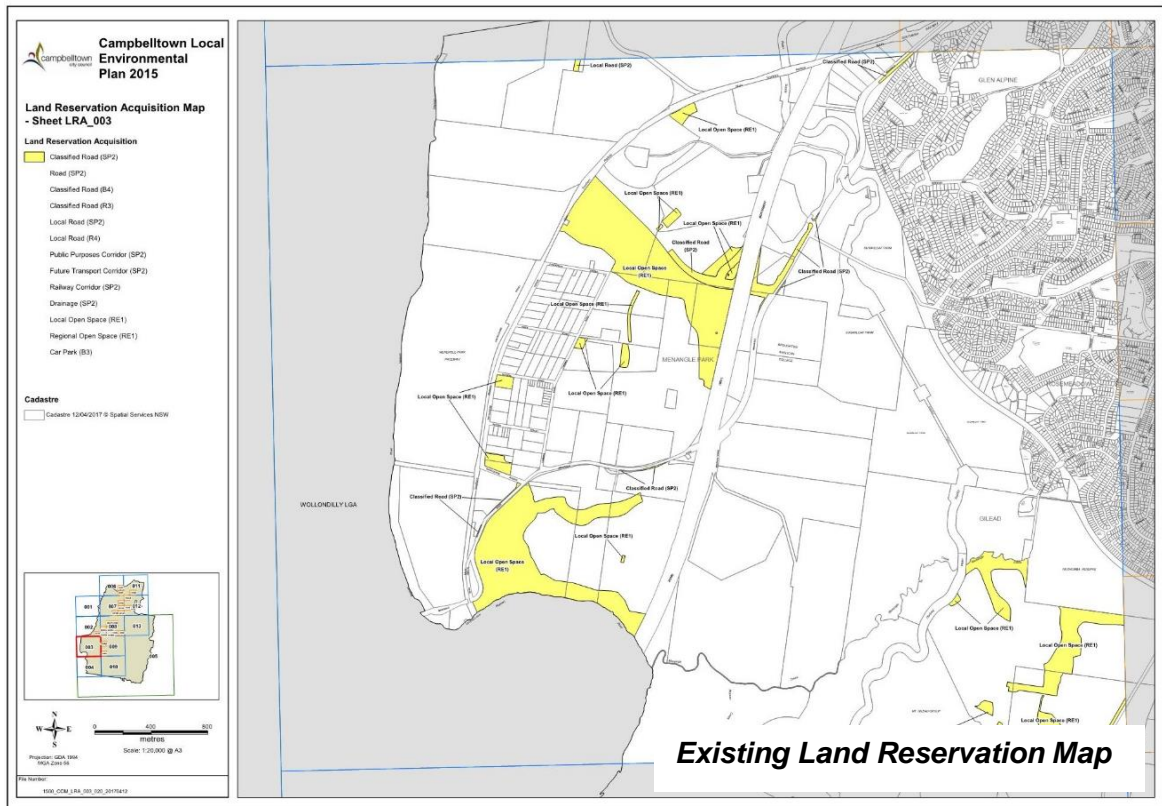
Table 9: Project Timeline

Milestone	Timeline	Completed
Referral to Local Planning Panel	October 2019	✓
Council Endorsement of Planning Proposal	November 2019	✓
Referral for Gateway Determination	December 2019	✓
Gateway Determination	October 2020	✓
Completion of additional supporting documentation	July 2021	✓
Public Exhibition	August 2021	✓
Submissions Report	November 2021	
Finalisation of LEP amendment	January 2022	
Plan amendment made	April 2022	

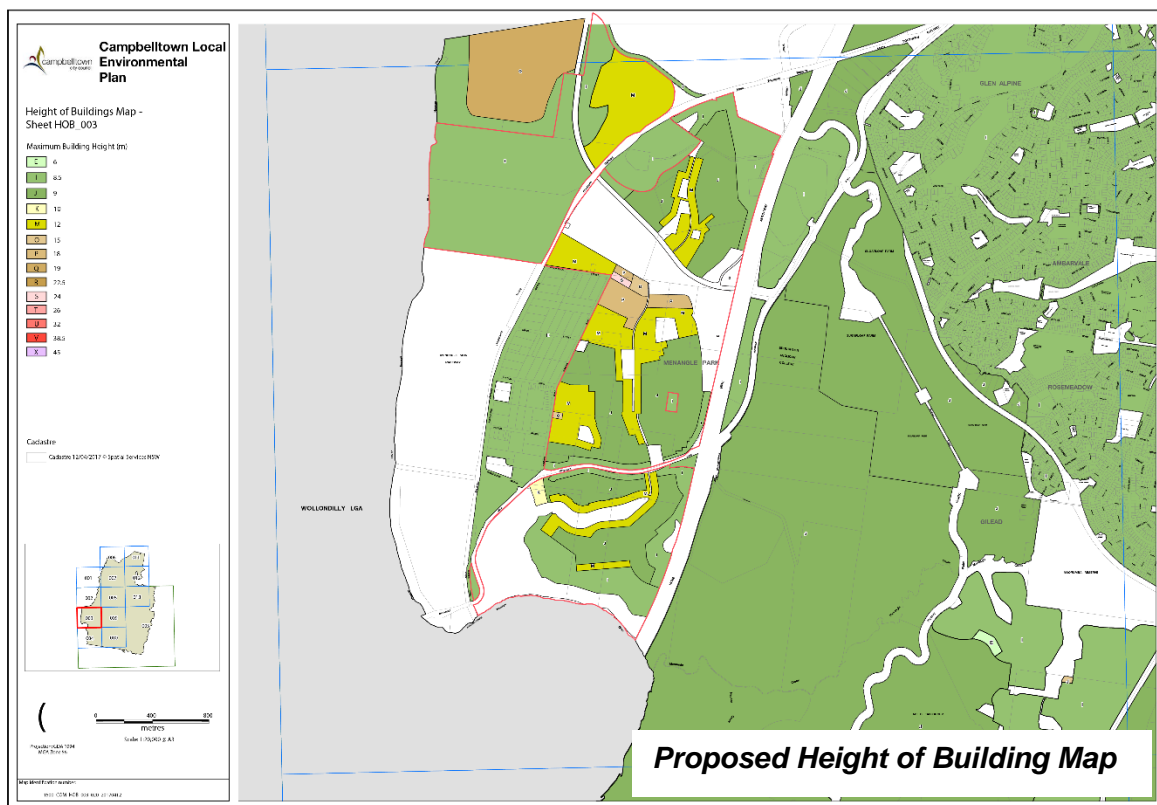
Attachment 2 - Changes to Minimum Lot Size Map



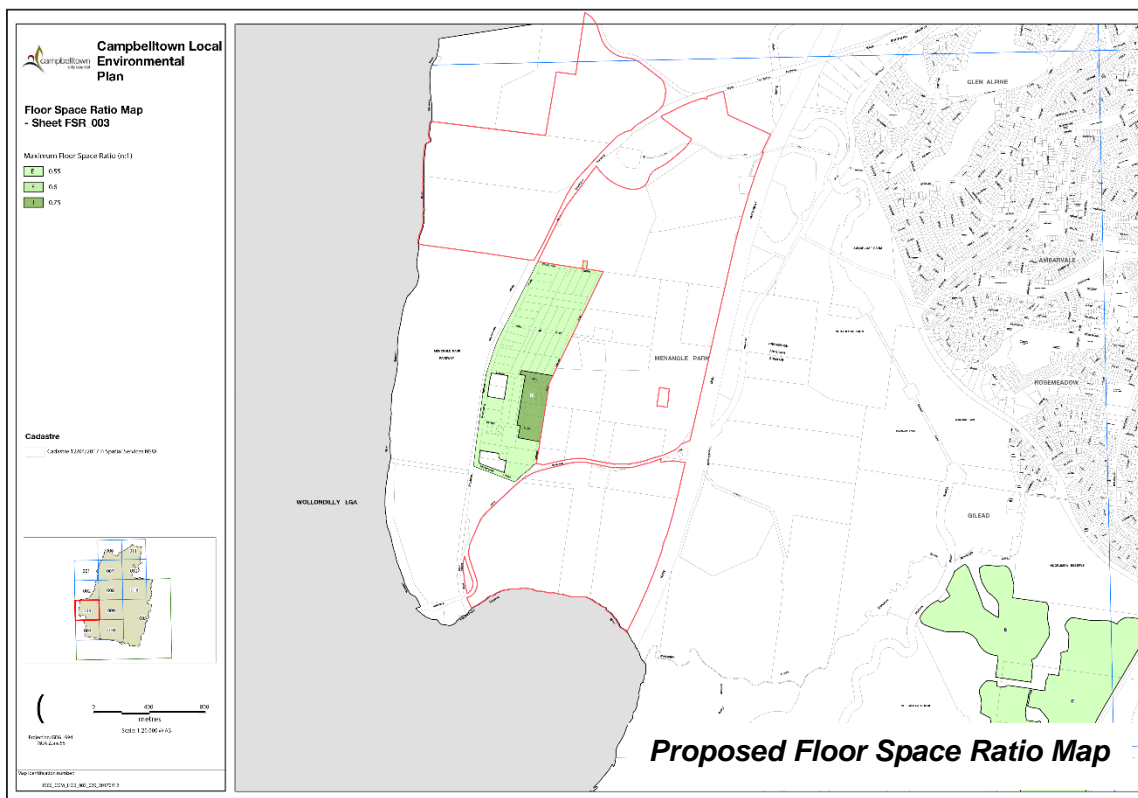
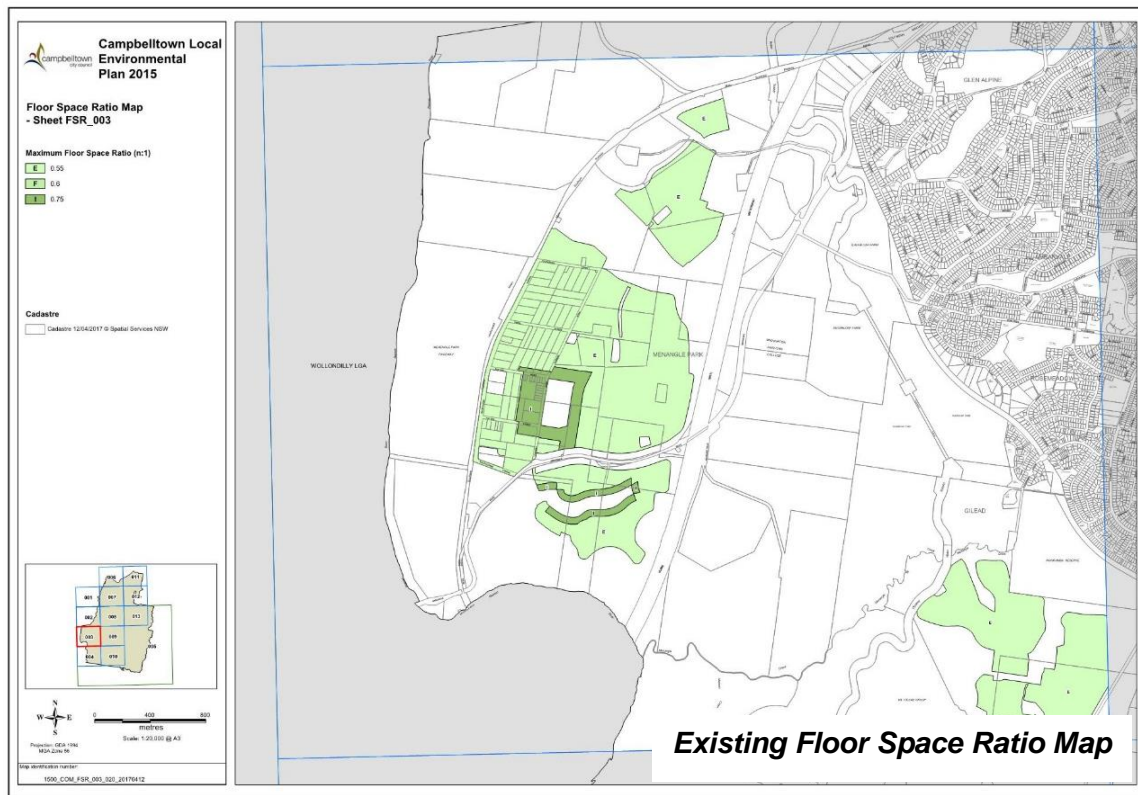
Attachment 3 – Changes to Land Reservation Map



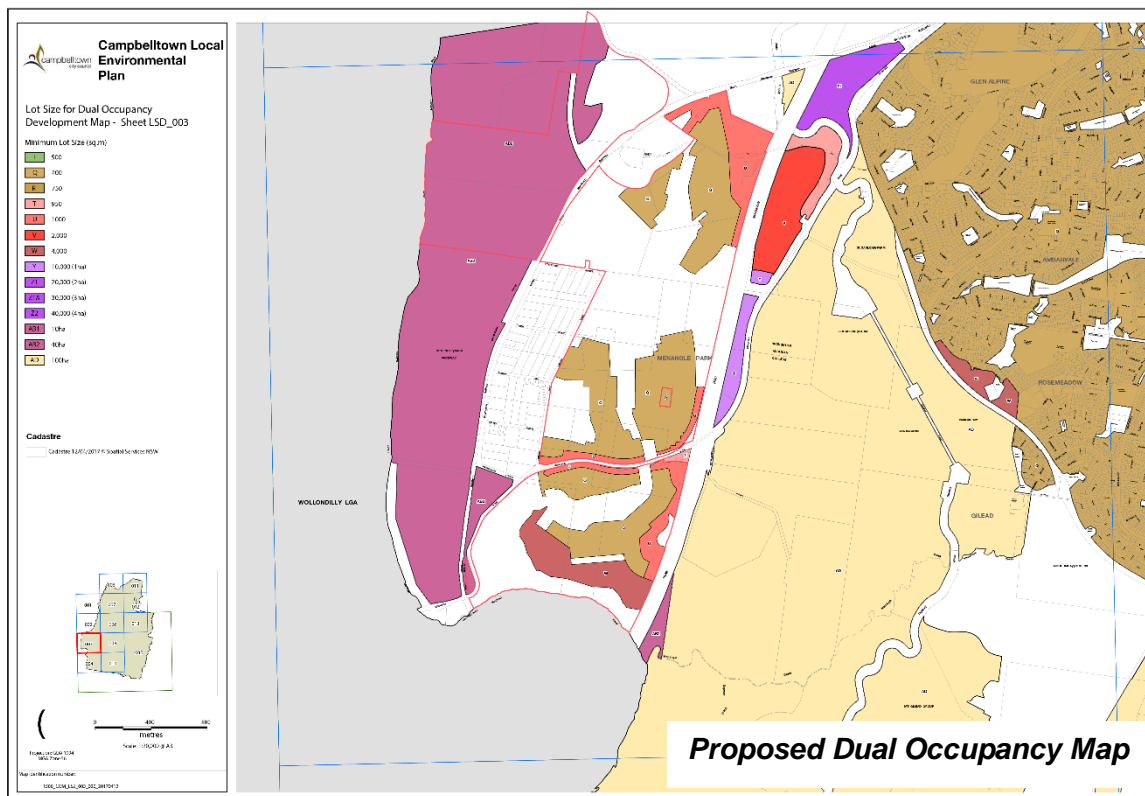
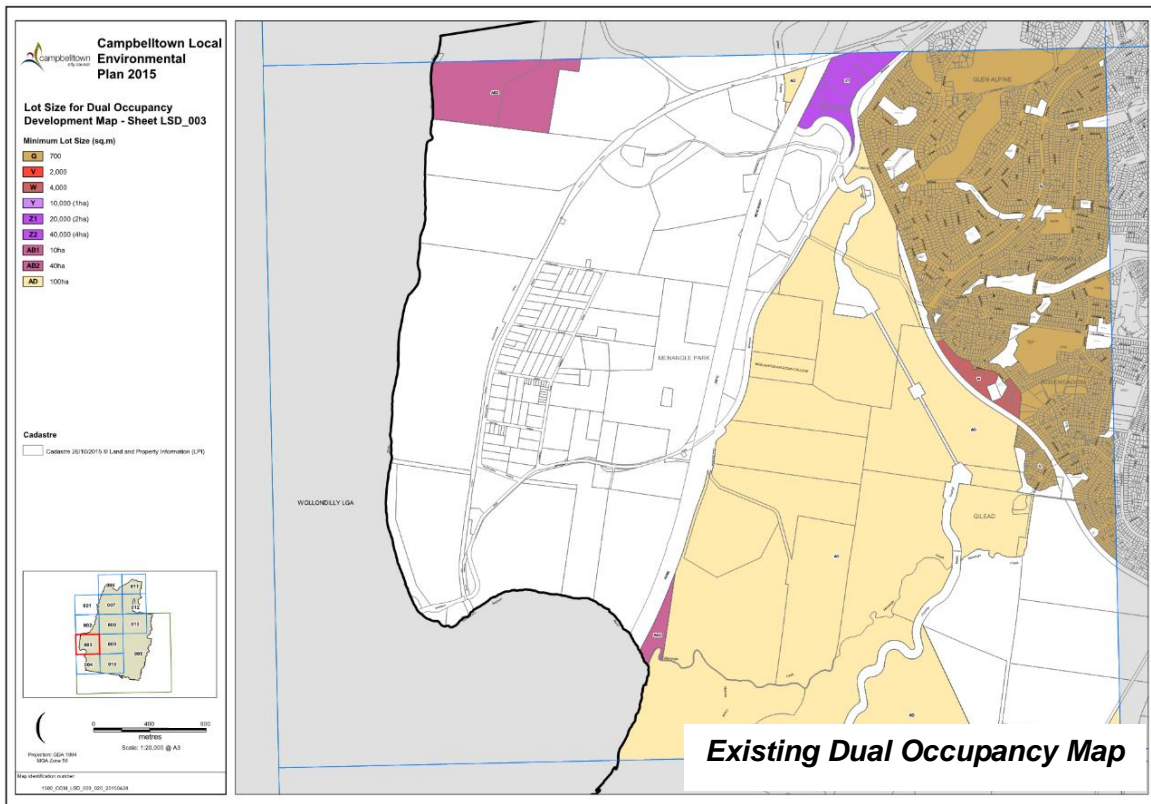
Attachment 4 – Changes to Height of Buildings Map



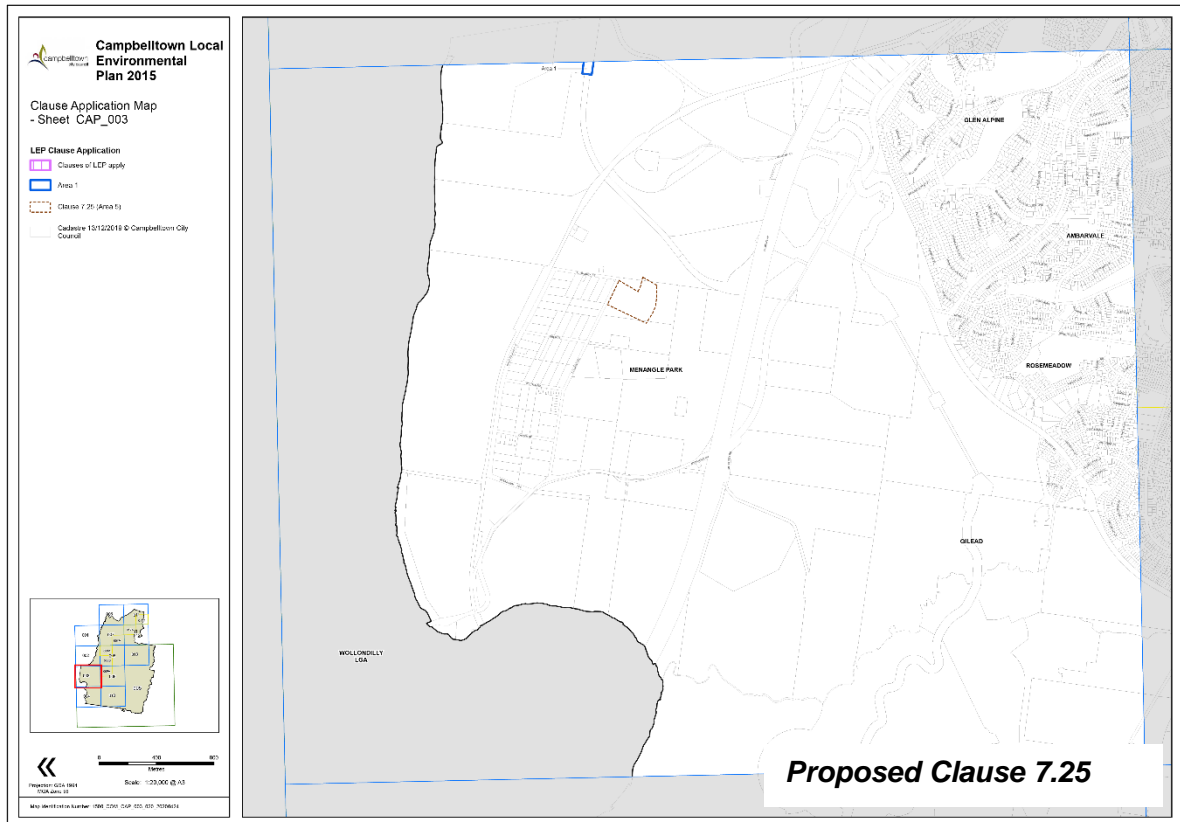
Attachment 5 – Changes to Floor Space Ratio Map



Attachment 6 – Changes to Dual Occupancy Lot Size Map



Attachment 7 – Clause 7.25 Associated Map



Attachment 8 – Clause 4.1l

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.

Attachment 9 – Clause 7.25

Clause 7.25 provides the gross floor area requirement for the Town Centre of Menangle Park.

Clause 7.25 – Maximum Commercial Floor Space in the Menangle Park Town Centre

- a) This clause applies to land at Menangle Park Town Centre, being the land shown within Area 5 on the Clause Application Map.
- b) Development consent must not be granted to development on land to which this clause applies if the development results in more than 23,000 square metres of retail gross floor area on the land.