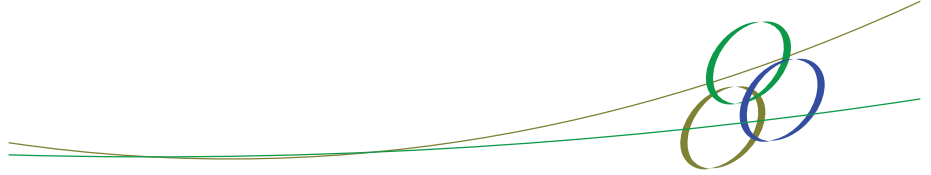


## Attachment 2.6

### *Contamination Report*





# CONSULTING EARTH SCIENTISTS

## **DESKTOP GEOTECHNICAL AND CONTAMINATION REZONING REPORT GLENFIELD WASTE SERVICES, CAMBRIDGE AVENUE, GLENFIELD, NSW PREPARED FOR ENVIRONMENTAL PROPERTY SERVICES**

REPORT ID: CES120413-LAK-01-G

Revision No: 3.0

**Written by:** P. Edmunds

**Reviewed by:** D. Johnson

**Authorised by:** **Duncan Lowe**

**Client:** Environmental Property Services

Level 1, 19 Stockton Street

Nelson Bay, NSW 2315

**Date:** 29 May 2012

**Telephone:** 02 8569 2200 • **Fax:** 02 9983 0582 • Suite 3, Level 1, 55-65 Grandview Street

• Pymble NSW 2073 • Australia • [www.consultingearth.com.au](http://www.consultingearth.com.au)

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**DESKTOP GEOTECHNICAL AND CONTAMINATION REZONING REPORT  
GLENFIELD WASTE SERVICES, CAMBRIDGE AVENUE, GLENFIELD, NSW  
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Report ID: CES120413-LAK-01-G

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## 1 INTRODUCTION

Consulting Earth Scientists Pty Ltd (CES) have been commissioned by Environmental Property Services Pty Ltd (EPS) on behalf of L.A. Kennett Enterprises (The Kennett Family (the Client)), to undertake a 'Desktop Geotechnical & Contamination Rezoning Report' (for brevity herein referred to as the DGCR) for land located in Cambridge Avenue, Glenfield NSW, 2167 (herein referred to as the site). The site location map is shown on Figure 1.

The DGCR is to be provided and the results used as part of a submission by the Client for rezoning of part of the Glenfield Waste Services (GWS) landholding for industrial uses and activities undertaken on and/or adjacent to the site. The land subject to the rezoning application comprises approximately 60 hectares of the GWS land, located on the southern side of the Liverpool/Campbelltown City Boundary (which lies immediately north of the East Hills Rail Line). The subject land (the site) lies entirely within the Campbelltown City Council Local Government Area. Figure 2 shows the site layout and surrounds.

## 2 OBJECTIVES AND SCOPE

The objectives of the DGCR were to include information with regards to the following:

- Description of the proposal and study area.
- Site history.
- Subsurface geotechnical conditions based on existing geological mapping and available site information.
- Identification of any past or present potentially contaminating activities.
- Assessment in accordance with the SEPP No 55 – Remediation of Land and associated planning guidelines.
- Any restrictions that may apply to the completed landfill cells.
- If deemed applicable, recommendations with regards to remediation works that may be required.
- Recommendations with regards to suitability of land or that it can be made suitable for an industrial zone and associated land uses.

To achieve these objectives, CES undertook the following scope of works:

- Review our database for information from previous investigations and reports at the site (both environmental and geotechnical).
- Compile an outline of the site's history, including both the filled and non-filled areas of the land proposed for re-zoning.
- Examine historic air photos, land title information, council records, filling records etc.
- Contact Council to obtain pertinent information.
- Identify any past potentially contaminating uses of the land.
- Research soil capability and landscape maps and data relating to the area (including groundwater conditions).
- Carry out a detailed surface inspection of the area (including the area to the south of Cambridge Avenue).
- Provide an assessment of the geotechnical conditions and provide a preliminary geotechnical model for the site.
- Identify any remediation that may be necessary and assess any environmental or geotechnical constraints to industrial development.
- Provide a draft and final copy of a report that addressed the objectives stated in Section 2 above and clearly outlines the suitability of the land for industrial development and where further investigations are required. We will provide one electronic copy of the draft and final reports (in PDF Format).

Note: Should the rezoning application be successful, further studies will likely be required for any proposed development, such as a more detailed Environmental Site Assessment (ESA) and possibly a Remediation Action Plan (RAP), as well as a site-specific geotechnical investigation. Provision of such assessments and plans is not included in the scope of works for this report (DGCR).

### **3 PREVIOUS ENVIRONMENTAL AND GEOTECHNICAL INVESTIGATIONS**

CES are not aware of any previous investigations or reports pertaining to environmental investigations or assessments conducted on the subject site.

Geotechnical investigations have been conducted by CES in areas of Glenfield Waste Services land located north of Cambridge Avenue and south of the East Hills Railway line and are therefore relevant to this DGCR (CES, 2007, refer Appendix C). Fill was observed at boreholes BH17A, BH17B, BH13D and BH14D, and consisted of fine grained sand, clayey sand and clay with some concrete and glass. Fill is underlain by natural soils, which comprise sandy clay and silty sand. Natural soils extend to elevations between 3mAHD to 6mAHD, and overlie weathered sandstone.

Subsurface ground conditions observed at boreholes LG1, LG2, LG3, BH10D and BH15S consist of natural soils comprising sandy clay, silty clay and silty sand underlain by shale or sandstone. These boreholes are within areas of the site that have not been previously filled. These borehole locations are shown in Appendix C.

To our knowledge, no previous geotechnical investigations have been conducted on the area South of Cambridge Avenue.

---

## 4 SITE INFORMATION

The site information presented below is based on a review of readily available government information sources.

### 4.1 *SITE IDENTIFICATION*

The site subject to the rezoning application is located in Glenfield, New South Wales, approximately bounded to the north and west by the East Hills Rail Line, to the east by the Georges River and extends south over Cambridge Avenue to include a roughly rectangular strip of land approximately 1km long (east-west) by 165m wide (north-south). The site comprises several Lots, and is legally described as:

- Auto Consol 14018 – 92, being Lot 91 DP 1155962 (formerly Lot 9 DP 833516) , Lot 2 DP 333578, Lot 1 DP 113201
- Lot 3, DP 735524
- Lot 3, DP 736881

### 4.2 *SITE ZONING*

A review of the Campbelltown Local Environmental Plan 2002 (CLEP 2002) indicated that the site has three different zoning classifications. The majority of the area north and south of Cambridge Avenue is zoned 1(a) Rural A. The eastern part of the site adjoining the Georges River is zoned 6(b) Regional Open Space and there is a small rectangular portion of land located south of Cambridge Avenue and west of zone 6(b), which is separately zoned 5(b) Special Uses Arterial Roads.

### 4.3 *TOPOGRAPHY AND DRAINAGE*

The Liverpool 1:25 000 Topographic Map 9030-11-S (Central Mapping Authority NSW, 1983) indicates that the site has an elevation that ranges from approximately 20 metres Australian Height Datum (AHD) in the western section of the site to approximately 10 m AHD in the eastern section of the site.

Drainage on the site is towards the east, to the Georges River, which flows in a northerly direction.

### 4.4 *GEOLOGY*

The Penrith 1:100 000 Geological Series Sheet 9030 (Geological Survey of NSW Department of Minerals and Energy, 1991) indicates that the site is underlain by Triassic age Ashfield Shale, (part of the Wianamatta Group) as well as Quaternary alluvium, comprising medium grained sand, clay and silt, associated with the Georges River system, and tributaries.

---

## 4.5 SOILS

The Penrith 1:100 000 Soil Landscape Series Sheet 9030 (Soil Conservation Service of NSW, 1989) indicates that the soils underlying the site (where they have not been removed by excavation) belong to the Blacktown soil landscape group. These soils are found on undulating rises on Wianamatta Shales. Soils are shallow to moderately deep (< 100 cm) *Red and Brown Podzolic Soils* (*Dr3.21, Dr3.11, Db2.11*) on crests, upper slopes and well drained areas; deep (150 - 300 cm) *Yellow Podzolic Soils* (*Dy2.11, Dy3.11*) on lower slopes and areas of poor drainage. The limitations of this soil landscape group are moderate reactivity, low soil fertility and poor soil drainage.

## 4.6 ACID SULFATE SOIL RISK

The Department of Land and Water Conservation (DLWC 1997) 1:25 000 Liverpool Acid Sulphate Soil (ASS) Risk Map was reviewed to ascertain the presence of acid sulphate soils on the site. The Risk Map indicated that there were no known occurrences of Acid Sulphate Soils in or around the site area. Council's Section 149 Planning Certificates indicate that the land is not subject to a policy that restricts development because of the likelihood of acid sulphate soils (refer section 4.10 below).

## 4.7 SITE HISTORY

The following sources of historical information were investigated to determine the history of land use at the site:

- NSW Department of Land and Property Management Authority: Historical aerial photographs (1961 to 1970) and more recent aerial photography available on-line;
- Campbelltown Council: Planning Certificate;

## 4.8 LAND USE

The site can be divided into three broad areas according to land use: filled land in the north-east part, unfilled land in the north-west area (north of Cambridge Avenue) and the unfilled cleared land on the southern side of Cambridge Avenue. Previously, the north-western part of the site was used by Glenfield Waste Services as an active waste landfill for non-putrescible solid waste. Construction and demolition waste made up the largest portion of waste received in this area and only 15 hectares has been filled. Currently, Glenfield Waste Services undertakes recycling activities on the filled area and some of the unfilled areas. The recycling activities are predominantly of inert materials. The area currently used for active land-filling is further to the north, within Liverpool City Council.

That part of the site to the south of Cambridge Avenue appears to have had no previous active uses and still remains as unoccupied open space. Whilst it borders on residential properties there is no evidence of any existing land use other than for grazing of horses.

#### 4.9 HISTORICAL AERIAL PHOTOGRAPH INTERPRETATION

Historical aerial photographs from the NSW Department of Land and Property Management Authority were examined for the years: 1951, 1961, and 1970. As well as a previously obtained aerial photograph for 2004 and Nearmap photographs for 2011. Copies of the aerial photographs are provided in Appendix A. The findings of aerial photo investigations are presented in Table 1.

Table 1: Historical Aerial Photograph Interpretation	
Year	Description
1951	<p><b>Site:</b> The site is undisturbed and comprises largely natural vegetation. The Georges River borders the eastern part of the site and the existing Main Southern railway line and a main road, borders the western boundary. The site is bordered in the south by an unsealed road , just north of which lies dense natural vegetation. The land in the north-east corner of the site has been cleared for market gardens or horticultural activity. .</p> <p><b>Surrounding Area:</b> The site is surrounded by similar land uses. The area to the north of the site is delineated by the Main Southern railway line and the Georges River and includes some market gardens. Land surrounding these gardens may have been cleared or it may have been open space prior to 1951. The southern and western borders can be similarly described and the surrounding eastern land comprises the Georges Rives and associated vegetation.</p>
1961	<p><b>Site:</b> The site has changed little since 1951 with the exception of a small square shaped cleared patch of land in the centre and another long, thin, rectangular cleared patch of land running parallel to Georges River. The existing roads also appear to be more defined.</p> <p><b>Surrounding Area:</b> The surrounding land to the north of the site has changed little since 1951 with the exception of an extension of the already existing market garden. The surrounding land south of the site has been cleared for further cultivation (farmland) and the beginning presence of residential buildings. Further residential buildings have been constructed east of the site however most of the original vegetation still stands. The western boundary has had little/if any modification.</p>
1970	<p><b>Site:</b> The dense vegetation in the centre of the site has been extensively cleared to become two smaller and more defined rectangular areas. A dam has been built just north of this vegetation and in the north western corner of the site there appears to be the beginning of quarrying activities. The rest of the site has changed little since 1961.</p> <p><b>Surrounding Area:</b> Surrounding area has changed little since the 1961 aerial photograph.</p>
2004	<p><b>Site:</b> The site has changed extensively since 1970. The East Hills railway line has been constructed, diverting eastward from the Main Southern railway line, to form the northern boundary of the subject site. Cambridge Avenue has been constructed, dividing the site</p> <p>into two distinct parts. North of Cambridge Avenue can be separated again into two parts. The eastern area is the Glenfield Waste Services active landfill and the western area comprises of what appears to be still the original vegetation and the dam. The land south of</p>



	<p>Cambridge Avenue has been entirely cleared, with the exception of a small patch next to the Georges River, and left to become grazing land. There has been a large roundabout and extending roads constructed at the western end of Cambridge Avenue. These roads pass alongside and over the Main Southern railway line.</p> <p><b><u>Surrounding Area:</u></b> The surrounding land to the north has been entirely cleared to form the rest of the Glenfield Waste Services landfill site. The landfill extends north to where the railway line meets The Georges River. North-west and south of the site has been extensively built up since 1970. Several roads have been constructed in between the residential buildings, including Goodenough Street forming the boundary between the southern part of the site and the newly developed residential areas. The surrounding land to the east of the site including The Georges River remains undeveloped.</p>
2011	<p><b><u>Site:</u></b> The site has changed little since the 2004 aerial photograph.</p> <p><b><u>Surrounding Area:</u></b> The surrounding area has changed little since the 2004 aerial photograph.</p>
Source: Environmental Legal Searches, 2012.	

#### ***4.10 CAMPBELLTOWN COUNCIL PLANNING CERTIFICATE***

The Campbelltown City Council Section 149 Planning Certificates for the major lots comprising the site are provided in Appendix B. The certificates for Lot 3 DP 736881 and Lot 91 DP 1155962 make reference to the Contaminated Land Management Act 1997, and state that those parcels of land are not ‘significantly contaminated land’ under the Act, and that they are not subject to a management order, an approved voluntary management proposal, an ongoing maintenance order or a site audit statement within the meaning of the Act.

The Planning Certificates also indicate that the land is not subject to a policy that restricts development because of the likelihood of acid sulphate soils, but the land may be subject to flood related development controls.

#### ***4.11 NSW DECCW CONTAMINATED SITES REGISTER***

A search of the NSW DECCW Contaminated Sites Register indicated that neither the site nor surrounds are on the list of contaminated sites notified to the EPA.

#### ***4.12 GROUNDWATER BORE SEARCH***

A search of the groundwater database maintained by the Department of Water and Energy was performed. The search indicated that there were 5 registered boreholes located within a

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1km radius of the subject site. A copy of the borehole map is provided in Appendix C. As can be observed, the closest borehole GW108802 is located within the site boundary. The next closest boreholes to the site were GW109805, GW109799 and GW109803. The fifth registered borehole contained no featured information. No evidence of contamination was noted in any of these bores, however fill material was observed at various depths

## 5 SITE CONDITION AND THE SURROUNDING ENVIRONMENT

### 5.1 CURRENT OCCUPIER AND OPERATIONS

At the time of the DGCR, the eastern end of the site, north of Cambridge Avenue, is occupied by Glenfield Waste Services and is being used as the main access to the Glenfield landfill waste facility and recycling operation. The western and southern part of the land north of Cambridge Avenue remains largely timbered and has not been filled; it includes the brick house and a run-off collection dam. That part of the site south of Cambridge Avenue is currently unoccupied open space, used only for grazing horses, and is almost entirely covered by the easement for the high-voltage electricity transmission lines.

### 5.2 SITE DESCRIPTION

The site description is based on observations made during a site inspection undertaken by David Johnson and Paige Edmunds on 9 May 2012. The site location is shown on Figure 1 and the site layout on Figure 2. The site inspection was divided into two parts:

- South of Cambridge Avenue (part Lot 3 DP 736881); is rectangular shaped and appears to be natural land. The area consists of cleared uneven sloping ground with the major a major electricity transmission line passing along its length in an east-west orientation. The power lines are supported by steel pylons and were observed to hang quite low, particularly in the middle of the site. There is a small stagnant creek and swamp situated at the eastern end of the site which flows into the Georges River. The southern edge of the site is bordered by the rear fences of houses on Ferguson Street (western end) and the northern side of Goodenough Street (western end). At the time of the site inspection there were animals grazing on the land.
- North of Cambridge Avenue (Lot 91 DP 1155962, Lot 2 DP 333578, Lot 1 DP 113201 and Lot 3, DP 735524) all form part of the Glenfield Waste Service landholding; this part is also approximately rectangular shaped and is divided into two uses. The eastern part of the site has been filled and is still active as a waste sorting and recycling facility. It also acts as the main entry for the current landfilling operations (which now take place further north, within the Liverpool Council area), the GWS site offices and car park etc. In the southern and eastern parts of this northern area, no filling has occurred and the land remains largely uncleared; a brick house is present near the centre of the western part, along with a dam and water recycling plant

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closer to the railway line. Situated on the northern side of Cambridge Avenue is a Crown Castle wireless communication carrier, which is surrounded by fencing.

#### **5.4 FILL**

It is apparent (and confirmed through a historical aerial photograph analysis) that filling has previously occurred only in the north-eastern part of the subject site, as part of the GWS landfilling operations. The exact nature of the filling materials placed in this area is not known, but is known to have included sand, clayey sand and clay with some concrete and glass, and possibly other non-putrescible and inert waste materials. Only limited geotechnical investigations have been carried out in this area and the exact nature of this fill cannot be determined without an intrusive geotechnical or environmental assessment.

The rest of the site does not appear to have been filled, except for some earthworks associated with roadworks, railway construction etc.

#### **5.5 SURROUNDING LAND USE**

At the time of preparing this DGCR the northern section of the site adjoins the rest of the Glenfield Waste Services landfill site. No filling is currently taking place on the subject site and it is not considered to be having any current adverse effect on the local environment.

The southern and western sections of the site are surrounded by residential dwellings. These establishments were not considered to have any adverse effect on the local environment surrounding the site. The eastern section of the site is still bounded by The Georges River and natural vegetation.

## **6 ASSESSMENT OF CONSTRAINTS TO DEVELOPMENT**

### **6.2 ENVIRONMENTAL CONSTRAINTS**

This preliminary assessment of environmental constraints relating to surface conditions and potential contamination has not raised any concerns which could pose significant constraints to future industrial development of the subject land. Further investigations are recommended prior to any proposed development in the areas of previous landfilling in the north-western part and also that land on the northern side of the Glenfield-East Hills Railway (for both environmental and geotechnical purposes).

The unfilled areas of the site do not appear to have been used in the past for any purposes which are likely to have led to ground contamination. There is no evidence of intensive agricultural or other land uses which could be expected to be potentially contaminating and impacts from the adjacent filled areas are unlikely to have affected those unfilled areas of the site.

Some constraints to actual development of the land south of Cambridge Avenue may result from the existing high-voltage transmission lines and easement, and this would be the subject of further assessment of available options for development of that area.

### **6.3 GEOTECHNICAL CONSTRAINTS**

Previous geotechnical investigations showed that fill is present in boreholes BH17A, BH17B, BH13d and BH14d (refer Appendix C), and is variable in density, consistency, composition and thickness, and was placed with no known engineering control. This material is unlikely to provide uniform support to pavements, floor slabs or footings. We recommend against supporting structural loads or floor slabs on Fill unless ground improvement is undertaken.

Groundwater was encountered in boreholes BH10D, BH13d, BH15S, LG1 and LG2 within Natural Soils and Shale at levels between 2mbgl and 8.5mbgl (RL 3.8mAHD to RL 5.7mAHD). It should be noted however that groundwater levels vary over time especially after periods of heavy rain. Groundwater is likely to be encountered if deep foundation systems are required.

Measures should be included as part of any development to ensure that adequate drainage is in place to facilitate the controlled and environmentally responsible removal of surface and groundwater.

## 7 CONCLUSIONS

CES have undertaken and completed the Desktop Geotechnical & Contamination Rezoning Report in accordance with the proposal dated 23 April 2012, and the scope of work outlined therein. None of the findings of this study indicate that the subject land is not suitable for rezoning for industrial purposes, or for subsequent subdivision and development of individual lots for appropriate industrial activities.

It is therefore concluded that the findings of this report are sufficient to satisfy the requirements of SEPP 55 and the attached Planning Guidelines in that the subject land is suitable for the proposed industrial rezoning.

## **8 LIMITATIONS OF THIS REPORT**

This report has been prepared for use by the client who commissioned the works in accordance with the project brief and based on information provided by the client. The advice contained in this report relates only to the current project and all results, conclusions and recommendations should be reviewed by a competent person with experience in environmental investigations before being used for any other purpose. Consulting Earth Scientists Pty Ltd (CES) accepts no liability for use or interpretation by any person or body other than the client. This report must not be reproduced except in full and must not be amended in any way without prior approval by the client and CES.

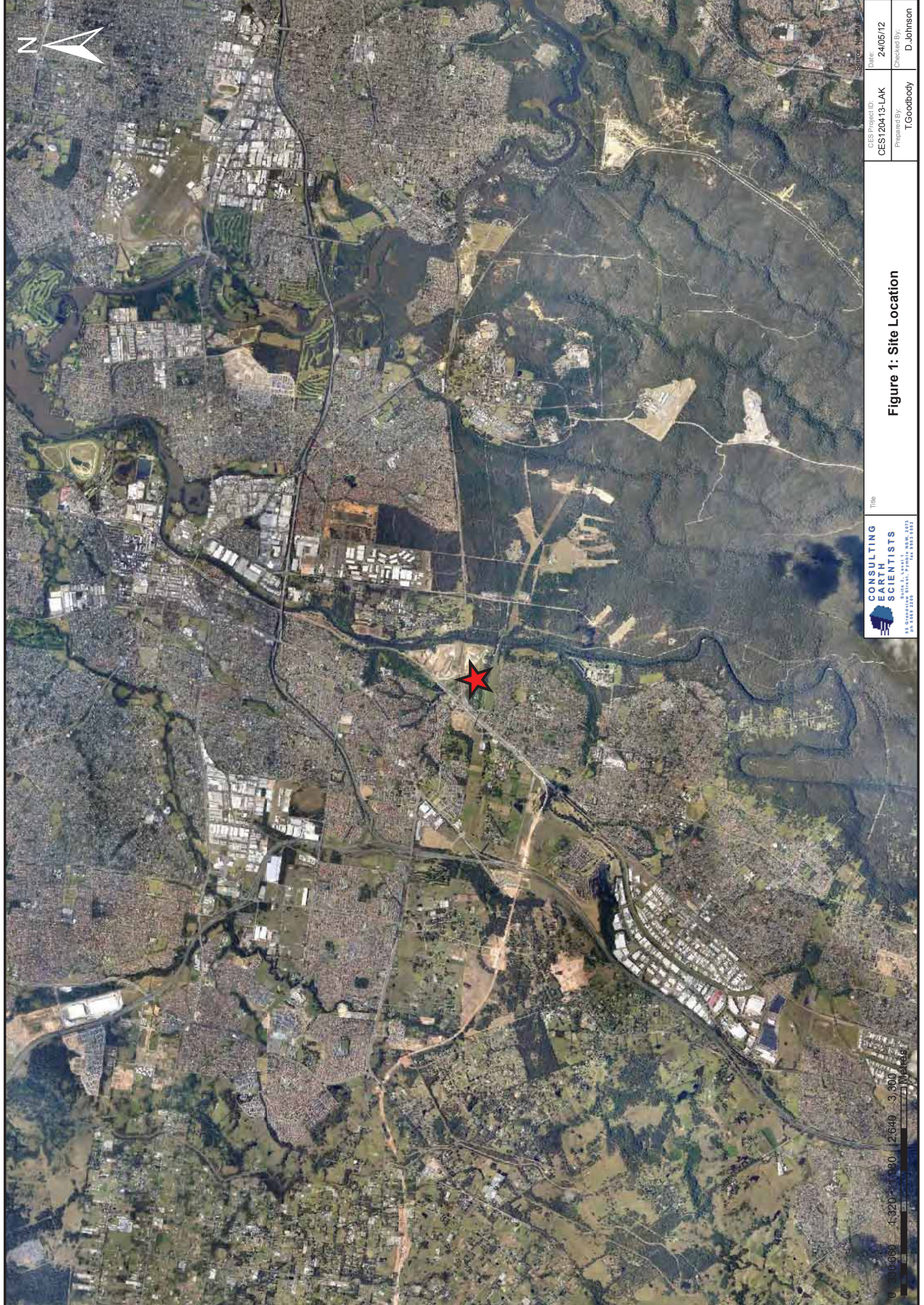
This report is based on the interpretation of available data and other information. It does not provide a complete assessment of the environmental status of the site and is limited to the scope defined therein. Should information become available regarding conditions at the site including previously unknown sources of contamination, CES reserves the right to review the report in the context of the additional information.

## 9 REFERENCES

Consulting earth Scientists Pty Ltd, 2007. *Landfill Environmental Management Plan (LEMP)*, Glenfield Waste Solid Waste landfill, Cambridge Avenue, Glenfield, NSW. Prepared for LA Kennett Enterprises Pty Ltd, CES031101-LAK-28-F, 30 June 2007

Campbelltown City Council Local Environmental Plan, 2002







**CONSULTING  
EARTH  
SCIENTISTS**  
25 DUNDAS STREET WEST, SUITE 200  
TORONTO, ONTARIO M5T 1G5  
TEL: 416-593-8888

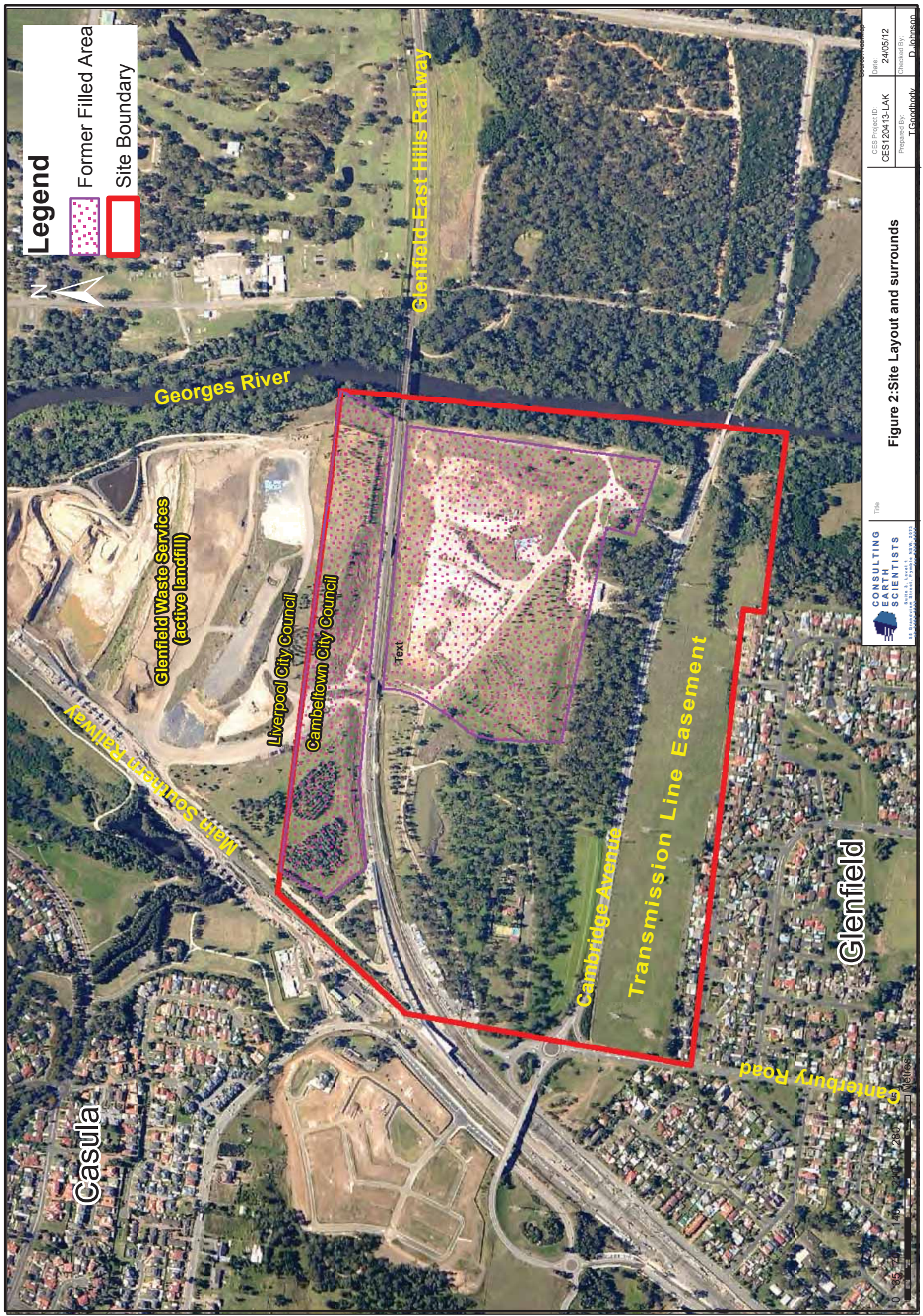
Title

**Figure 1: Site Location**

CES Project ID:	24/05/12
CES120413-LAK	Checked By:
Prepared By:	T. Goodbody
Source: Natural	Date:
	D. Johnson







# Legend

Former Filled Area

Site Boundary

Figure 2: Site Layout and surrounds

CES Project ID:	CES120413-LAK	Date:	24/05/12
Prepared By:	T. Goodbody	Checked By:	D. Johnson



## **Appendix A**

### **Historical Air Photographs**





Source: NearMap

Title

**Aerial Photograph 1951**

CES Project ID:  
**CES120413-LAK**

Prepared By:  
**T.Goodbody**

Date:  
**25/05/2012**

Checked By:  
**D.Johnson**





Source: NearMap





Source: NearMap





feet  
km

3000

Source: NearMap

Title

**Aerial Photograph 2004**

CES Project ID:  
**CES120413-LAK**

Date:  
**25/05/2012**

Prepared By:  
**T.Goodbody**

Checked By:  
**D.Johnson**







**Appendix B**  
**Campbelltown City Council Planning Certificates**



**Issue Date:** 20 April 2012  
**Application Number:** 201201113  
**Receipt Number:** 1964209

Globalx Information Services  
DX 1239  
SYDNEY NSW

**Your Reference:** 570849-11012

## **PLANNING CERTIFICATE UNDER SECTION 149 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Section 149 Planning Certificate phone enquiries: (02) 4645 4560.

**Property Address:** Lot 3 Cambridge Avenue  
GLENFIELD NSW 2167

**Property Description:** Lot 3 DP 736881

As at the date of issue, the following matters apply to the land subject of this certificate:

### **INFORMATION PROVIDED UNDER SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (the Act)**

#### **PART 1 – Names of relevant planning instruments and DCPs**

**Planning Instrument:** Campbelltown (Urban Area) LEP 2002

**Effect:** 1(a) - Rural A Zone

**Planning Instrument:** Campbelltown (Urban Area) LEP 2002

**Effect:** 6(b) - Regional Open Space Zone

**Planning Instrument:** Campbelltown (Urban Area) LEP 2002

**Effect:** 5(b) - Special Uses Arterial Roads Zone

- (1) In addition to the environmental planning instrument(s) named above, the following planning instruments also apply to the carrying out of development on the land subject of this certificate:

#### **Local environmental plans (LEPs) and deemed environmental planning instruments**

Campbelltown LEP No.209 – Exempt Development

For further information about these local environmental plans and deemed environmental planning instruments, contact Council's Environmental Planning Section on (02) 4645 4842.



**PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

---

**State environmental planning policies (SEPPs)**

SEPP No.1 – Development Standards

SEPP No.4 – Development Without Consent and Miscellaneous Complying Development

SEPP No.6 – Number of Storeys in a Building

SEPP No.21 – Caravan Parks

SEPP No.22 – Shops and Commercial Premises

SEPP No.30 – Intensive Agriculture

SEPP No.33 – Hazardous and Offensive Development

SEPP No.44 – Koala Habitat Protection

SEPP No.50 – Canal Estate Development

SEPP No.55 – Remediation of Land

SEPP No.60 – Exempt and Complying Development

SEPP No.64 – Advertising and Signage

SEPP No.65 – Design Quality of Residential Flat Buildings

SEPP No.70 – Affordable Housing (Revised Schemes)

SEPP No.19 - Bushland in Urban Areas

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Major Development) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Temporary Structures and Places of Public Entertainment) 2007

SEPP (Infrastructure) 2007

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Affordable Rental Housing) 2009

SEPP (State and Regional Development) 2011

Greater Metropolitan REP No.2 - Georges River Catchment

For further information about these State environmental planning policies, contact the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).

- (2) The following proposed environmental planning instruments, which are or have been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved), apply to the carrying out of development on the land subject of this certificate:

**Draft local environmental plans (LEPs)**

None

For further information about these draft local environmental plans, contact Council's Environmental Planning Section on (02) 4645 4842.

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**Draft State environmental planning policies (SEPPs)**

None

For further information about these draft State environmental planning policies, contact the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).

- (3) The following development control plans (DCPs) apply to the carrying out of development on the land subject of this certificate:

Campbelltown DCP No.82 – Religious Establishment Policy  
Campbelltown DCP No.87 – Public Notification & Public Exhibition Policy  
Campbelltown DCP No.96 – The Provision of Parenting Facilities  
DCP No.99 – Advertising Signs  
DCP No.107 – Siting of Communication Facilities (Telecommunication Towers)  
Campbelltown DCP No.114 – Trees  
Campbelltown DCP No.122 – Restricted Premises  
Campbelltown Sex Industry DCP 2003  
Campbelltown (Sustainable City) DCP 2009 Volume 2  
Campbelltown (Sustainable City) DCP 2009 Volume 1 (Parts 1-8)  
Campbelltown DCP No.32 - Retail Plant Propagation Nurseries  
DCP No.49 - Rural Environmental Protection Subdivision and Dwelling Policy  
Campbelltown DCP No.47 – Amendment to Residential Development Policy – Attached Flats  
Campbelltown DCP No.120 - Parking of Commercial Vehicles and Trucks Within Residential, Scenic Protection and Rural Areas

For further information about these development control plans, contact Council's Environmental Planning Section on (02) 4645 4842. Please note that the names of any draft development control plans that apply to the land subject of this certificate, that have been placed on exhibiton by Council but have not yet come into effect, are provided as advice under section 149(5) of the Act.

**PART 2 – Zoning and land use under relevant LEPs**

- a) The following zone(s) apply to the land subject of this certificate:

1(a) - Rural A Zone  
6(b) - Regional Open Space Zone  
5(b) - Special Uses Arterial Roads Zone

- b) The purposes for which the plan or instrument provides that development may be carried out without the need for development consent are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.



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In addition, SEPP (Exempt and Complying Development Codes) 2008 and Campbelltown LEP No.209 – Exempt Development allow certain types of development to be carried out as exempt development within the Campbelltown City local government area.

- c) The purposes for which the plan or instrument provides that development may not be carried out except with development consent are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.

In addition, SEPP (Exempt and Complying Development Codes) 2008 and SEPP No.60 – Exempt and Complying Development allow certain types of development to be carried out as complying development within the Campbelltown City local government area after a complying development certificate has been obtained from Council or from an accredited certifier.

- d) The purposes for which the plan or instrument provides that development is prohibited are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.
- e) Any development standards applying to the land subject of this certificate that fix minimum land dimensions for the erection of a dwelling-house and, if so, the minimum land dimensions so fixed are detailed in the relevant section of the plan or instrument. Reference should be made to either Attachment 2 to this certificate or the appropriate section(s) of the attached copy of the plan or instrument. In addition, certain Council development control plans may impose minimum development standards for the creation of allotments and/or minimum site area and dimensions for the erection of a dwelling-house.

For further information about items a), b), c), d) and e) above, contact Council's Environmental Planning Section on (02) 4645 4842.

- f) The land subject of this certificate does not include or comprise critical habitat.
- g) The land subject of this certificate is not in a conservation area (however described).
- h) No item of environmental heritage (however described) is situated on the land subject of this certificate.

**PART 2A – Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

None

**PART 3 – Complying development**

- (1) The land subject of this certificate is land on which complying development may be carried out under the following codes for complying development in accordance with the provisions of clauses 1.17A (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:

Housing Alterations Code

General Commercial and Industrial Code

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Subdivisions Code

General Development Code

Demolition Code

Please note that reference should also be made to the relevant parts of this policy for the general requirements for complying development and to the relevant codes which may also include provisions relating to zoning, lot size etc.

The land subject of this certificate is land on which no complying development may be carried out under the following codes for complying development because of the provisions of clauses 1.17A (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:

General Housing Code

(unless the development is only a detached outbuilding or swimming pool on land within a heritage conservation area or a draft heritage conservation area and not subject to any other land exemption under clause 1.19 of this policy)

Rural Housing Code

(unless the development is only a detached outbuilding or swimming pool on land within a heritage conservation area or a draft heritage conservation area and not subject to any other land exemption under clause 1.19 of this policy or unless complying development is carried out on the part of the lot to which clause 1.19 or 1.17A of this policy does not apply)

- (2) For codes identified above as being those under which no complying development may be carried out under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, this is because of the following provisions of clauses 1.17A (c) and (d) and 1.19 of this policy:

The land is reserved for a public purpose in an environmental planning instrument.

#### **PART 4 – Coastal protection**

The land subject of this certificate is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that Council has been notified by the Department of Public Works.

#### **PART 5 – Mine subsidence**

The land subject of this certificate is not within a proclaimed Mine Subsidence District within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

#### **PART 6 – Road widening and road realignment**

The land subject of this certificate is affected by road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, an environmental planning instrument or a resolution of Council.

#### **PART 7 – Council and other public authority policies on hazard risk restrictions**

- a) Council has adopted a policy with respect to all land within the Campbelltown City local government area with unusual site conditions. This policy restricts the development of land where extensive earthworks and/or filling has been carried out. Land, the development of



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which is restricted by this policy, has a restriction as to user placed on the title of the land stating the details of any restriction. Building lots can be affected by excessive land gradient, filling, reactive or dispersive soils, overland flow and/or mine subsidence. Buildings, structures or site works may require specific structural design to ensure proper building construction. Consequently, some applications may require the submission of structural design details and geotechnical reports. It is suggested that prior to lodging an application, enquiries be made to Council's Planning and Environment Division to ascertain any specific requirements.

- b) Council has adopted by resolution the certified Campbelltown LGA Bush Fire Prone Land Map. This map identifies bush fire prone land within the Campbelltown City local government area as defined in section 4(1) of the Act. Where the land subject of this certificate is identified as bush fire prone land, the document entitled "Planning for Bush Fire Protection" prepared by the NSW Rural Fire Service in co-operation with the Department of Planning and dated December 2006 should be consulted with regards to possible restrictions on the development of the land because of the likelihood of bushfire.
- c) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of tidal inundation.
- d) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of acid sulphate soils.
- e) Council has adopted by resolution a policy on contaminated land which may restrict the development of the land subject of this certificate. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

**PART 7A – Flood related development controls information**

- (1) Development on all or part of the land subject of this certificate for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related controls.
- (2) Development on all or part of the land subject of this certificate for any other purpose is subject to flood related development controls.
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Please note that some additional information regarding flooding and flood related development controls may be provided as advice under section 149(5) of the Act.



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**PART 8 – Land reserved for acquisition**

An environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land subject of this certificate provides for the acquisition of all or part of the land by a public authority, as referred to in section 27 of the Act.

**PART 9 – Contribution plans**

The following contribution plan(s) apply to the land subject of this certificate:

Campbelltown City Council Section 94A Development Contributions Plan

For further information about these contribution plans, contact Council's Environmental Planning Section on (02) 4645 4196.

**PART 9A – Biodiversity certified land**

The land subject of this certificate is not biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995).

**PART 10 – Biobanking agreement**

The land subject of this certificate is not land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates (but only in so far as Council has been notified of the existence of any such agreement by the Director-General of the Department of Environment, Climate Change and Water).

**PART 11 – Bush fire prone land**

Some of the land subject of this certificate has been identified as bush fire prone land on the Campbelltown LGA Bush Fire Prone Land Map that has been certified by the Commissioner of the New South Wales Rural Fire Service.

Please note that in accordance with section 66 of the Rural Fires Act 1997 and relevant regulations, a Bush Fire Hazard Reduction Notice may have been issued on this land. It is recommended that advice be obtained from the Macarthur Zone Rural Fire Service.

**PART 12 – Property vegetation plans**

No property vegetation plan applies to the land subject of this certificate as the whole of the Campbelltown City local government area is excluded from the operation of the Native Vegetation Act 2003.

**PART 13 – Orders under Trees (Disputes Between Neighbours) Act 2006**

No order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land subject of this certificate (but only to the extent that Council has been notified of any such orders).

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**PART 14 – Directions under Part 3A**

No direction, in force under section 75P(2)(c1) of the Act, that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land subject of this certificate under Part 4 of the Act does not have effect, has been issued by the Minister.

**PART 15 – Site compatibility certificates and conditions for seniors housing**

- a) No current site compatibility certificate (seniors housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.
- b) No conditions of consent to a development application, granted after 11 October 2007, of the kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed in respect of proposed development on the land subject of this certificate.

**PART 16 – Site compatibility certificates for infrastructure**

No valid site compatibility certificate (infrastructure), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.

**PART 17 – Site compatibility certificates and conditions for affordable rental housing**

- (1) No current site compatibility certificate (affordable rental housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.
- (2) No conditions of consent to a development application of the kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed in respect of proposed development on the land subject of this certificate.

**Matters prescribed by section 59(2) of the Contaminated Land Management Act 1997**

- (a) The land subject of this certificate is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- (b) The land subject of this certificate is not subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- (c) The land subject of this certificate is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- (d) The land subject of this certificate is not subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- (e) The land subject of this certificate is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 provided to Council.

**INFORMATION PROVIDED UNDER SECTION 149(5) OF THE ENVIRONMENTAL  
PLANNING AND ASSESSMENT ACT 1979**

**PLANNING CERTIFICATE UNDER SECTION 149  
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All properties within the Campbelltown City local government area may be affected by flooding caused by overland flow or local topography. Applicants will need to make their own assessment of the risk associated with these matters. For more information, contact Council's Flood Mitigation and Drainage Section in writing.

Council has received a copy of the map "Salinity Potential in Western Sydney - 2002" from the Department of Infrastructure, Planning and Natural Resources (DIPNR). This map classifies the land within the Campbelltown City local government area as having either known salinity, high salinity potential, moderate salinity potential or low salinity potential. Salinity issues may be of relevance to any development of the land subject of this certificate. For further information, contact the Department of Infrastructure, Planning and Natural Resources ([www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au)).

It should be noted that the Commonwealth Department of Transport and Regional Development has released a document titled "Preliminary Flight Paths" purporting to provide preliminary information on jet aircraft flight paths and flight zones for each of the design options for the Second Sydney Airport Proposals. Some of the flight paths and flight zones shown in this document may, if implemented, impact upon the environment in the vicinity of the land subject of this certificate. Further enquiries in respect of this document should be directed initially to the Commonwealth Department of Transport and Regional Development.

The land subject of this certificate has a boundary to a controlled access road.

Council has resolved to prepare a comprehensive Local Environmental Plan for the City of Campbelltown in accordance with relevant statutory requirements. For more information, contact Council's Environmental Planning Section on (02) 4645 4563.

The following draft development control plans (DCPs), that have been placed on exhibition by Council but which have not yet come into effect, apply to the land subject of this certificate:

Draft Campbelltown (Sustainable City) DCP 2011 Volume 1 (Stage 4)

Draft DCP No.102 - Non Urban Subdivision and Development Standards

For further information about these draft development control plans, contact Council's Environmental Planning Section on (02) 4645 4842.



Jeff Lawrence, per   
**Director Planning and Environment**



## **Attachment 1**

### **Campbelltown (Urban Area) Local Environmental Plan 2002**

#### **Zone 1 (a)—Rural A Zone**

**(1) What land is within Zone 1 (a)?**

Land is within Zone 1 (a) if it is shown coloured buff on the map.

**(2) What is the zone objective and what effect does it have?**

The objective of this zone is to identify land that constraints make unsuitable for urban use so that it can be put to long-term agricultural use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

**(3) What development may be carried out without consent?**

Development must not be carried out on land within this zone without consent.

**(4) What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

agriculture; bushfire hazard reduction; drainage; dual occupancies (attached); dwelling houses; forestry; mines; utility installations.

**(5) What development is prohibited?**

Development which is not included in subclause (4) is prohibited on land within this zone.

**NOTE:** A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).



## **Attachment 1**

### **Campbelltown (Urban Area) Local Environmental Plan 2002**

#### **Zone 5 (b)—Special Uses Arterial Roads Zone**

**(1) What land is within Zone 5 (b)?**

Land is within Zone 5 (b) if it is shown coloured light grey on the map.

**(2) What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify land required for existing or proposed arterial roads (including the widening of existing roads), and
- (b) to control vehicular access to and from roads in the zone so as not to inhibit the free flow of traffic on arterial roads, and
- (c) to allow for the development of such land prior to its acquisition for road purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

**(3) What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; roads; utility installations.

**(4) What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); underground mining.

**(5) What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

*NOTE: A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*



# **Attachment 1**

## **Campbelltown (Urban Area) Local Environmental Plan 2002**

### **Zone 6 (b)—Regional Open Space Zone**

**(1) What land is within Zone 6 (b)?**

Land is within Zone 6 (b) if it is shown coloured mid green on the map.

**(2) What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify land which has been acquired for, or is to be acquired for, regional open space, and
- (b) to preserve and manage regional open space for conservation and recreational purposes for the benefit of the Sydney region.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

**(3) What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

**(4) What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.

**(5) What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

*NOTE: A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*





## Attachment 2

### Campbelltown (Urban Area) Local Environmental Plan 2002

#### 32 Subdivision generally

- (1) Land to which this plan applies may be subdivided only with development consent.
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.
- (3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.

#### 33 Subdivision in rural and environmental protection zones

- (1) Consent must not be granted to the subdivision of land in a zone specified in the following Table unless the area of any lot created is equal to or greater than that shown opposite that zone in that Table.

**Table**

<b>Zone</b>	<b>Lot</b>
1 (a)	40 hectares
1 (d)	40 hectares
7 (d1)	100 hectares
7 (d4)	2 hectares
7 (d5)	1 hectare
7 (d6)	0.4 hectare

- (2) Despite subclause (1), consent may be granted to the subdivision of land in any of the zones specified in the Table so as to create lots with areas less than those set out in that Table if:
  - (a) the consent authority is satisfied that the purpose of the subdivision is to create a lot or lots to be used for the purpose of a public utility undertaking or public reserve, or
  - (b) the consent authority is satisfied that the purpose of the subdivision is to align the boundaries of those lots with the boundaries of a zone so specified.
- (2) For the purposes of subclause (2), an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for that zone or the part of that zone within which the existing holding is located.

### **34 Dual occupancies in certain zones**

- (1) If two dwellings are situated on the same lot within Zone 2 (b):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 350 square metres.
- (2) If two dwellings are situated on the same lot or an existing holding within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than the area for a lot in the zone shown in the Table in clause 33.

### **35 Erection of dwelling houses or dual occupancies in certain zones**

- (1) Consent must not be granted to the erection of a dwelling house or a dual occupancy (attached) on land within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) unless:
- (a) the area of the lot on which it is to be erected is equal to or greater than the area shown opposite that zone in the Table in clause 33, and
  - (b) only one dwelling house or one dual occupancy (attached) is to be erected on the lot.
- (2) Despite subclause (1), consent may be granted to the erection of one dwelling house or one dual occupancy (attached) on land within Zone 7 (d4) if:
- (a) that land constituted the whole of an existing holding, or
  - (b) the land is a lot created pursuant to clause 33 (2), but not a lot to be used for the purpose of a public utility undertaking or public reserve.
- (3) For the purposes of this clause, an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for the part of that zone within which the existing holding is located.

## 42C Minto Renewal Project

- (1) This clause applies to certain land at Minto, as shown distinctively coloured, edged heavy black and lettered on Sheet 1 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 14)".
- (2) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies for one or more of the following purposes:
  - (a) bushfire fighting establishments,
  - (b) bushfire hazard reduction,
  - (c) car parking,
  - (d) community facilities,
  - (e) recreation areas,
  - (f) recreation facilities,
  - (g) roads,
  - (h) underground mining.
- (3) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies that is within Zone 2 (b) for the purpose of integrated housing development.
- (4) If 2 dwellings are situated on the same lot on land that is within Zone 2 (b) on the land to which this clause applies:
  - (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* is prohibited, unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 300 square metres.
- (5) In this clause, *integrated housing development* means development that includes subdivision and that results in:
  - (a) there being 3 or more dwellings, each on a separate lot, and
  - (b) the average area of all those separate lots with dwellings is not less than 225 square metres.

## Division 2A Edmondson Park Urban Release Area Precinct

### 51H Density controls

- (1) The consent authority must not grant consent to the erection of dwellings on land within the Edmondson Park Urban Release Area Precinct unless the net site density applying in relation to the proposed dwellings on the land is not less than the prescribed net site density applying in relation to the land.
- (2) The consent authority must not grant consent to the subdivision of land within the Edmondson Park Urban Release Area Precinct unless the consent authority is of the opinion that the proposal is not inconsistent with the prescribed net site density applying in relation to the land.
- (3) Despite subclause (1), the consent authority may consent to the erection of dwellings on land within Zone 2 (c), 3 (a) or 3 (c) even though the net site density applying in relation to the proposed dwellings is less than the prescribed net site density if:
  - (a) the proposed net site density is not less than the prescribed net site density (if any) that would apply if the boundary of the land was located 60 metres away in at least one direction, and
  - (b) the consent authority is satisfied that the proposed density is required:
    - (i) to incorporate an efficient road layout in connection with the proposed development, or
    - (ii) to achieve the optimum development of the land in a planning and urban design sense.
- (4) *State Environmental Planning Policy No 1—Development Standards* does not apply in relation to any prescribed net site density.
- (5) In this clause:

**net site density**, in relation to dwellings, means the ratio that the number of dwellings concerned bears to the area occupied by those dwellings, excluding any public roads, open space or drainage corridors.

**prescribed net site density**, in relation to land, means the minimum net site density applying in relation to dwellings on the land, as identified on Sheet 2 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 12)".

*NOTE: A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*





**Issue Date:** 20 April 2012  
**Application Number:** 201201114  
**Receipt Number:** 1964209

Globalx Information Services  
DX 1239  
SYDNEY NSW

Your Reference: 570849-11012

## **PLANNING CERTIFICATE UNDER SECTION 149 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Section 149 Planning Certificate phone enquiries: (02) 4645 4560.

**Property Address:** Lot 1 Cambridge Avenue  
GLENFIELD NSW 2167

**Property Description:** Lot 91 DP 1155962

As at the date of issue, the following matters apply to the land subject of this certificate:

### **INFORMATION PROVIDED UNDER SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (the Act)**

#### **PART 1 – Names of relevant planning instruments and DCPs**

**Planning Instrument:** Campbelltown (Urban Area) LEP 2002

**Effect:** 1(a) - Rural A Zone

**Planning Instrument:** Campbelltown (Urban Area) LEP 2002

**Effect:** 6(b) - Regional Open Space Zone

- (1) In addition to the environmental planning instrument(s) named above, the following planning instruments also apply to the carrying out of development on the land subject of this certificate:

#### **Local environmental plans (LEPs) and deemed environmental planning instruments**

Campbelltown LEP No.209 – Exempt Development

For further information about these local environmental plans and deemed environmental planning instruments, contact Council's Environmental Planning Section on (02) 4645 4842.

#### **State environmental planning policies (SEPPs)**

SEPP No.1 – Development Standards

SEPP No.4 – Development Without Consent and Miscellaneous Complying Development

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114

Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615

Email [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au) Web [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)

ABN 31 459 914 087

For free information Service, please bring this  
to attention of Council or ring the Telephone  
Information Number 181 450 and ask Best Day  
contact your Council.

#### AMUSE

Amusement is a state of being amused or entertained.  
It is a feeling of pleasure or interest in something.  
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SEPP No.6 – Number of Storeys in a Building  
SEPP No.21 – Caravan Parks  
SEPP No.22 – Shops and Commercial Premises  
SEPP No.30 – Intensive Agriculture  
SEPP No.33 – Hazardous and Offensive Development  
SEPP No.44 – Koala Habitat Protection  
SEPP No.50 – Canal Estate Development  
SEPP No.55 – Remediation of Land  
SEPP No.60 – Exempt and Complying Development  
SEPP No.64 – Advertising and Signage  
SEPP No.65 – Design Quality of Residential Flat Buildings  
SEPP No.70 – Affordable Housing (Revised Schemes)  
SEPP No.19 - Bushland in Urban Areas  
SEPP (Building Sustainability Index: BASIX) 2004  
SEPP (Major Development) 2005  
SEPP (Mining, Petroleum Production and Extractive Industries) 2007  
SEPP (Temporary Structures and Places of Public Entertainment) 2007  
SEPP (Infrastructure) 2007  
SEPP (Exempt and Complying Development Codes) 2008  
SEPP (Affordable Rental Housing) 2009  
SEPP (State and Regional Development) 2011  
Greater Metropolitan REP No.2 - Georges River Catchment

For further information about these State environmental planning policies, contact the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).

- (2) The following proposed environmental planning instruments, which are or have been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved), apply to the carrying out of development on the land subject of this certificate:

**Draft local environmental plans (LEPs)**

None

For further information about these draft local environmental plans, contact Council's Environmental Planning Section on (02) 4645 4842.

**Draft State environmental planning policies (SEPPs)**

None



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For further information about these draft State environmental planning policies, contact the Department of Planning ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)).

- (3) The following development control plans (DCPs) apply to the carrying out of development on the land subject of this certificate:

Campbelltown DCP No.82 – Religious Establishment Policy  
Campbelltown DCP No.87 – Public Notification & Public Exhibition Policy  
Campbelltown DCP No.96 – The Provision of Parenting Facilities  
DCP No.99 – Advertising Signs  
DCP No.107 – Siting of Communication Facilities (Telecommunication Towers)  
Campbelltown DCP No.114 – Trees  
Campbelltown DCP No.122 – Restricted Premises  
Campbelltown Sex Industry DCP 2003  
Campbelltown (Sustainable City) DCP 2009 Volume 2  
Campbelltown (Sustainable City) DCP 2009 Volume 1 (Parts 1-8)  
Campbelltown DCP No.120 - Parking of Commercial Vehicles and Trucks Within Residential, Scenic Protection and Rural Areas

For further information about these development control plans, contact Council's Environmental Planning Section on (02) 4645 4842. Please note that the names of any draft development control plans that apply to the land subject of this certificate, that have been placed on exhibiton by Council but have not yet come into effect, are provided as advice under section 149(5) of the Act.

**PART 2 – Zoning and land use under relevant LEPs**

- a) The following zone(s) apply to the land subject of this certificate:

1(a) - Rural A Zone  
6(b) - Regional Open Space Zone

- b) The purposes for which the plan or instrument provides that development may be carried out without the need for development consent are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.

In addition, SEPP (Exempt and Complying Development Codes) 2008 and Campbelltown LEP No.209 – Exempt Development allow certain types of development to be carried out as exempt development within the Campbelltown City local government area.

- c) The purposes for which the plan or instrument provides that development may not be carried out except with development consent are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.

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In addition, SEPP (Exempt and Complying Development Codes) 2008 and SEPP No.60 – Exempt and Complying Development allow certain types of development to be carried out as complying development within the Campbelltown City local government area after a complying development certificate has been obtained from Council or from an accredited certifier.

- d) The purposes for which the plan or instrument provides that development is prohibited are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the attached copy of the plan or instrument.
- e) Any development standards applying to the land subject of this certificate that fix minimum land dimensions for the erection of a dwelling-house and, if so, the minimum land dimensions so fixed are detailed in the relevant section of the plan or instrument. Reference should be made to either Attachment 2 to this certificate or the appropriate section(s) of the attached copy of the plan or instrument. In addition, certain Council development control plans may impose minimum development standards for the creation of allotments and/or minimum site area and dimensions for the erection of a dwelling-house.

For further information about items a), b), c), d) and e) above, contact Council's Environmental Planning Section on (02) 4645 4842.

- f) The land subject of this certificate does not include or comprise critical habitat.
- g) The land subject of this certificate is not in a conservation area (however described).
- h) No item of environmental heritage (however described) is situated on the land subject of this certificate.

**PART 2A – Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006**

None

**PART 3 – Complying development**

- (1) The land subject of this certificate is land on which complying development may be carried out under the following codes for complying development in accordance with the provisions of clauses 1.17A (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:

Housing Alterations Code

General Commercial and Industrial Code

Subdivisions Code

General Development Code

Demolition Code

Please note that reference should also be made to the relevant parts of this policy for the general requirements for complying development and to the relevant codes which may also include provisions relating to zoning, lot size etc.

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The land subject of this certificate is land on which no complying development may be carried out under the following codes for complying development because of the provisions of clauses 1.17A (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008:

**General Housing Code**

(unless the development is only a detached outbuilding or swimming pool on land within a heritage conservation area or a draft heritage conservation area and not subject to any other land exemption under clause 1.19 of this policy)

**Rural Housing Code**

(unless the development is only a detached outbuilding or swimming pool on land within a heritage conservation area or a draft heritage conservation area and not subject to any other land exemption under clause 1.19 of this policy or unless complying development is carried out on the part of the lot to which clause 1.19 or 1.17A of this policy does not apply)

- (2) For codes identified above as being those under which no complying development may be carried out under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, this is because of the following provisions of clauses 1.17A (c) and (d) and 1.19 of this policy:

The land is reserved for a public purpose in an environmental planning instrument.

**PART 4 – Coastal protection**

The land subject of this certificate is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that Council has been notified by the Department of Public Works.

**PART 5 – Mine subsidence**

The land subject of this certificate is not within a proclaimed Mine Subsidence District within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

**PART 6 – Road widening and road realignment**

The land subject of this certificate is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of Council.

**PART 7 – Council and other public authority policies on hazard risk restrictions**

- a) Council has adopted a policy with respect to all land within the Campbelltown City local government area with unusual site conditions. This policy restricts the development of land where extensive earthworks and/or filling has been carried out. Land, the development of which is restricted by this policy, has a restriction as to user placed on the title of the land stating the details of any restriction. Building lots can be affected by excessive land gradient, filling, reactive or dispersive soils, overland flow and/or mine subsidence. Buildings, structures or site works may require specific structural design to ensure proper building construction. Consequently, some applications may require the submission of structural design details and geotechnical reports. It is suggested that prior to lodging an application, enquiries be made to Council's Planning and Environment Division to ascertain any specific requirements.



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- b) Council has adopted by resolution the certified Campbelltown LGA Bush Fire Prone Land Map. This map identifies bush fire prone land within the Campbelltown City local government area as defined in section 4(1) of the Act. Where the land subject of this certificate is identified as bush fire prone land, the document entitled "Planning for Bush Fire Protection" prepared by the NSW Rural Fire Service in co-operation with the Department of Planning and dated December 2006 should be consulted with regards to possible restrictions on the development of the land because of the likelihood of bushfire.
- c) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of tidal inundation.
- d) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of acid sulphate soils.
- e) Council has adopted by resolution a policy on contaminated land which may restrict the development of the land subject of this certificate. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

**PART 7A – Flood related development controls information**

- (1) Development on all or part of the land subject of this certificate for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related controls.
- (2) Development on all or part of the land subject of this certificate for any other purpose is subject to flood related development controls.
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

Please note that some additional information regarding flooding and flood related development controls may be provided as advice under section 149(5) of the Act.

**PART 8 – Land reserved for acquisition**

An environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land subject of this certificate provides for the acquisition of all or part of the land by a public authority, as referred to in section 27 of the Act.

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**PART 9 – Contribution plans**

The following contribution plan(s) apply to the land subject of this certificate:

Campbelltown City Council Section 94A Development Contributions Plan

For further information about these contribution plans, contact Council's Environmental Planning Section on (02) 4645 4196.

**PART 9A – Biodiversity certified land**

The land subject of this certificate is not biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995).

**PART 10 – Biobanking agreement**

The land subject of this certificate is not land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates (but only in so far as Council has been notified of the existence of any such agreement by the Director-General of the Department of Environment, Climate Change and Water).

**PART 11 – Bush fire prone land**

Some of the land subject of this certificate has been identified as bush fire prone land on the Campbelltown LGA Bush Fire Prone Land Map that has been certified by the Commissioner of the New South Wales Rural Fire Service.

Please note that in accordance with section 66 of the Rural Fires Act 1997 and relevant regulations, a Bush Fire Hazard Reduction Notice may have been issued on this land. It is recommended that advice be obtained from the Macarthur Zone Rural Fire Service.

**PART 12 – Property vegetation plans**

No property vegetation plan applies to the land subject of this certificate as the whole of the Campbelltown City local government area is excluded from the operation of the Native Vegetation Act 2003.

**PART 13 – Orders under Trees (Disputes Between Neighbours) Act 2006**

No order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land subject of this certificate (but only to the extent that Council has been notified of any such orders).

**PART 14 – Directions under Part 3A**

No direction, in force under section 75P(2)(c1) of the Act, that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land subject of this certificate under Part 4 of the Act does not have effect, has been issued by the Minister.

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**PART 15 – Site compatibility certificates and conditions for seniors housing**

- a) No current site compatibility certificate (seniors housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.
- b) No conditions of consent to a development application, granted after 11 October 2007, of the kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed in respect of proposed development on the land subject of this certificate.

**PART 16 – Site compatibility certificates for infrastructure**

No valid site compatibility certificate (infrastructure), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.

**PART 17 – Site compatibility certificates and conditions for affordable rental housing**

- (1) No current site compatibility certificate (affordable rental housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.
- (2) No conditions of consent to a development application of the kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed in respect of proposed development on the land subject of this certificate.

**Matters prescribed by section 59(2) of the Contaminated Land Management Act 1997**

- (a) The land subject of this certificate is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- (b) The land subject of this certificate is not subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- (c) The land subject of this certificate is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- (d) The land subject of this certificate is not subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- (e) The land subject of this certificate is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 provided to Council.

**INFORMATION PROVIDED UNDER SECTION 149(5) OF THE ENVIRONMENTAL  
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All properties within the Campbelltown City local government area may be affected by flooding caused by overland flow or local topography. Applicants will need to make their own assessment of the risk associated with these matters. For more information, contact Council's Flood Mitigation and Drainage Section in writing.

Council is currently undertaking a flood study of the Bow Bowing / Bunbury Curran Creek



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Catchment, of which this property is a part. The results of this study will improve Council's understanding of flood behaviour in the catchment, and the flood affectation of all properties will be reassessed when this study is finalised. It is anticipated that the Floodplain Risk Management Plan will be finalised by the end of 2012.

Council has received a copy of the map "Salinity Potential in Western Sydney - 2002" from the Department of Infrastructure, Planning and Natural Resources (DIPNR). This map classifies the land within the Campbelltown City local government area as having either known salinity, high salinity potential, moderate salinity potential or low salinity potential. Salinity issues may be of relevance to any development of the land subject of this certificate. For further information, contact the Department of Infrastructure, Planning and Natural Resources ([www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au)).

It should be noted that the Commonwealth Department of Transport and Regional Development has released a document titled "Preliminary Flight Paths" purporting to provide preliminary information on jet aircraft flight paths and flight zones for each of the design options for the Second Sydney Airport Proposals. Some of the flight paths and flight zones shown in this document may, if implemented, impact upon the environment in the vicinity of the land subject of this certificate. Further enquiries in respect of this document should be directed initially to the Commonwealth Department of Transport and Regional Development.

The land subject of this certificate does not have a boundary to a controlled access road.


Council has resolved to prepare a comprehensive Local Environmental Plan for the City of Campbelltown in accordance with relevant statutory requirements. For more information, contact Council's Environmental Planning Section on (02) 4645 4563.

The following draft development control plans (DCPs), that have been placed on exhibition by Council but which have not yet come into effect, apply to the land subject of this certificate:

Draft Campbelltown (Sustainable City) DCP 2011 Volume 1 (Stage 4)

For further information about these draft development control plans, contact Council's Environmental Planning Section on (02) 4645 4842.



Jeff Lawrence, per   
**Director Planning and Environment**



# **Attachment 1**

## **Campbelltown (Urban Area) Local Environmental Plan 2002**

### **Zone 1 (a)—Rural A Zone**

**(1) What land is within Zone 1 (a)?**

Land is within Zone 1 (a) if it is shown coloured buff on the map.

**(2) What is the zone objective and what effect does it have?**

The objective of this zone is to identify land that constraints make unsuitable for urban use so that it can be put to long-term agricultural use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

**(3) What development may be carried out without consent?**

Development must not be carried out on land within this zone without consent.

**(4) What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

agriculture; bushfire hazard reduction; drainage; dual occupancies (attached); dwelling houses; forestry; mines; utility installations.

**(5) What development is prohibited?**

Development which is not included in subclause (4) is prohibited on land within this zone.

***NOTE:** A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*

## **Attachment 1**

### **Campbelltown (Urban Area) Local Environmental Plan 2002**

#### **Zone 6 (b)—Regional Open Space Zone**

**(1) What land is within Zone 6 (b)?**

Land is within Zone 6 (b) if it is shown coloured mid green on the map.

**(2) What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify land which has been acquired for, or is to be acquired for, regional open space, and
- (b) to preserve and manage regional open space for conservation and recreational purposes for the benefit of the Sydney region.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

**(3) What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

**(4) What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.

**(5) What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

***NOTE:*** A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

## Attachment 2

### Campbelltown (Urban Area) Local Environmental Plan 2002

#### 32 Subdivision generally

- (1) Land to which this plan applies may be subdivided only with development consent.
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.
- (3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.

#### 33 Subdivision in rural and environmental protection zones

- (1) Consent must not be granted to the subdivision of land in a zone specified in the following Table unless the area of any lot created is equal to or greater than that shown opposite that zone in that Table.

**Table**

<b>Zone</b>	<b>Lot</b>
1 (a)	40 hectares
1 (d)	40 hectares
7 (d1)	100 hectares
7 (d4)	2 hectares
7 (d5)	1 hectare
7 (d6)	0.4 hectare

- (2) Despite subclause (1), consent may be granted to the subdivision of land in any of the zones specified in the Table so as to create lots with areas less than those set out in that Table if:
  - (a) the consent authority is satisfied that the purpose of the subdivision is to create a lot or lots to be used for the purpose of a public utility undertaking or public reserve, or
  - (b) the consent authority is satisfied that the purpose of the subdivision is to align the boundaries of those lots with the boundaries of a zone so specified.
- (2) For the purposes of subclause (2), an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for that zone or the part of that zone within which the existing holding is located.

### **34 Dual occupancies in certain zones**

- (1) If two dwellings are situated on the same lot within Zone 2 (b):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 350 square metres.
- (2) If two dwellings are situated on the same lot or an existing holding within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than the area for a lot in the zone shown in the Table in clause 33.

### **35 Erection of dwelling houses or dual occupancies in certain zones**

- (1) Consent must not be granted to the erection of a dwelling house or a dual occupancy (attached) on land within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) unless:
- (a) the area of the lot on which it is to be erected is equal to or greater than the area shown opposite that zone in the Table in clause 33, and
  - (b) only one dwelling house or one dual occupancy (attached) is to be erected on the lot.
- (2) Despite subclause (1), consent may be granted to the erection of one dwelling house or one dual occupancy (attached) on land within Zone 7 (d4) if:
- (a) that land constituted the whole of an existing holding, or
  - (b) the land is a lot created pursuant to clause 33 (2), but not a lot to be used for the purpose of a public utility undertaking or public reserve.
- (3) For the purposes of this clause, an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for the part of that zone within which the existing holding is located.



## 42C Minto Renewal Project

- (1) This clause applies to certain land at Minto, as shown distinctively coloured, edged heavy black and lettered on Sheet 1 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 14)".
- (2) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies for one or more of the following purposes:
  - (a) bushfire fighting establishments,
  - (b) bushfire hazard reduction,
  - (c) car parking,
  - (d) community facilities,
  - (e) recreation areas,
  - (f) recreation facilities,
  - (g) roads,
  - (h) underground mining.
- (3) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies that is within Zone 2 (b) for the purpose of integrated housing development.
- (4) If 2 dwellings are situated on the same lot on land that is within Zone 2 (b) on the land to which this clause applies:
  - (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* is prohibited, unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 300 square metres.
- (5) In this clause, *integrated housing development* means development that includes subdivision and that results in:
  - (a) there being 3 or more dwellings, each on a separate lot, and
  - (b) the average area of all those separate lots with dwellings is not less than 225 square metres.

## Division 2A Edmondson Park Urban Release Area Precinct

### 51H Density controls

- (1) The consent authority must not grant consent to the erection of dwellings on land within the Edmondson Park Urban Release Area Precinct unless the net site density applying in relation to the proposed dwellings on the land is not less than the prescribed net site density applying in relation to the land.
- (2) The consent authority must not grant consent to the subdivision of land within the Edmondson Park Urban Release Area Precinct unless the consent authority is of the opinion that the proposal is not inconsistent with the prescribed net site density applying in relation to the land.
- (3) Despite subclause (1), the consent authority may consent to the erection of dwellings on land within Zone 2 (c), 3 (a) or 3 (c) even though the net site density applying in relation to the proposed dwellings is less than the prescribed net site density if:
  - (a) the proposed net site density is not less than the prescribed net site density (if any) that would apply if the boundary of the land was located 60 metres away in at least one direction, and
  - (b) the consent authority is satisfied that the proposed density is required:
    - (i) to incorporate an efficient road layout in connection with the proposed development, or
    - (ii) to achieve the optimum development of the land in a planning and urban design sense.
- (4) *State Environmental Planning Policy No 1—Development Standards* does not apply in relation to any prescribed net site density.
- (5) In this clause:

**net site density**, in relation to dwellings, means the ratio that the number of dwellings concerned bears to the area occupied by those dwellings, excluding any public roads, open space or drainage corridors.

**prescribed net site density**, in relation to land, means the minimum net site density applying in relation to dwellings on the land, as identified on Sheet 2 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 12)".

*NOTE: A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*



## Attachment 2

### Campbelltown (Urban Area) Local Environmental Plan 2002

#### 32 Subdivision generally

- (1) Land to which this plan applies may be subdivided only with development consent.
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.
- (3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.

#### 33 Subdivision in rural and environmental protection zones

- (1) Consent must not be granted to the subdivision of land in a zone specified in the following Table unless the area of any lot created is equal to or greater than that shown opposite that zone in that Table.

**Table**

<b>Zone</b>	<b>Lot</b>
1 (a)	40 hectares
1 (d)	40 hectares
7 (d1)	100 hectares
7 (d4)	2 hectares
7 (d5)	1 hectare
7 (d6)	0.4 hectare

- (2) Despite subclause (1), consent may be granted to the subdivision of land in any of the zones specified in the Table so as to create lots with areas less than those set out in that Table if:
  - (a) the consent authority is satisfied that the purpose of the subdivision is to create a lot or lots to be used for the purpose of a public utility undertaking or public reserve, or
  - (b) the consent authority is satisfied that the purpose of the subdivision is to align the boundaries of those lots with the boundaries of a zone so specified.
- (2) For the purposes of subclause (2), an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for that zone or the part of that zone within which the existing holding is located.

### **34 Dual occupancies in certain zones**

- (1) If two dwellings are situated on the same lot within Zone 2 (b):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 350 square metres.
- (2) If two dwellings are situated on the same lot or an existing holding within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than the area for a lot in the zone shown in the Table in clause 33.

### **35 Erection of dwelling houses or dual occupancies in certain zones**

- (1) Consent must not be granted to the erection of a dwelling house or a dual occupancy (attached) on land within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) unless:
- (a) the area of the lot on which it is to be erected is equal to or greater than the area shown opposite that zone in the Table in clause 33, and
  - (b) only one dwelling house or one dual occupancy (attached) is to be erected on the lot.
- (2) Despite subclause (1), consent may be granted to the erection of one dwelling house or one dual occupancy (attached) on land within Zone 7 (d4) if:
- (a) that land constituted the whole of an existing holding, or
  - (b) the land is a lot created pursuant to clause 33 (2), but not a lot to be used for the purpose of a public utility undertaking or public reserve.
- (3) For the purposes of this clause, an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for the part of that zone within which the existing holding is located.

## 42C Minto Renewal Project

- (1) This clause applies to certain land at Minto, as shown distinctively coloured, edged heavy black and lettered on Sheet 1 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 14)".
- (2) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies for one or more of the following purposes:
  - (a) bushfire fighting establishments,
  - (b) bushfire hazard reduction,
  - (c) car parking,
  - (d) community facilities,
  - (e) recreation areas,
  - (f) recreation facilities,
  - (g) roads,
  - (h) underground mining.
- (3) Despite any other provision of this plan, nothing restricts or prohibits the consent authority from granting consent to development of the land to which this clause applies that is within Zone 2 (b) for the purpose of integrated housing development.
- (4) If 2 dwellings are situated on the same lot on land that is within Zone 2 (b) on the land to which this clause applies:
  - (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
  - (b) subdivision of the land under the *Conveyancing Act 1919* is prohibited, unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 300 square metres.
- (5) In this clause, *integrated housing development* means development that includes subdivision and that results in:
  - (a) there being 3 or more dwellings, each on a separate lot, and
  - (b) the average area of all those separate lots with dwellings is not less than 225 square metres.



## Division 2A Edmondson Park Urban Release Area Precinct

### 51H Density controls

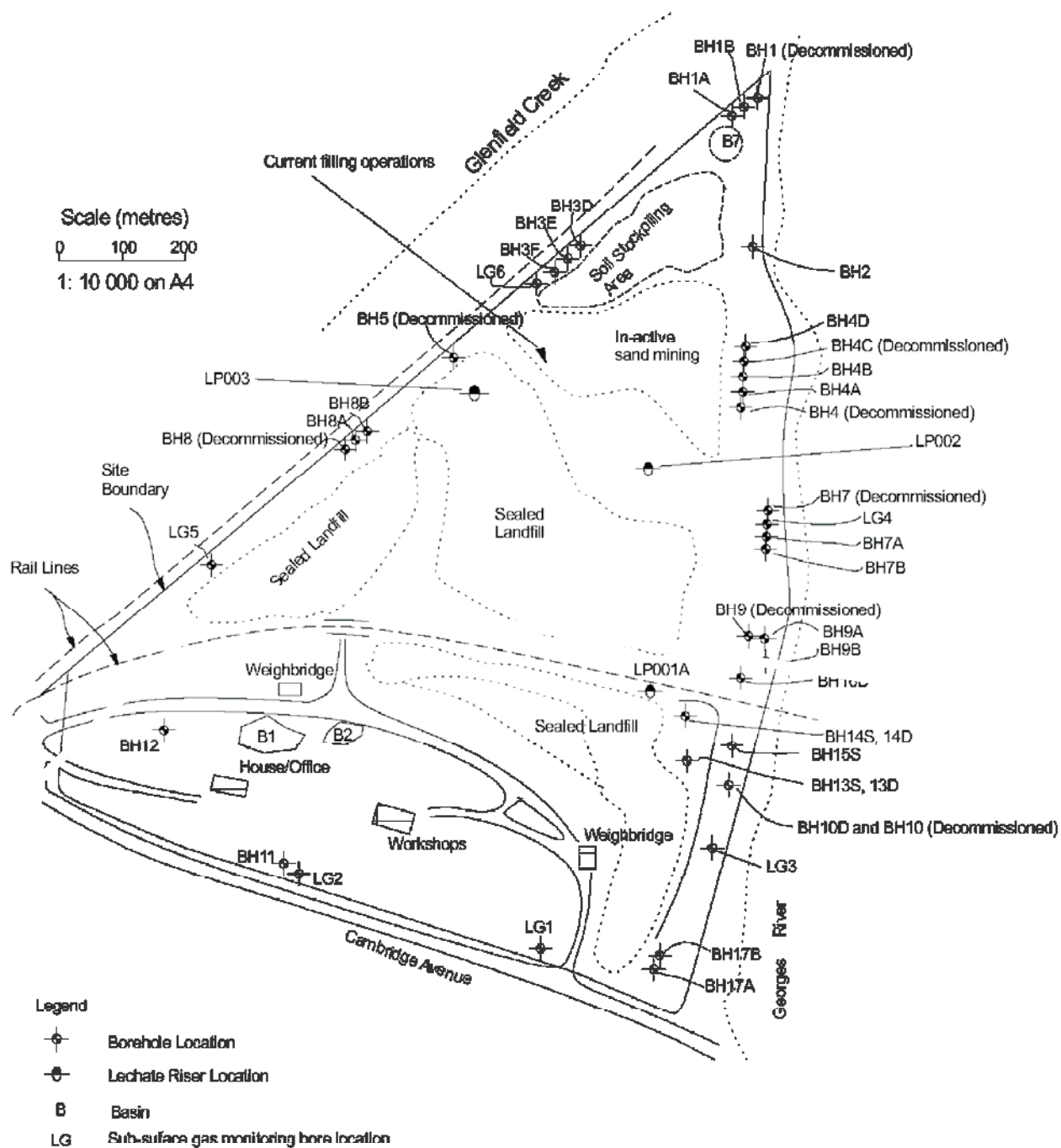
- (1) The consent authority must not grant consent to the erection of dwellings on land within the Edmondson Park Urban Release Area Precinct unless the net site density applying in relation to the proposed dwellings on the land is not less than the prescribed net site density applying in relation to the land.
- (2) The consent authority must not grant consent to the subdivision of land within the Edmondson Park Urban Release Area Precinct unless the consent authority is of the opinion that the proposal is not inconsistent with the prescribed net site density applying in relation to the land.
- (3) Despite subclause (1), the consent authority may consent to the erection of dwellings on land within Zone 2 (c), 3 (a) or 3 (c) even though the net site density applying in relation to the proposed dwellings is less than the prescribed net site density if:
  - (a) the proposed net site density is not less than the prescribed net site density (if any) that would apply if the boundary of the land was located 60 metres away in at least one direction, and
  - (b) the consent authority is satisfied that the proposed density is required:
    - (i) to incorporate an efficient road layout in connection with the proposed development, or
    - (ii) to achieve the optimum development of the land in a planning and urban design sense.
- (4) *State Environmental Planning Policy No 1—Development Standards* does not apply in relation to any prescribed net site density.
- (5) In this clause:

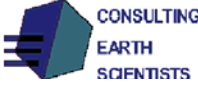
**net site density**, in relation to dwellings, means the ratio that the number of dwellings concerned bears to the area occupied by those dwellings, excluding any public roads, open space or drainage corridors.

**prescribed net site density**, in relation to land, means the minimum net site density applying in relation to dwellings on the land, as identified on Sheet 2 of the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 12)".

*NOTE: A copy of the complete written instrument for the Campbelltown (Urban Area) Local Environmental Plan 2002 is available on the NSW Legislation website at: [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).*

**Appendix C**  
**Plan from 2007 CES Report showing Borehole Locations**



Title Site Plan showing groundwater bore and subsurface gas locations		CES Project ID CES031101-LAK	Scale 1:10 000	Page size A4
 1/111 Moore St, Leichhardt NSW 2040 ph: 02 8585 4888 fax: 02 9550 9566		Date 06/11/2007	Prepared by KW	Page number 2
			Checked by MP	
Appendix C Taken from earlier CES report showing borehole locations		CES Project ID: CES120413-LAK		Date: 25/05/2012
		Prepared By: T.Goodbody		Checked By: D.Johnson