

Greater Macarthur Land Release Investigation

Department of Planning and Environment
Housing Land Release
GPO Box 39
Sydney NSW 2001



Email: www.planning.nsw.gov/greatermacarthur

Supplementary submission
objecting to
Greater Macarthur Land Release

Dated 25 November 2015

By:

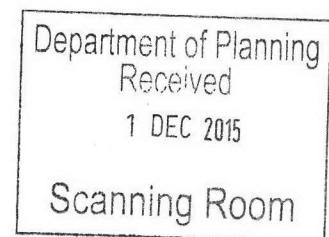
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I have further viewed copies of the Exhibition Material and make the following comments:

Intended effects

The Greater Macarthur Land Release Investigation is a pro development consent application in which the state government is seeking support from local councils and the Sydney community to proceed with land releases in Greater Macarthur (formerly referred to as South Macarthur)

However the 'Explanation of Intended Effect' makes it clear that the effect for two local councils (Campbelltown and Wollondilly) could be the loss of planning control over developments in their LGA if the state government amends the 2006 Growth Centres SEPP to include new growth centres at Menangle Park/Mount Gilead and Wilton.

Precinct Plans have not been done and until they are, nobody knows who will be the consent authority. These local councils might remain the consent authority but, equally, a Minister or other public authority might replace them.

This is an important issue. Like many locals, I object to state interference in matters that have been traditionally left to local councils. Councillors live in the community that elect them and they are best able to judge what is important to their community.

My concern was increased after attending Campbelltown Council's November council meeting last Tuesday, 17 November 2015.

At this meeting councillors were asked to give in principle support to the Greater Macarthur Land Release Investigation and, in particular, support the preliminary Strategy and Action Plan. The Planning Officer's recommendation was that Council give in principle support and the motion was duly carried. The Officer's Report provided to Council, stated that the first purpose of the Report was to "provide Council with an overview ...and the potential implications for the Campbelltown Local Government Area and Council".

However, this Report failed to explain to councillors that the Planning Minister has not yet approved the Precinct Plan so that the consent authority is presently unknown.

If councillors had been aware of this fact, perhaps they might not have supported the Planning Officer's recommendation. In my experience, all councils are fiercely protective of their right to control planning and Campbelltown Council is no exception.

Clearly, the state government's request for support was premature. Planning control is just one issue that was not made clear before residents and councils were asked for their opinions and support. There are other issues and matters (detailed below) about which there was insufficient information or no information provided in the Exhibition Materials. Communities need to be able to make informed decisions otherwise, their opinions are worthless.

Indeed I am yet to be convinced that the State Governments' attempt in seeking the public's opinion for the Greater Macarthur Land Release is anything more than an exercise in "ticking the consultation box" before implementing a strategy that has already been decided. On the same day as he announced this land release (22 September 2015), the Planning Minister announced that the first houses will be built at Mount Gilead within 2 years. Clearly, in the Minister's mind, this land release is proceeding, regardless of the responses received from local councils and residents.

Proposed SEPP Amendments and impact on Menangle Park/Mount Gilead Urban Release Areas

The reason for the SEPP Amendments for Greater Macarthur Land Release is to fast track these developments. *Each Growth Centre Precinct can be planned more quickly than through a traditional rezoning process* (See: <http://growthcentres.planning.nsw.gov.au/PrecinctPlanning.aspx>)

Fast tracking means short cuts are taken and the danger is that investigations and planning suffer. Residents need to be alerted to these shortcomings in growth centre planning before they support the Greater Macarthur Preliminary Land Release.

The 'Explanation of Intended Effect' makes it clear on Page 1, that that Greater Macarthur Land Release Strategy will be the structure plan for the new growth centres, but that the local planning instruments will continue to apply to developing the land until the precinct planning occurs (Page 2).

Does this mean that the Menangle Park and Mount Gilead urban release areas, which are in a more advanced state of rezoning than Greater Macarthur, will be rezoned under the Release Area concept plans but the housing built under the Greater Macarthur Strategy structure plan?

If so, the State Government has misled the community and Campbelltown Council, and the Mount Gilead Urban Release Area rezoning should not proceed until the Department completes all investigations and technical studies at Greater Macarthur. The scale and nature of the Mount Gilead Urban Release Area means it will have a significant influence for the broader Greater Macarthur land Release Area and the inconsistencies between plans indicates the plan-making process needs revisiting.

Where the community and the Council is being misled is that the Mount Gilead Urban Release concept plan that went on public exhibition in May-June 2015 is quite different to the Greater Macarthur structure plan on exhibition now.

The Urban Release Concept plan allowed a small community hub near one of two pockets of critically endangered Shale Sandstone Transition Forest of good condition, most of which was going to be preserved. The Greater Macarthur structure plan shows a Town Centre of approximately 10,000-20,000 sq m of employment Gross Floor Area (GFA) that will be built in exactly the same location as these two pockets of SSTF, which have now been downgraded to moderate bio-diversity condition.

Other crucial differences between the Mount Gilead Urban Release Concept Plan and the Greater Macarthur Structure Plan relate to areas being designated "rural" on the Urban Release Concept plan but "developable" land on the Greater Macarthur Structure maps. Also Greater Macarthur Urban infrastructure plans for the bus way from Spring Farm Road to Appin impact biobank sites and wildlife corridors, indigenous and European heritage and agricultural lands that were not even an issue when the Mount Gilead Urban Release plans were placed on public exhibition.

Furthermore, many planning issues that plagued the less impacting Mount Gilead Urban Release Area have never been properly resolved. For example a solution was not found for the wildlife corridor from Noorumba Reserve to the Georges River for when the Appin Road is widened. Now the Greater Macarthur Land Release is being superimposed upon the Mount Gilead Urban release Area it is going to be even more intrusive and destructive to the local environment and wildlife corridors. Spring Farm Road will impact Noorumba Reserve along its northern boundary with Rosemeadow Housing estate and its eastern boundary where it joins Appin road. Finding a wildlife crossing between Noorumba Reserve and the Georges River will now be all but impossible. But it must be found; this is an important koala habitat and crossing area.

Of course, the practical solution is to say "No" to Mount Gilead Urban Release and Greater Macarthur Land Release and maintain planning certainty by sticking to the plan to use the South West Growth Centre for new housing estates.

The Land Use and Infrastructure Analysis and The Preliminary Strategy and Action plan

Both the Land Use and Infrastructure Analysis' 'Introduction' and the Preliminary Strategy and Action Plan's 'Vision' for Greater Macarthur are contradictory to earlier statements given by the Department about South Macarthur.

The greater Macarthur Strategy implies that Sydney urgently needs more housing land. It is said in both the Introduction (Page 2) and the Vision (Page 2) that "Sydney needs more than 33,200 new homes annually to meet projected population growth to 2036" and "Areas outside Menangle Park, Mount Gilead and Wilton have significant infrastructure costs and environment constraints..."

The Metropolitan Plan for Sydney 2036 at P162 reveals a different story:

RECENT LAND RELEASE DECISIONS

Macarthur South

In July 2009, the Government considered urban development in Macarthur South after approaches by several major landowners to release their land for housing. Options ranged from proceeding with the existing Mt Gilead MDP release area for 5,500 dwellings to fully developing the area for up to 62,000 dwellings. The Government decided to suspend investigation of the area primarily due to existing adequate stocks of land available for housing in the South West Growth Centre, prohibitively expensive infrastructure costs, and the high value of resources in the area.

FIGURE F4 LAND RELEASE CONTEXT

STRATEGIC PLANNING

Greenfield land identified for future urban purposes in:

- *Metropolitan Plan*
- *Subregional Strategy*
- *endorsed local strategy*

MEASURED AS
FUTURE URBAN LAND

PLANNING
HORIZON 25 YEARS

RELEASE

Greenfield land for housing and a MDP through:

- *Annual Land Use Assessment*

MEASURED AS
MDP RELEASE

BENCHMARK
SUPPLY 15 YEARS



Can the Department of Planning provide a satisfactory explanation for these contradictory decisions?

The necessity for releasing Greater Macarthur lands appears even more puzzling after the Planning Minister detailed this newest release in the already designated South West Growth Centre which is sparsely settled and adjacent to the new \$1.8 billion rail line:

<http://www.camdenadvertiser.com.au/story/3474243/rezoning-clears-way-for-30000-new-residents-in-leppington/>

Could it be that all these land releases are really job creation schemes for western Sydney before the next election? If so, proper planning is the casualty.

Actions and Infrastructure for Menangle Park/Mount Gilead

The Strategy and Action Plan lists (on Page 4 & 5) about 7 actions to deliver future urban development to the Menangle Park/Mount Gilead precinct. This includes suggestions such as electrification of the rail line to Menangle Park and upgrading Appin Road and the Hume Highway from Picton Road to Raby Road. However the funding for all of these actions is to be at no cost to the government so the suggestion (Page 13) is that there will need to be a Special Infrastructure Contribution (SIC). There is no mention who pays this contribution but it is obvious developers are expected to pay and they will pass those costs to home buyers. This approach will be a huge saving to the NSW government but it does not ensure affordable house prices or that anything more than critical infrastructure will be in place before rezoning occurs. Necessary infrastructure such as more primary care facilities, more schools or an Appin Bypass may be years from being a reality. Electrification of the rail line to Menangle Park and upgrading the Hume Highway from Picton to Raby Roads is a pipe dream with only a slightly better chance of eventuating than High Speed Rail.

The Infrastructure Analysis maps make it clear that The Hume Highway is being used as the main road infrastructure for Greater Macarthur Land Release. This is not a proper use of a national highway. The Hume Highway should allow ready access to Canberra and Melbourne. It should not be cheap road infrastructure for developers to use in their developments.

The "Planned and Potential Transport Infrastructure" analysis (Page 8) shows a list of unfunded infrastructure some of which has been indefinitely postponed (eg. The Georges River Parkway and High Speed Rail)

Other infrastructure, such as sewage and drainage, potable water, stormwater and flooding is on the same "developer/landowner pays and no cost to taxpayer" basis and generally remains unfunded. Sydney water had undertaken to service Menangle Park under the Menangle Park Urban Release but question whether that still applies under the Greater Macarthur Strategy. (refer Sydney Water)

There is a variable planning agreement (VPA) signed for partial funding for widening Appin Road, but details unavailable. (Refer. Campbelltown Council)

Social Infrastructure for Menangle Park/Mount Gilead (Page26) is dependent upon facilities at Rosemeadow despite a lack of resources in this area for many years.

Employment Lands are planned for Maldon and near Glenlee, but initiatives to attract businesses to these areas are not mentioned. The lack of roads means transport times to these new employment lands by private vehicle from Mount Gilead will be in excess of half an hour, especially if on/off ramps to the Hume Highway remain unfunded.

Technical Studies

The Greater Macarthur Land Release Investigation documents include basic technical studies that have been undertaken to support the land releases. My concerns relate principally to the Menangle Park/Mount Gilead Precinct as this is proposed as the initial area for development and one that will have immediate and wide ranging impacts on all South Macarthur.

However technical studies must be undertaken for the whole Greater Macarthur Land Release area before any development is allowed to proceed, as the region's air flow, rivers and environmental fauna corridors are highly interconnected.

The Strategy and Action Plan does acknowledge that there is a list of 12 technical studies that will be required for the rezoning process (page 8). It is unclear if the Mount Gilead and Menangle Park urban Release area studies are being used or new studies will now be done for these areas. As mentioned above, the Mount Gilead Urban Release studies and plans are so inconsistent with the Greater Macarthur plans, that they definitely need to be revisited and revised.

What is clear is that there is insufficient information provided in the Exhibition Materials alone for making an informed decision about including or excluding precinct areas from the Greater Macarthur Land Release

There is even less information provided about the areas between the three precincts of Menangle Park/Mount Gilead, Wilton and Appin, and until that is clarified the Greater Macarthur Land Release should be deferred altogether.

The Strategy and Action Plan provides very broad brush details about these areas, assuring readers that there will be Protection of Rural Character, Consideration of Environmental Values and Constraints, and reassuring them that to date "The investigations have considered the environmental, agricultural and resources value of land in Greater Macarthur, including constraints such as flooding and air quality." (Page 2)

However there is very little evidence that this is the case:

Air Quality

For Example, the Land Use and Infrastructure Analysis dedicates a half a page (Page 22) to discussing and minimising the region's poor Air Quality as being no worse than in other parts of the Sydney Basin, and then attempts to urge the reader to believe that urban development will actually **improve** the region's air quality:

"This growth and development however also present opportunities for improving air quality and reducing exposure to air pollution through urban planning, resulting in health and wellbeing benefits."

MACROC's response to the Final Report into Health Impacts on Air Pollution in the Sydney Basin is mentioned in the Analysis. However the Peer Review by specialist consultant firm, 'Atmospheric Solutions' into Campbelltown Council's air quality investigation, commissioned to block AGL's Leaf's Gully Power Plant in 2008-9, is not mentioned. [REDACTED]

[REDACTED] Campbelltown Council regarded this Peer Review as so relevant to preventing the Leaf's Gully Power Station that he wrote, on 28 October 2009, to Peter Garrett, then Federal Minister for the environment:

"I have also attached for your information a copy of a peer review of air quality assessment associated with the project documentation that Council especially commissioned on account of South Western Sydney's already compromised regional air quality."

This Peer Review was critical of a car-dependent transport system for urban developments in South Macarthur and it flagged the need for restricting future urban developments in the area. Also the Power Plant, about which this Peer Review was written, is in the middle of the Menangle Park/Mount Gilead precinct. That makes the Peer Review highly relevant for any discussion about Greater Macarthur. Why was there no mention of it in the Exhibition Materials?

Water

The Infrastructure Analysis refers to waterways and flooding (page 12) but does not mention impacts of development on water quality in the Nepean River.

It does not draw any attention to the runoff from the hard surfaces that will arise from urban development at Mount Gilead. This will add to the severity of flooding at Menangle Park.

The Map on Page 20 of the Infrastructure Analysis gives the impression that there are no important streams, except Menangle creek, in the Mount Gilead Precinct. This is not the case. In 1996 all the tributaries such as Woodhouse and Nepean Creeks were considered significant and an integral part of the Class P Nepean River system. The added water flow from the hard surfaces at Mount Gilead's development will erode creek banks, cause turbidity and increased pollution in Nepean River.

The Greater Macarthur Strategy map also indicates that there is "developable land" east of Appin Road in the Mount Gilead Precinct. This lies in the Georges River Catchment so I assume that the Greater Metropolitan Regional Environmental Plan No 2-Georges River Catchment (GMREP 2) applies to this land. The GMREP 2 has general aims and objectives similar to those for the plan protecting the Nepean River so I assume that developing this area will prove a challenge, not least because this is the key koala corridor between Airds and Appin. There is no mention of any investigations having been undertaken east of Appin Road, for the Greater Macarthur Land Release.

Biodiversity

The Infrastructure Analysis on Biodiversity (page 13) shows there are specific Biodiversity constraint parameters for determining if vegetation can/cannot be removed for urban development. The ambiguity arises in determining what is in good-moderate condition with 10 % canopy cover as this can vary with seasonal conditions and droughts. It appears that even ecologically endangered communities or critically endangered ecological communities are only safe from removal if patch size is greater than 10ha and condition is moderate-good or above and with greater than 10% canopy cover.

Unfortunately all the maps used in the Exhibition Materials are small and the details indistinct. It is very difficult to see what areas have been determined as high/moderate Constraint biodiversity but it appears that biodiversity ratings in some corridors and at the planned Town Centre in the Mount Gilead precinct, have been downgraded.

As there are nationally threatened species and ecological communities in the Mount Gilead precinct a Significant Impact Assessment should be included as part of the Terrestrial Biodiversity Assessment Report that is required under the Commonwealth Environment Protection Biodiversity Conservation Act, 1999.

Reports under the NSW Threatened Species Conservation Act 1995 were conducted for the Mount Gilead Urban Release Area but most were inadequate. The fauna assessments denied there were koalas west of Appin Road and the flora assessments were relying on the proposal employing offset measures. One positive thing acknowledged in the Mount Gilead Rezoning- Ecological Report (Page 23) was that the two patches of SSTF in the middle of the site were in good condition:

"The main extent of this vegetation community is represented by two pockets of vegetation in the middle of the study site (figure 10). A dense canopy of ironbark species is supported by a rich assemblage of native shrubs (Bursaria spinosa) and a diversity of native ground cover species. Exotic species densities are lower in this area".

However despite their critically endangered status, even these pockets were to be reduced in size under the Mount Gilead Urban Release Concept Plan, exhibited May-June 2015.

The Greater Macarthur Strategy Structure Plan now appears to have downgraded these two pockets to moderate biodiversity (as already mentioned).

Clearly a lot more work needs to be done regarding ecological assessments.

Landscape and Visual

The map on Page 20 of the Infrastructure Analysis also gives the impression that there is no scenic value and minimal topographic variation to the land in the Mount Gilead precinct. Again this is not an accurate representation of the area.

The Map legend lists the area as LU 8 Open Pastoral Uplands. Landscape Unit Area 8 is described as being "elevated uplands with generally even terrain areas and few if any trees" which possesses a low to moderate Scenic Quality

I dispute this assessment and it contradicts the scenic quality assessments undertaken in about 1994 by Nexus Environmental Planning and Campbelltown Council for that Environmental Assessment of Mount Gilead.

The impact on the Landscape and Scenic quality of the Mount Gilead precinct once trees have been removed for housing, widening Appin Road or building the Town Centre have not been addressed.

Agriculture

The Strategy and Action Plan at page 10 shows 7 areas of Irrigated Modified Pastures and Irrigated Perennial Horticulture in the Mount Gilead precinct. This is not accurate and there are additional areas of significant size that are irrigated modified pastures with irrigation pipes still in place. They are found mostly to the north and south of the land owned by the [REDACTED].

The Greater Macarthur Background analysis in its introduction assures that *“up to 2036 the areas will remain rural in nature”* outside Menangle Park, Mount Gilead and Wilton, and particularly refers to the rural flavour of Appin being protected, despite the recent rapid urbanisation of that area.

It recognises in “A plan for Growing Sydney” that there is a need to maintain the sustainability of Sydney’s agricultural and resource sectors.

However the fact is the areas most rural in nature are the ones being targeted by developers so the few remaining viable farms, like Mount Gilead, are being destroyed.

Heritage

The Action plan recognises Heritage Conservation as a Key Rezoning Issues. However it only recognises the sites that have been listed with the heritage council at State or National level. If something is not on the state or national register, it does not exist as a heritage item.

This should be changed and “potential state heritage significance” recognised so that items can be assessed before they are destroyed by urban development.

At least, when local Councils control the rezoning process they do take into account listings of “local” heritage significance or listing on the National Trust Register.

Mount Gilead buildings, mill and dam are heritage listed at council level and, they are listed on the National Trust Register. State Planning does not recognise these listings and records that only Glenlee, Sugarloaf Farm and Beulah as European Heritage items (Page 16) in the Menangle Park/Mount Gilead precinct.

There is no mention made of Aboriginal sites in the Menangle Park/Mount Gilead precinct been in the Land Use and Infrastructure Analysis (17)

CONCLUSION

I OBJECT to The Greater Macarthur Preliminary Land Release Strategy for all the above mentioned reasons.

[REDACTED]