

GR7 – Station Street, Menangle Planning Proposal – Development Control Plan Provisions

EXECUTIVE SUMMARY

- The purpose of this report is to again seek Council's endorsement to publicly exhibit proposed amendments to the Wollondilly Development Control Plan 2016 to include site specific planning controls to guide future development on the Station Street, Menangle Planning Proposal site.
- A report on this matter was considered at the Ordinary meeting of Council on 16 October 2017 but was not supported at that time.
- The Station Street Planning Proposal has now progressed further and it is considered pertinent to establish guidelines for future development given the imminent likelihood that the land will be rezoned.
- Under legislation, a person who makes a relevant planning application or public submission is required to disclose any reportable political donations. The disclosure requirements extends to any person with a financial interest in the application or any associate of the person making a public submission. No disclosure of political donation has been made in association with this application.
- It is recommended that:
 - The draft amendments to the Wollondilly Development Control Plan 2016 prepared by Mirvac for the Station Street, Menangle Planning Proposal site be publicly exhibited.
 - The draft planning controls for the Station Street, Menangle Planning Proposal site be exhibited at the same time as the draft planning controls for the Menangle Landscape Conservation Area.
 - The outcome of the exhibition along with any changes to the proposed controls considered necessary is reported back to Council.

REPORT

1.1 BACKGROUND

The Station Street, Menangle Planning Proposal seeks to rezone land directly to the north and north-east of the existing Menangle Village to enable development of the site for residential development, a neighbourhood centre and associated infrastructure.

If rezoned, it is anticipated that development of the site for residential development would result in approximately 350 dwellings on lots with a minimum lot size ranging from 250sq.m to 500sq.m. A neighbourhood centres is proposed to be located adjacent to the Menangle Railway Station.

Council is not the Responsible Planning Authority for this planning proposal. In response to two (2) agenda items considered at the Ordinary Meeting on 16 October 2017 relating to the proposal, Council resolved not to support the planning proposal at that time.

GR7 – Station Street, Menangle Planning Proposal – Development Control Plan Provisions

One of these Agenda items, Agenda item GR2, sought support to publicly exhibit site specific planning controls for inclusion within the Wollondilly Development Control Plan 2016. A copy of the Agenda item and associated Minutes is provided at Attachment 1.

The Western City Planning Panel as the Responsible Planning Authority for this planning proposal recently determined on 20 November 2017 that the instrument should be made.

The Panel's determination will now be considered by the Department of Planning & Environment as delegate for the Greater Sydney Commission before a final decision is made. Based upon previous experience, while possible, it is probably unlikely that the Panel's decision would be overturned.

In December, Council wrote to the Department in response to the Panel's decision and expressed concern that suitable arrangements were not yet in place *"to provide certainty that the necessary infrastructure required to support the development will be available in a timely manner"*.

In particular, that a Draft Planning Agreement has not been finalised and that site specific planning controls within the development control plan (DCP) were not in place. The letter requested that any gazettal of the LEP amendment be deferred until the infrastructure delivery arrangements and DCP amendments have been finalised.

Given that the rezoning of the land and associated amendments to the Wollondilly Local Environmental Plan 2011 are considered imminent, it is now crucial that site specific planning controls are in place to guide future development of the site if the land is rezoned. An absence of planning controls presents a risk that future development would not be adequately controlled and development may be unsympathetic.

A separate report is being considered at this meeting to consider draft planning controls for the Menangle Landscape Conservation Area, some of which is located within the planning proposal site. It is recommended that the draft planning controls for the Menangle Landscape Conservation Area are exhibited for public comment at the same time as the draft planning controls for the planning proposal site.

1.2 SITE DESCRIPTION

The subject site is located to the north and east of Menangle village being parts of the following parcels of land:

- Lot 201 DP 590247
- Lot 21 DP 581462
- Lot 202 DP 590247.

GR7 – Station Street, Menangle Planning Proposal – Development Control Plan Provisions

The site is bound by Station Street, Menangle Road to the west, Nepean River to the north and the Hume Freeway to the east. The main southern railway line runs north - south through the site.

The land is currently in Zone RU1 Primary Production under the Wollondilly Local Environmental Plan 2011 (WLEP 2011) with a minimum lot size of 100 hectares apart from a section of Lot 201 DP 590247 with frontage to Menangle and Station Streets which is within Zone R2 Low Density Residential.

The site is mostly cleared land with improved pasture and has a long history of use for agricultural purposes. The current use is livestock grazing and fodder production. There are mature native trees east of the railway line with a mostly cleared understorey.

Built structures on the property include several farm sheds, farm dwellings, and the following heritage items of local significance:

- Camden Park Estate Central Creamery and Manager's Cottage (Item I82)
- Camden Park Rotolactor (Item I83)
- Dairy Cottage (Item I97)
- Camden Park Estate Central Creamery (Item I100).

The site includes land in the following heritage conservation areas:

- Menangle Conservation Area
- Menangle Landscape Conservation Area.

The site adjoins/is nearby to the following heritage items:

- The State listed heritage item "Menangle Railway Group" (Item 81)
- Menangle Store (Item 98)
- Menangle Public School (Item 291)
- State listed Menangle Railway Bridge (Item 80).

1.3 WOLLONDILLY DEVELOPMENT CONTROL PLAN 2016 AMENDMENTS

It is proposed to amend the *Wollondilly Development Control Plan 2016* (WDCP) to provide site specific planning controls to guide future development on the site if the land is rezoned.

The site specific planning controls have been prepared by Mirvac with a view to ensuring a high-quality building design outcome that reflects a range of dwelling types and a streetscape that incorporates pedestrian access and aesthetic landscaping elements.

GR7 – Station Street, Menangle Planning Proposal – Development Control Plan Provisions

Amendments are proposed to “Volume 3 – Subdivision of Land” to include controls within “Part 3 – Controls for Specific Locations”. Amendments are also proposed to “Volume 4 Residential Development” to include controls within “Part 4 – Controls for Specific Locations”. These would effectively control development at the initial subdivision stage through to construction of dwellings on individual lots.

Mirvac are proposing controls to guide future development in terms of:

- Lot Size and shape
- Pedestrian and cycle access
- Laneways
- Street tree planting
- Additional controls for dwelling design
- Parking, access and vehicular safety.

A copy of the proposed controls are provided at Attachment 2.

It should be noted that the statutory planning process for amending a development control plan under the Environmental and Planning Assessment Regulation 2000 is that Council can only amend a development control plan by replacing it in full with a subsequent development control plan and repealing the former plan. So, although this report refers to amending the Wollondilly DCP with the inclusion of additional controls, for these to be lawful the current development control plan would need to be repealed and replaced with the new plan which could include the current controls and the new controls proposed by this report if adopted by Council after consultation.

1.4 COMMUNITY CONSULTATION

It is proposed to publicly exhibit the proposed site specific planning controls at the same time as the proposed controls for the Menangle Landscape Conservation Area which are detailed in a separate report for Council’s consideration.

As part of the public exhibition it is intended that a letter is sent to all landowners and occupants within the Menangle Village and the Menangle Landscape Conservation Area to inform them of the consultation and how they can have their say.

GR7 – Station Street, Menangle Planning Proposal – Development Control Plan Provisions

FINANCIAL IMPLICATIONS

Funding for this project to date has been achieved through Council's Operational Budget.

Council has experienced a record increase in the number of Planning Proposals submitted in addition to the Wilton Junction project. Note that the Wilton Junction project is not a planning proposal but has had significant impact on Strategic Planning resources. All proposals which result in an increased intensity of land use within the Shire shall also lead to increased demand for Council services and facilities over time. Council will need to consider this in the adopted budget and forward estimates.

ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET

1. Minutes & Report to Council from 16 October 2017 – GR2 Station Street, Menangle Planning Proposal – Development Control Plan Provisions
2. Mirvac's proposed amendments to the Wollondilly Development Control Plan 2016 for the Station Street, Menangle Planning Proposal site

RECOMMENDATION

1. That the draft amendments to the Wollondilly Development Control Plan 2016 prepared by Mirvac for the Station Street, Menangle Planning Proposal site be publicly exhibited.
2. That the draft planning controls for the Station Street, Menangle Planning Proposal site be exhibited at the same time as the draft planning controls for the Menangle Landscape Conservation Area.
3. That the outcome of the exhibition along with any changes to the proposed controls considered necessary is reported back to Council.