



**CAMPBELLTOWN
CITY COUNCIL**

ORDINARY BUSINESS PAPER

8 JUNE 2021

COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BASIX	Building Sustainability Index Scheme
BCA	Building Code of Australia
BIC	Building Information Certificate
BPB	Buildings Professionals Board
CLEP 2002	Campbelltown Local Environmental Plan 2002
CLEP 2015	Campbelltown Local Environmental Plan 2015
CBD	Central Business District
CPTED	Crime Prevention Through Environmental Design
CSG	Coal Seam Gas
DA	Development Application
DCP	Development Control Plan
DDA	<i>Disability Discrimination Act 1992</i>
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
FFTF	Fit for the Future
FSR	Floor Space Ratio
GRCCC	Georges River Combined Councils Committee
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
IDO	Interim Development Order
IPR	Integrated Planning and Reporting
KPoM	Koala Plan of Management
LEC	Land and Environment Court
LEC Act	<i>Land and Environment Court Act 1979</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	<i>Local Government Act 1993</i>
LPP	Local Planning Panel
LTFP	Long Term Financial Plan
NGAA	National Growth Areas Alliance
NOPO	Notice of Proposed Order
NSWH	NSW Housing
OEH	Office of Environment and Heritage
OLG	Office of Local Government, Department of Premier and Cabinet
OSD	On-Site Detention
OWMS	Onsite Wastewater Management System
PCA	Principal Certifying Authority
PoM	Plan of Management
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PMF	Probable Maximum Flood
PN	Penalty Notice
PP	Planning Proposal
PPR	Planning Proposal Request
REF	Review of Environmental Factors
REP	Regional Environment Plan
RFS	NSW Rural Fire Service
RL	Reduced Levels
RMS	Roads and Maritime Services
SANSW	Subsidence Advisory NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
STP	Sewerage Treatment Plant
SWCPP	Sydney Western City Planning Panel (District Planning Panel)
TCP	Traffic Control Plan
TMP	Traffic Management Plan
TNSW	Transport for NSW
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
PLANNING CERTIFICATE	- A Certificate setting out the Planning Rules that apply to a property (formerly Section 149 Certificate)
SECTION 603 CERTIFICATE	- Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	- Certificate from Sydney Water regarding Subdivision



01 June 2021

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 8 June 2021 at 6:30 pm.

Lindy Deitz
General Manager

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1. ACKNOWLEDGEMENT OF LAND

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

2. APOLOGIES/LEAVE OF ABSENCE

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 11 May 2021

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 11 May 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 11 May 2021 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 11 May 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 11 May 2021.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 11 May 2021

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor B Gilholme
 Councillor K Hunt
 Councillor P Lake
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates
 Councillor T Rowell

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Councillor Brticevic.

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

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

That the apology from Councillor G Greiss be received and accepted.

Note: Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

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

2.1 Request for Leave - Councillor Thompson

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

That Councillor Bob Thompson be granted a leave of absence from the Council meeting on Tuesday 11 May 2021.

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 13 April 2021

It was **Moved** Councillor Gilholme, **Seconded** Councillor Lound:

That the Minutes of the Ordinary Council Meeting held 13 April 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3.2 Minutes of the Extraordinary Meeting of Council held 27 April 2021

It was **Moved** Councillor Gilholme, **Seconded** Councillor Lound:

That the Minutes of the Extraordinary Council Meeting held 27 April 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following items:

Pecuniary Interests

Councillor Margaret Chivers – Item 14.1 – Grant of Easement on Council Land – Menangle Park.
Councillor Chivers declared she has a pecuniary interest in the area and will leave the Chamber.

Non Pecuniary – Significant Interests

Nil

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Development Application Status

It was **Moved** Councillor Oates, **Seconded** Councillor Chivers:

That the information be noted.

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

8.2 Amendment to Campbelltown (Sustainable City) Development Control Plan Volume 2 - The Meadows, Ingleburn Gardens

It was **Moved** Councillor Oates, **Seconded** Councillor Lound:

1. That Council endorse public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 Part 6 Edmondson Park Smart Growth DCP for a minimum period of 28 days as detailed in attachment 1.
2. That where submissions are received during the public exhibition period, a further report be provided to the Council.
3. That where no submissions are received during the public exhibition period, Council approve and finalise the Development Control Plan and publish it on the Campbelltown City Council website.
4. That following finalisation of the Development Control Plan, Council notify the applicant.

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

Voting against the Resolution were Nil.

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

8.3 Regulatory Activity Statistics Report - October to December 2020

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

That the information be noted.

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

8.4 Future Recycling Arrangements for E-Waste

It was **Moved** Councillor Gilholme, **Seconded** Councillor Lound:

That the report be noted.

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

8.5 Willowdale Community Facility

It was **Moved** Councillor Chivers, **Seconded** Councillor Hunt:

1. Council note the discontinuance of the negotiations into a joint-use community facility with the NSW Department of Education on the new Willowdale Public School site.
2. Council note the continuance of the delivery of a new community facility in Willowdale in accordance with the existing Voluntary Planning Agreement with Stockland, executed by Council on 13 October 2017.

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

8.6 Draft Waste and Resource Recovery Education Strategy 2021-2024

It was **Moved** Councillor Moroney, **Seconded** Councillor Gilholme:

1. That the draft Waste and Resource Recovery Education Strategy 2021-2024 be placed on public exhibition for a minimum period of 28 days.
 2. That where any submissions are received during the public exhibition period, a report be provided to the Council on the outcomes of the public exhibition.
 3. That the draft Waste and Resource Recovery Education Strategy 2021-2024 be approved where no submissions are received during the public exhibition period.
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077 The Motion on being Put was **CARRIED**.

8.7 Domestic and Family Violence Service Assessment Update

It was **Moved** Councillor Chivers, **Seconded** Councillor Gilholme:

1. That Council, as the facilitator of the Campbelltown Domestic Violence Committee, support the expansion of the Committee's membership to be more inclusive of culturally diverse support services who directly or indirectly support people affected by Domestic and Family Violence as well as other key community housing stakeholders.
2. That Council, as the facilitator of the Campbelltown Domestic Violence Committee work to increase awareness of locally available Domestic and Family Violence support services for the community and the development of a communication plan focusing on annualised prevention strategies. This could include a local Domestic Violence forum.
3. That Council consider opportunities for crisis, transitional and longer term accommodation for women and children affected by Domestic and Family Violence and advocate to the State and Federal Government for the establishment of targets and incentives to increase housing options for victims of Domestic and Family Violence.

078 The Motion on being Put was **CARRIED** unanimously.

8.8 Knowledge Foundation Policy

It was **Moved** Councillor Chivers, **Seconded** Councillor Gilholme:

1. That the revised Knowledge Foundation Policy as attached to this report be adopted.
2. That the Knowledge Foundation Policy review date be set at 30 June 2024.

079 The Motion on being Put was **CARRIED** unanimously.

8.9 Investments and Revenue Report - March 2021

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

That the information be noted.

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

8.10 Quarterly Business Review Statement as at 31 March 2021

It was **Moved** Councillor Hunt, **Seconded** Councillor Manoto:

That the adjustments in the Quarterly Business Review be adopted.

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

8.11 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

8.12 Grant and Funding Opportunities

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

That the information be noted.

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

8.13 Easement for Electrical Supply Affecting Part Lot 6 DP 740611 and Part Lot 104 DP 746003

It was **Moved** Councillor Gilholme, **Seconded** Councillor Manoto:

1. That approval be granted for the creation of an easement for electrical supply in favour of Endeavour Energy over Council land at Ambarvale.
2. That approval be granted for the General Manager or her delegated authority to sign all documentation associated with the creation of the easement for electrical supply.
3. That the Common Seal of Council be affixed to the documentation, if required.

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

9. QUESTIONS WITH NOTICE

9.1 Volunteering and Fostering Programs at the Animal Care Facility

Councillor Ben Moroney asked the following Questions with Notice.

1. At Council's extraordinary meeting of the 25th of June 2019, a report was considered including a submission on volunteering at the Animal Care Facility. This report stated that volunteering and foster programs would be considered as part of operational changes at the Animal Care Facility. Additionally, this submission brought up extension of the cattery.

Understanding the operational impact of COVID-19, can the Director please comment on any progress that has been made within Council on the implementation of volunteering and fostering programs through the Animal Care Facility, and if extension of the cattery has been considered and, if so, what progress has been made?

Response provided by Director City Development

COVID-19 has had an impact on the progress of various initiatives including the extension of cattery, however other initiatives have improved the prospects of rehoming of our animals. These successful initiatives (alongside the extending of opening hours on Saturday) include extending our advertising beyond the Council's website to PetRescue, Instagram and Facebook, where we share videos, photos and stories of our animals.

Population increase within and outside of the LGA will bring with it a need to address the accommodation needs of animals housed at Council's Animal Care Facility, or the introduction of other measures to ensure the safety and wellbeing of our animals. Other measures being investigated to further improve the capacity of our Animal Care Facility and the care of our animals, is a formalised volunteer fostering arrangement, which we are currently engaged in conversation with the management at other facilities across the wider Sydney area.

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 International Games Week

It was **Moved** Councillor Moroney, **Seconded** Councillor Manoto:

That a report be presented to Council on a program to highlight board, tabletop and roleplaying games as part of International Games Week in November, and that this program have a particular focus on independent "indie" games and Australian-made games.

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

11.2 Submissions by Council

It was **Moved** Councillor Moroney, **Seconded** Councillor Gilholme:

That a report be presented to Council concerning the establishment of a policy on submissions made by Council to government or community consultation wherein submissions are, as much as possible, reported to full meetings of Council as reports from officers to give the opportunity for community comment and feedback.

086 The Motion on being Put was **CARRIED** unanimously.

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 19 April attended the flag raising ceremony in the Council forecourt to remember the Appin Massacre of 1816 and the Dharawal people. Councillor Oates expressed that while the ceremony was solemn it was a successful in remembering and celebrating moving forward, showing the progression of reconciliation.
2. Councillor Meg Oates on 5 May with Councillor Hunt attended the opening of the Western Sydney University Sculpture Award, a biennial competition and exhibition hosted by Western Sydney University. It aims to establish closer links between the university, artists and the community. Councillor Oates noted the high standard and diverse range of artworks that were on exhibition this year.

3. Councillor Meg Oates on 5 May attended the last Campbelltown Arts Centre Strategic Committee meeting until after the Council election. The committee was established 5 years ago and invited community members to join to help formulate the way the arts centre would plan, progress and move forward. Councillor Oates thanked the volunteer members for their contribution in being able to bring a range of diverse ideas and giving their time to improve the arts centre.
4. Councillor Masood Chowdhury shared that the holy month of Ramadan ends tomorrow with the celebration of Eid Mubarak. To celebrate the end of Ramadan, those of the Muslim faith will share food and visit family.
5. Councillor Karen Hunt on 6 May with the Mayor, Councillor Brticevic, Councillor Oates, Councillor Chivers, Councillor Manoto and Councillor Morrison attended the Koala Forum to celebrate Campbelltown's one year anniversary as Koalatown. Guest speakers provided a substantial amount of incredibly important habitat and feeding information about our very healthy koalas and the impact of harmful weather on them. Attendees were told about the monitoring and tracking programs, genome sequencing to understand how koalas adapt to environmental change and had the honour of seeing a demonstration by a koala scat detection dog in training. An immense amount of work is being undertaken to protect the koalas as our Campbelltown koalas remain the healthiest colony in the state and the ongoing tracking confirms that their numbers are increasing. Councillor Oates thanked the experts, all the wildlife carers and residents who attended. Councillor Oates encouraged those who couldn't attend to watch the recording on Council's website.
6. Councillor Rey Manoto on 1 May attended the Santacruzian (Holy Cross) Festival at Our Lady Help of Christians Church, Rosemeadow and John Therry Catholic College Hall. Santacruzian (Holy Cross) is a Filipino Catholic tradition which honours Mother Mary with flower offerings during the Month of May. Councillor Manoto thanked Lakas Filipina Inc. and Fr Sarkis for organising the event which was held in the parish for the first time.
7. Councillor Ben Gilholme visited the Macarthur Venturer Unit, a part of Hume Region Scouts at the Macquarie Fields Scout Hall. Venturer Scouts are young people aged between 14 and 20 and Councillor Gilholme was pleased to be invited to interact and make damper around the campfire with the group.
8. Councillor Ben Gilholme on 7 May attended the Term 2 South Coast Regional Super Training hosted by Airds Clontarf Academy at Airds High School. The Clontarf Foundation exists to improve the education, discipline, self-esteem, life skills and employment prospects of young Aboriginal and Torres Strait Islander men. Super Training involves 70-80 academy members getting together for a fun morning training session followed by breakfast. Morning Training is an integral part of the Clontarf Foundation program creating good routines with early morning pick-ups, allowing the members to demonstrate commitment as well as develop leadership and sportsmanship.

9. Councillor Margaret Chivers on 24 April with The Mayor, Councillor Brticevic, Councillors Gilholme, Manoto and Chowdhury attended the opening of Livvi's Place, an all-inclusive play space at Glenfield Park. The opening had a wonderful party atmosphere, with shrieks of excitement and laughter from the children and lots of happy parents. Councillor Chivers thanked the City Lifestyles team for ensuring the play space was accessible for all children. The play space delivered in partnership with Touched by Olivia and Variety Foundation features a sandpit, trampolines, swings and a water play area and is already a favourite with residents.
10. Councillor Margaret Chivers on 28 April attended the Scout Hall in Ruse for the Campbelltown Ghost Scouts: Special Needs Scouting Group's presentation. Two Joeys, Clare Da Silva and Joshua Parsons were presented by Sue Bartlett, Hume Region Scouts' Region Commissioner, with the Scouts Australia Joey Scout Challenge Awards, the peak award in the Joey Scout Section. Councillor Chivers expressed how wonderful it was to be able to watch this moment and passed on her congratulations to Clare and Joshua.
11. Councillor Ben Moroney wished the Chamber and all residents Eid Mubarak noting the end of Ramadan.
12. Councillor Ben Moroney passed on thanks to Council staff for their efforts with On Q. The project On Q aims to enhance Campbelltown's CBD and create a more vibrant main street, where residents can come together with an increased focus and respect. The revitalisation of the Queen Street precinct is a priority project in Council's Reimagining Campbelltown City Centre Master Plan over the next 5 years.
13. Councillor Ben Moroney congratulated and thanked Council staff on the opening of the pump track at Hollylea Reserve, Leumeah. Councillor Moroney noted what a great asset this facility is with visitors coming to Campbelltown from across Sydney to use the pump track and skate park.
14. Councillor Ben Moroney congratulated the Greens party in England and Wales for their recent elections with the results gaining 88 seats in England Local Government and 2 seats in Scottish Parliament.
15. Councillor Paul Lake on 1 May attended the 100 year celebration of the Western Suburbs District Rugby League Referees Association at Eschol Park. Councillor Lake noted how wonderful it was to see the older referee uniforms and large numbers of referees at the celebration and wished them all the best for their celebration dinner later in the year.
16. Councillor Warren Morrison on 16 April joined Greg Warren MP, Anoulack Chanthivong MP, Councillor Brticevic and Councillor Chowdhury for the celebration of 100 episodes of Good Morning Macarthur. Good Morning Macarthur provides fortnightly episodes via Facebook covering a range of topics and is produced by Rainbow Crossing Inc., a not-for-profit body and run entirely by volunteers. Councillor Morrison congratulated Good Morning Macarthur on their 100th episode.
17. Councillor Warren Morrison on 17 April attended Festival on the Field at Campbelltown Stadium. Councillor Morrison passed on his congratulations and thanks to Council staff for organising a successful event.

18. Councillor Warren Morrison on 18 April attended the memorial of the Appin Massacre Memorial Service at Cataract Dam to remember the Dharawal people who perished in the massacre in 1816. Councillor Morrison thanked the organisers ensuring tragedies of the past are never forgotten.
19. Councillor Warren Morrison on 25 April attended the Anzac Day Ceremony at Mawson Park. Councillor Morrison was thankful that COVID-19 restrictions had eased so the community could come together to pay tribute to our soldiers and their families for their sacrifices.
20. Councillor Warren Morrison on 3 May with Councillor Chowdhury attended the NSW Council for Pacific Communities meeting. Two guest speakers, Ato Plodzicki-Faoagali and Marion Ah Tong spoke about their journey to the Tokyo Olympics 2021 where they will represent Samoa in boxing. Councillor Morrison wished them all the best with their final preparations.
21. Councillor Warren Morrison on 5 May attended the Koala Forum marking Campbelltown's one year anniversary as Koalatown. Councillor Morrison thanked the expert presenters and those in attendance noting that he left the forum more informed about koalas and with a deeper understanding of what is being done to help protect koalas in Campbelltown.
22. The Mayor, Councillor George Brticevic on 5 May was at Macarthur Square helping Lifeline Macarthur wrap Mother's Day gifts. Councillor Brticevic thanked Lifeline Macarthur for their efforts in the community.
23. The Mayor, Councillor George Brticevic on 25 April attended the ANZAC Day services attending the dawn service at Ingleburn and the memorial service at Mawson Park. Councillor Brticevic acknowledged that while attendance was capped due to COVID-19 restrictions it was wonderful to have the opportunity to pay respects to the armed forces for their services, past, present and future. Councillor Brticevic will write to Ingleburn RSL Sub Branch and Campbelltown RSL Sub Branch thanking them for their ANZAC Day services.
24. The Mayor, Councillor George Brticevic on 1 May officially opened the pump track at Hollylea Reserve, Leumeah. Councillor Brticevic was joined by Councillor Oates and Councillor Gilholme. Councillor Brticevic thanked Macarthur BMX Club and all the riders who put on a great display of skill, Totem Skateboarding who ran workshops at the skate park, the Rapid Relief Team for providing food and drinks and C91.3FM for being at the opening. Councillor Brticevic thanked Council staff for delivering this project, which complements the existing skate park and shared the news that LED lighting will be installed shortly enhancing the reserve.
25. The Mayor, Councillor George Brticevic on 2 May participated in the Wild Koala Tree Planting Day at Cook Reserve, Ruse. A group of dedicated volunteers including Dr Mike Freeland MP gathered at Cook Reserve, which is an important part of the koala corridor, to plant lots of native trees which will not only enhance this reserve for our residents, but importantly for our local koala population. Councillor Brticevic thanked all the volunteers in attendance noting the continued support from Help Save the Wildlife and Bushlands in Campbelltown in protecting Campbelltown's koalas.

26. The Mayor, Councillor George Brticevic on 17 April attended the Festival on the Field at Campbelltown Athletics Stadium. The festival was a ticketed event that ran over 2 sessions with an additional quiet session with bands, food trucks, rides and activities. The event was a huge success with both sessions being sold out.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

It was **Moved** Councillor Gilholme, **Seconded** Councillor Manoto:

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of item 14.1 which is considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

Item 14.1 Grant of Easement on Council Land - Menangle Park

Item 14.1 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

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

The Ordinary Meeting of Council was adjourned at 7:42 pm and reconvened as a meeting of the Confidential Committee at 7:43 pm.

Recommendations of the Confidential Committee

Meeting note: Having declared an interest in Item 14.1 Councillor Chivers left the Chamber at 7:43 pm and did not take part in the discussion or vote on the item.

14.1 Grant of Easement on Council Land - Menangle Park

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

1. That Council approve the granting of an easement for sewer purposes to Sydney Water Corporation situated at Lot 3 DP 1187569, Menangle Road, Menangle Park within the Campbelltown Local Government Area.
 2. That Council approve the terms of settlement which are documented by way of a Deed and that the document be executed by the General Manager or her delegated authority.
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- 3. That once resolution is granted documentation associated with the easement be lodged for registration at NSW Land Registry Service, if required.
 - 4. That the additional contribution provided by Mirvac, be used exclusively for the future embellishment of the Nepean River Reserve.

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

Meeting note: At the conclusion of the discussion for Item 14.1 Councillor Chivers returned to the Chamber at 7:44 pm.

It was **Moved** Councillor Manoto, **Seconded** Councillor Gilholme:

That the Council in accordance with Section 10 of the Local Government Act 1993, move to re-open the meeting to the public.

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7:44 pm. The Mayor read the recommendation from the Confidential Committee for Item 14.1.

It was **Moved** Councillor Oates, **Seconded** Councillor Manoto:

That the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 7:46 pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 Geographical Names Board - Naming of Roads

Officer's Recommendation

That the letter be received and the information be noted.

A copy of the letter from Mr Bruce Thompson, Executive Director, Spatial Services on behalf of the Hon Rob Stokes MP and the Hon Victor Dominello MP regarding the decision of the Geographical Names Board regarding road naming be noted.

Attachments

1. Letter from Mr Bruce Thompson, Executive Director, Spatial Services on behalf of the Hon Rob Stokes MP and the Hon Victor Dominello MP (contained within this report)
2. Letter sent to the Hon Rob Stokes MP (contained within this report)



Customer
Service

McKell Building – 2-24 Rawson Place, Sydney NSW 2000
Tel 02 9372 8877 | Fax 02 9372 7070 | TTY 1300 301 181
ABN 81 913 830 179 | www.customerservice.nsw.gov.au

Our reference: COR-02924-2021

Ms Lindy Deitz
General Manager
Campbelltown City Council
By email: council@campbelltown.nsw.gov.au

Dear Ms Deitz

Thank you for your correspondence to the Hon Rob Stokes MP, Minister for Planning and Public Spaces about the Geographical Names Board (Board). Minister Stokes has referred your letter on to the Hon Victor Dominello MP, Minister for Digital, Minister for Customer Service, who has asked me to respond to you.

The Board is the authority for geographical names in NSW and operates under the *Geographical Names Act 1966 (Act)*. The Board has statutory responsibility to establish, update, preserve and publicise place naming in NSW. The role of the Board in the road naming process is to set policy and processes for all road naming proposals in NSW, and to compile, maintain and publish a list of road names as per s.5(2) of the *Act*.

The principles for the naming of roads outlined in *NSW Address Policy and User Manual (APUM)* conform to the principles outlined in various sections of *AS/NZS 4819:2011 Rural and Urban Addressing*. They are designed to ensure that naming practices in NSW are of the highest possible standard and result in intuitively clear road names for all, minimising confusion, errors and omissions.

While the Board acknowledges the contribution of individuals to the local community, the main purpose of road naming is to support service provision. Importantly, road names should not risk public and operational safety for emergency responses. Avoiding the use of both a given and surname for a road name enables centralised emergency service dispatch centres to identify a location more quickly.

There are several alternative naming options that allow for the use of first name and surname when commemorating an individual, including the naming of geographical features, such as parks and reserves. The Board suggests that Council consider an alternative option for commemorative naming should the preference be to use both names.

Under the provisions of s.7(4) of the *Roads Regulation 2018*, 'A roads authority (other than the Minister) may not proceed with a proposal to name or rename a road against an objection made by a relevant party except with the approval of the Minister' of which the Surveyor General of NSW is a relevant party. Should you wish to appeal the decision of the Surveyor General of NSW, an application can be made to the Minister for Transport and Roads, who has the final say.

Should you have any further questions regarding the Geographical Names Board or commemorative place naming, please contact **Simone Reedy, Place Names Manager** on simone.reedy@customerservice.nsw.gov.au.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Bruce Thompson

Executive Director, Spatial Services

18/05/21



3 May 2021

The Hon. Rob Stokes MP
Minister for Planning and Public Spaces
GPO Box 5341
SYDNEY NSW 2001

Dear Mr Stokes

Re: The use of both first and surnames names in road names

I am writing to you regarding the issue of the current street naming protocol set by the Geographical Names Board of NSW (GNB) and the process to be followed when Council chooses to use a person's name for the name of a road.

Currently the NSW Address Policy and User Manual states that when commemorating a person only one of the person's names shall be used in a road name (i.e. a given name or surname).

At recent Council meetings the issue of the use of only a person's surname when naming a road has been the subject of debate. Council's main concern is that using only a person's surname does not ensure the identification of the particular person commemorated. For example, without the inclusion of the first name Clara, the road name Southern Street does not signify any relationship with this famous Australian artist.

In this regard, Council at its meeting in March 2021 resolved to write to the Ministers and Shadow Ministers of Planning, Transport and Roads, and Local Government requesting that the decision of the GNB to reject proposed road names for use in Claymore that included both first and surnames be overturned in order to pay due respect to the person commemorated.

It is therefore requested that you provide your support to allowing Council to use both the first and surname of a person when naming roads as a sign of respect and to ensure the clear identification of the person commemorated.

Thank you for your consideration of the above and if you require any further information please contact Mr Phu Nguyen, Director City Governance on 4645 4662.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

8. REPORTS FROM OFFICERS

8.1 Development Application Status

Reporting Officer

Director City Development
City Development

Community Strategic Plan

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

Officer's Recommendation

That the information be noted.

Purpose

To advise Council of the status of development applications within the City Development Division.

Report

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1 million, the attachment to this report provides this information as requested.

Attachments

1. List showing status of Development Applications (contained within this report)

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Panel briefed in March 2021 and revised plans submitted. Report currently being finalised.	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Deferred at Panel's February 2021 meeting to allow for finalisation of Planning Proposal	
4609/2018/DA-SW	Appin Road, Gilead	Staged subdivision to create 424 residential lots, 20 residue lots and associated civil works	\$33,446,465	>\$30 million capital investment value	Under assessment	
4079/2017/DA-CD	Western Sydney University, 183 Narellan Road, Campbelltown	Concept application for the staged development of residential, mixed use and open space land uses including Stage 1 for super lot subdivision and civil works	\$6,175,279	>\$5 million capital investment value Crown development	Under assessment	
906/2020/DA-SW	Gidley Crescent, Claymore	Stage 4 Claymore Renewal - Subdivision to create 179 residential lots two residual lots including associated works	\$13,940,148	>\$5 million capital investment value Crown development	Under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
504/2021/DA-SW	Clarendon Place, Winbourne Place, Rawdon Place, Dalkeith Place, Greengate Road, Airds	Stage 8 Airds/Bradbury Renewal - Subdivision to create 82 lots comprising of 80 residential lots and 2 lots for parks and associated works	\$6,354,141	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
535/2021/DA-SW	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airds	Stage 7 Airds/Bradbury Renewal - Subdivision of 71 existing lots to create 214 lots comprising of 207 residential lots, 2 lots for future development, 1 lot containing an existing senior housing	\$13,914,412	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
3532/2020/DA-SW	Goldsmith Avenue, Campbelltown	Concept master plan for a high density residential and mixed use development (known as Macarthur Gardens North), and construction of Stage 1 of the master plan, encompassing roads, parks, civil works, landscaping and subdivision of the site into super lots	\$ 281,673,000	>\$5 million capital investment value Crown development	Awaiting further information from applicant	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1384/2020/DA-SW	Goldsmith Avenue, Campbelltown	Subdivision to create 56 residential lots and 2 residue lots and associated drainage and road works and construction of 56 dwellings	\$14,000,000	>\$5 million capital investment value Crown development	Awaiting further information from applicant	
11/2021/DA-SW	Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore	Stage 11 Claymore Renewal - Subdivision creating 91 Torrens titled residential allotments, 1 residue lot and associated site, civil and landscape works	\$8,621,292	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required	
4604/2020/DA-SW	Various Lots, Norman Crescent, Dobell Road and Arkley Avenue, Claymore	Stage 5 Claymore Renewal - Subdivision of land to create 86 residential lots 1 residue lot 1 lot for future park and associated road and drainage works	\$14,290,245	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required	
774/2021/DA-SW	Various lots, Riverside Drive, Airds	Consolidation of four existing lots to create four new lots and new road, landscape and open space infrastructure embellishment works - Airds/Bradbury Renewal	\$11,456,074	>\$5 million capital investment value Crown development	Currently on public exhibition. Panel briefing set for June 2021	

Development Application Register

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2225/2020/DA-DW	Lot 8177 DP 881519, 1 Denfield Place, St Helens Park	Construction of a single storey dwelling	\$84,500	Development standard variation greater than 10%	Report prepared for Panel's May meeting	Unavailable at time of report preparation
2675/2008/DA-S	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Under assessment	
2687/2018/DA-SW	14 - 20 Palmer Street, Ingleburn	Construction of a five storey mixed use commercial and residential building	\$17,972,417	Development standard variation greater than 10%	Currently on public exhibition	

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	Under assessment	
681/2018/DA-SW	Menangle and Cummins Roads, Menangle Park	Subdivision of land and associated civil works into 90 residential lots and 3 residue lots	\$6,930,000	Planning agreement	Under assessment	
2611/2019/DA-M	42 Brenda Street, Ingleburn	Demolition of existing structures and construction of three semi-detached dwellings	\$855,350	Development standard variation greater than 10%	Under assessment	
3859/2019/DA-M	116 Ingleburn Road, Ingleburn	Demolition of existing structures and construction of three x two storey semi-detached dwellings	\$878,000	Development standard variation greater than 10%	Completed	Approved with conditions
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 – Residential Apartment	Waiting on information from applicant	
1625/2019/DA-U	10 Benham Road, Minto	Increase student numbers from 600 to 690 at Al-Faisal College	Nil	Number of submissions in objection	Completed	Refused

Development Application Register

DAs with a value of \$1 million or more approved under Delegated Authority since last Council meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
3714/2019/DA-BH	55 Mahoney Drive, Campbelltown	Construction of a 22 room boarding house and associated basement parking	\$1,181,000	Delegated	Report prepared for Panel's May meeting	
2306/2020/DA-C	Lot 175 Barbula Road, Denham Court	Construction of a licensed premises (pub) with basement car parking and associated site and landscaping works	\$8,591,002	Delegated	Report prepared for Panel's May meeting	
4428/2020/DA-M	13 Albert Street, Ingleburn	Demolition of existing structures and construction of 3 attached dwellings	\$850,000	Delegated	Report prepared for Panel's May meeting	

8.2 Review of the Management of Feral and Infant Companion Animal Policy

Reporting Officer

Acting Manager City Standards and Compliance
City Development

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.2 - Ensure that service provision supports the community to achieve and meets their needs

Officer's Recommendation

1. That the Management of Feral and Infant Companion Animal Policy as attached to this report be adopted.
2. That the Management of Feral and Infant Companion Animal Policy review date be set at 30 June 2023.

Purpose

To seek Council's endorsement of the revised Management of Feral and Infant Companion Animals Policy.

History

Council at its meeting held 8 April 2014 adopted the policy.

The policy was last reviewed in 2019 with minor changes made which did not alter the context or intent of the policy.

Council at its Ordinary Meeting held 11 June 2019 adopted the amended policy and a policy review date of 30 June 2021 was set.

Report

Section 64 (2) of the *Companion Animals Act 1998* provides for the humane euthanising of feral and infant companion animals by Council, prior to the end of the mandatory holding period (which is 14 days for registered animals and 7 days for unregistered animals) if there is an adopted policy in place.

Often it is not practical nor humane to detain feral and infant companion animals at Council's Animal Care Facility (ACF) for various reasons. These may include biosecurity risk (ie. transmission of disease), animal health or behavioural issues (eg feral cats), humane reasons or care requirements (ie. infant animals which need an intense level of 'round the clock' care particularly in terms of warmth and feeding).

The purpose of the policy (attachment 1) is to authorise (subject to the terms of the policy) the humane euthanising of feral or infant companion animals that are not considered either suitable for re-homing (ie. feral animals) or where it is not humane to retain them at Council's ACF (eg due to the intensive care requirements of infant animals being less than 8 weeks of age) prior to the expiration of the mandatory holding period.

For a companion animal to be considered as feral or infant under the terms of the policy it must be assessed by staff upon arrival at the ACF and the results of the assessment documented on the respective form.

Under the terms of the policy and once a companion animal is assessed as feral and the assessment documented, the animal is not considered suitable for re-homing and is able to be euthanised at any time prior to the expiration of the mandatory holding period.

With respect to infant animals, once a companion animal is assessed to be an infant, the policy requires a number of steps to be undertaken to ascertain if the infant is in good health and able to be cared for.

Under the terms of the policy, infant animals, due to the intensive care requirements and for humane reasons, may be euthanised prior to the mandatory holding period if a practical and timely care arrangement cannot be implemented.

The policy advocates a practical and humane approach to managing infant and feral animals received at Council's ACF, particularly during times of seasonal influx (such as cat breeding season), which is consistent with practices adopted at other impounding facilities.

The above mentioned policy has been reviewed in accordance with Council's Information Management Authorised Statement and the adopted procedure for Policy Development and Review, and no amendments were required.

It is therefore recommended that the attached Management of Feral and Infant Companion Animals Policy, be adopted.

Attachments

1. Management of Feral and Infant Companion Animals Policy (contained within this report)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Management of Feral and Infant Companion Animals	
Related Documentation	DocSet: 3520603 – Form – Infant Animal Assessment Form DocSet: 3520597 – Form – Feral Cat Assessment Form DocSet: 2468330 – Procedure Document – Euthanasia of Impounded Animals. DocSet: 2241642 – Procedure Document – Impounding Animals DocSet: 2535841 – Procedure Document – Housing Impounded Animals Risk Identification (R1011ACF) Euthanasia of Animals Risk Identification (R1012ACF) Disposal of Dead Animals	
Relevant Legislation/ Corporate Plan	<i>Companion Animals Act 1998 – S64& 64A; Guideline on the Exercise of Functions under the Companion Animals Act 1998</i>	
Responsible Officer	Manager City Standards and Compliance and Animal Care Facility Team Leader	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To authorise the humane euthanasia of seized, abandoned or surrendered feral and infant companion animals before the end of any statutory holding periods in certain circumstances, as prescribed in the Policy Statement and as permitted under Section 64 (2) of the *Companion Animals Act 1998*.

Policy Statement

The policy provides for the assessment and management of Feral and Infant Companion Animals that are not deemed either suitable for re-homing or practical to retain for humane or other reasons at Council’s Animal Care Facility (ACF).

Feral and infant companion animals may not be practical to retain at Council’s ACF for various reasons such as:

- Biosecurity risk
- Animal health or behavioural issues
- Humane reasons
- Care requirements.

Scope

The policy provides for the assessment and management of Feral and Infant Companion Animals that are not deemed either suitable for re-homing or practical to retain at Council’s Animal Care Facility (ACF).

DATA AND DOCUMENT CONTROL		
Division: City Development Section: City Standards and Compliance DocSet: 3829666	Adopted Date: 08/04/2014 Revised Date: 11/06/2019 Minute Number: 096 Review Date: 30/06/2021	Page: 1 of 3

Campbelltown City Council

Definitions

1. **Companion Animal** means a dog or cat and any other animal that is prescribed by the *Companion Animals Act 1998* regulations as a companion animal
2. **Feral** means wild or showing no signs of domestication but does not include any companion animal that is micro chipped or wearing a collar
3. **Infant** means a companion animal that appears to be under 8 weeks of age
4. **Euthanasia** refers to the euthanasing procedure administered by Council’s authorised veterinary surgeon in accordance with Procedure Document DocSet: 2468330 Euthanasia of Impounded Animals.

Legislative Context

The *Companion Animals Act 1998* at Section 64(2) provides for the humane euthanising of feral or infant animals prior to the end of the statutory holding periods if there is an adopted Council policy in place to do so. This policy has been developed to comply with that provision.

Principles

1. Feral companion animals

Feral cats may be euthanised at any time prior to the expiration of the statutory holding period providing the requirements of this policy are observed and documented evidence of this is recorded by the ACF Team Leader or a delegated officer on a feral cat assessment form.

Upon receiving the animal at Council's ACF, a feral cat assessment form (DocSet: 3520597) is to be completed to document and justify the assessment of the animal as feral.

2. Infant companion animals

Prior to euthanising an infant companion animal, all reasonable and practical steps shall be taken by the ACF Team Leader or a delegated officer to ascertain:

- a) if the infant is in good health and able to be cared for and if so
- b) if there is a suitable lactating animal at the Animal Care Facility that is able to adopt and care for the infant or
- c) if there is an alternative care arrangement (for example an arrangement with a foster carer that is associated with an approved Rescue Group) that is able to be implemented immediately to accept responsibility for, and deliver an appropriate level of care to, the infant.

Infant companion animals may be euthanised prior to the expiration of the statutory holding period if the requirements of this policy, as indicated at (a) – (c) above, are observed and documented evidence of this is recorded by the ACF Team Leader on an infant animal assessment form.

Upon receiving the infant animal at Council's ACF, an Infant Animal Assessment form (DocSet: 3520603) is to be completed to document and justify the assessment of the animal as an infant.

DATA AND DOCUMENT CONTROL		
DocSet: 3829666	Page: 2 of 3	

Campbelltown City Council

Responsibility

It is the responsibility of the Animal Care Facility Team Leader or delegated officer to administer this policy.

Effectiveness of this Policy

The policy will be administered in accordance with the *Companion Animals Act 1998* to manage the infant and feral companion animals received by the Animal Care Facility.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
DocSet: 3829666	Page: 3 of 3	

8.3 Review of the Second Hand Clothing Bins Policy

Reporting Officer

Acting Manager City Standards and Compliance
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.2 - Support and advocate for infrastructure solutions that meet the needs of our city and which pay an economic and liveability dividend

Officer's Recommendation

1. That the revised Second Hand Clothing Bins Policy as attached to this report be adopted.
2. That the Second Hand Clothing Bins Policy review date be set at 30 June 2023.

Purpose

To seek Council's endorsement of the revised Second Hand Clothing Bins Policy.

History

On 27 August 2013, Council received written correspondence from the National Association of Charitable Recycling Organisations (NACRO) requesting Council to introduce a clothing collection bin placement policy which limits the operation of donation bins to NACRO members and includes a Code of Practice for the safe and efficient management of clothing collection bins.

The correspondence from NACRO advised that commercial enterprises are seeking to gain financially from the generosity of donors by using charity names on their collection bins. NACRO claims that some clothing donors are being deceived and led to believe they are donating to the charity named on the bin, when they are actually giving over their goods to a commercial re-seller.

In response to the abovementioned concern, Item 2 of Council's Second-Hand Clothing Bins Policy Statement was revised to state that only second-hand clothing bins provided by registered charities or organisations are permitted, unless the organisation has an Australian Business Number and the bin in such cases is clearly marked to indicate it is commercial operator collection bin.

This policy requirement enables the public to make informed choices about whom they make their clothing donations to.

In addition, in consideration of the recommendation by NACRO to include provisions in the policy relating to the safe and efficient management of clothing collection bins, additional requirements were included in the policy.

Council at its meeting of 8 April 2014 adopted the revised draft Second Hand Clothing Bins Policy.

The policy was last reviewed in June 2019 with no amendments and was endorsed by Council at its meeting on 11 June 2019, with a policy review date set for 30 June 2021.

Report

The policy aims to ensure second-hand clothing bins are satisfactorily located, managed and maintained.

Clothing bins provide a valuable service to the community, raising money for charities and providing residents with a disposal point for unwanted clothing. They encourage material recycling and divert unwanted items from the general waste stream and landfill.

However, poorly managed/located bins can contribute to incidences of waste dumping, graffiti, vehicle and pedestrian obstruction and reduce neighbourhood amenity. Any nuisances that may arise from the placement of clothing bins on private property are able to be regulated through the Orders provisions of the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*.

The placement of clothing bins on private property does not necessarily require an approval under the provisions of the *Environmental Planning and Assessment Act 1979*, subject to the exempt development provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for charity bins being satisfied.

The abovementioned policy has been reviewed in accordance with Council's Information Management Authorised Statement and the adopted procedure for Policy Development and Review.

It is proposed that the policy be retained in its existing form.

It is therefore recommended that the attached draft Second Hand Clothing Bins Policy be adopted.

Attachments

1. Second Hand Clothing Bin Policy (contained within this report)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Second Hand Clothing Bins	
Related Documentation	Policy Procedure	
Relevant Legislation/ Corporate Plan	<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Local Government Act 1993</i>	
Responsible Officer	Manager City Standards and Compliance	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To regulate the location and placement of second-hand clothing bins.
2. To ensure all second-hand clothing bins are satisfactorily managed and maintained.

Policy Statement

1. Second-hand clothing bins shall be located only on private property, (with written approval of the landowner).
2. Only second-hand clothing bins provided by charitable organisations are permitted unless the organisation has an Australian Business Number and the bin in such cases is clearly marked to indicate it is a commercial operator collection bin.
3. Second-hand clothing bins must not contravene any conditions of development consent relating to the use of the land and must not be placed on a landscaped area or occupy any parking space.
4. Second-hand clothing bins shall be marked with appropriate identification information and maintained as directed by Council Policy and Procedures.
5. To ensure the safe and efficient management of second-hand clothing bins the following provisions shall apply:
 - Donation bins are to be located appropriately so as not to detract from site amenity
 - Donation bins to be regularly emptied, cleaned and maintained
 - Donation bins shall not cause obstruction to footpaths and roadways
 - Donation bins are to be adequately fixed to prevent damage to property or injury to persons

DATA AND DOCUMENT CONTROL		
Division: City Development Section: City Standards and Compliance DocSet: 1555156	Adopted Date: 18/10/1988 Revised Date: 11/06/2019 Minute Number: 097 Review Date: 30/06/2021	Page: 1 of 3

Campbelltown City Council

- Donations bins to be of a design that would ensure people are not able to climb into them
- Donation bins shall not be located on driveways, access ways, car parking areas or landscaping areas.

Scope

The policy relates to all second-hand clothing bins located in the Campbelltown Local Government area whether commercially or charity operated.

Definitions

Within the policy the following definitions apply:

Second-hand clothing bin: refers to an externally located collection device, usually a large enclosed steel box, used for the placement of unwanted second-hand items by the public, such as clothing, linen, shoes, belts, bags and other similar items.

Temporary Structure: includes a second-hand clothing bin, booth, tent or other temporary enclosure and also includes a mobile structure.

Legislative Context

SEPP (Exempt and Complying Development Codes) 2008, contains provisions for charity bins including exempt development provisions.

State Environment Planning Policy (Exempt and Complying Development Codes) 2008

Part 2 Division 1, Subdivision 10C of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 relates to the construction and development standards for charity and clothing recycling bins.

2.20E - Specified development - the construction or installation of a charity bin or recycling bins is development specified for this code.

2.20F - Development standards - the standards specified for that development are that the development must:

- a) Be associated with commercial premises or a place of public worship, and
- b) If located on the same lot as the commercial premises or place of public worship - be wholly located within the lot and not located on a road or road reserve, and
- c) Not result in more than three such bins on one lot, and
- d) Be located behind the building line of any road frontage, and
- e) Be operated by a person or organisation that is the holder of an authority under the *Charitable Fundraising Act 1991*, and
- f) Not display any advertising other than details of the person or organisation that operates it, and
- g) Not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to car parking, loading, vehicular movement, waste management and landscaping.

DATA AND DOCUMENT CONTROL		
DocSet: 1555156	Page: 2 of 3	

Campbelltown City Council

Local Government Act 1993

Section 124 of the *Local Government Act 1993* contains provisions to enable Council to serve Orders to control and regulate nuisance, amenity or threats to health or safety that may be posed by second-hand clothing bin installations, namely:

- Order 10 - To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees
- Order 21 - To do or refrain from doing such things as are specified to ensure that premises are placed or kept in a safe or health condition
- Order 27 - To remove an object or matter from a public place or prevent any object or matter being deposited there.

Section 628 - Failure to comply with Order

Maximum penalty varies according to the type of Order issued and whether it applies to an individual or corporation, ranging from 20-100 penalty points.

Section 678 - Failure to comply with an Order - carry out of work by Council

If a person fails to comply with the terms of an Order given to the person under Part 2 of Chapter 7, the Council may do all such things as are necessary or convenient to give effect to the terms of an Order, including the carrying out of any work required by the Order.

Any expenses incurred by Council under this section may be recovered in accordance with section 678(6).

Principles

The policy provides direction regarding the manner in which second-hand clothing bins can be operated in the Campbelltown City Council Local Government Area, with the aim of reducing problems associated with the bins such as illegal dumping, vandalism to bins, vandalism to surrounding areas, and other anti-social behaviour. With the policy requiring additional signage on bins, written approval from the land owner, and regular maintenance by operators, a greater awareness of the proper use and management of bins can be achieved to reduce the associated problems.

Responsibility

Council's City Standards and Compliance Section has responsibility for ensuring compliance with this policy.

Effectiveness of this Policy

The effectiveness of this policy will be evaluated through feedback received from bin operators and members of the public. The policy will be reviewed two years from the revision date.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
DocSet: 1555156	Page: 3 of 3	

8.4 Review of the Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES) Policy

Reporting Officer

Acting Manager City Standards and Compliance
City Development

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.2 - Ensure that service provision supports the community to achieve and meets their needs

Officer's Recommendation

1. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy as attached to this report be adopted.
2. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy review date be set at 30 June 2023.

Purpose

To seek Council's endorsement of the Access to the Roads and Maritime Service's Driver and Vehicle Information System (DRIVES) Policy.

History

The DRIVES Policy was first adopted by Council at its meeting held 2 September 2003. It is a condition of Council's Terms of Access Agreement with the NSW Roads and Maritime Service, that in order to obtain vehicle registration details, Council have a policy that addresses the access, storage and use of records obtained under the agreement.

Council at its meeting held 11 June 2019 adopted the current Access to the NSW Roads and Maritime Service's Driver and Vehicle Information System (DRIVES) Policy and a policy review date of 30 June 2021 was set.

Report

The above mentioned policy has been reviewed in accordance with Council's Information Management Authorised Statement and the adopted procedure for Policy Development and Review.

There are no amendments or additional conditions of use imposed by the Roads and Maritime Services for Council's continued use of the Driver and Vehicle Information System (DRIVES).

It is therefore recommended that the Access to the NSW Roads and Maritime Service's Driver and Vehicle Information System (DRIVES) Policy, be adopted.

Attachments

1. Access to the NSW Roads and Maritime Service's Driver and Vehicle Information System (DRIVES) Policy (contained within this report)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Access to the NSW Roads and Maritime Service's Driver and Vehicle Information System (DRIVES)	
Related Documentation	Roads and Maritime Service's DRIVES Terms of Access Agreement Code of Conduct	
Responsible Officer	Manager City Standards and Compliance	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure confidential information obtained as part of Council's Terms of Access Agreement with the New South Wales Roads and Maritime Services (RMS) on its Driver and Vehicle Information System (DRIVES) is used only for purposes authorised by the agreement.

Policy Statement

1. Only those staff authorised (authorised user) under the Terms of Access Agreement with the (RMS), shall access data from DRIVES.
2. Access to DRIVES information is only for those Council law enforcement purposes specified in the Terms of Access Agreement, which includes vehicle owner (registration and licence) details specified offences relating to the following legislation:
 - a) Road Rules 2014
 - b) *Protection of the Environment Operations Act 1997*
 - c) *Local Government Act 1993*
 - d) *Impounding Act 1993*
 - e) *Companion Animals Act 1998*
3. Staff requesting an authorised user to access DRIVES information for purposes other than those specified in (2) above will be deemed to have breached Council's Code of Conduct and will be subject to disciplinary action.
4. An authorised user who accesses DRIVES information for purposes other than those specified in (2) above will be deemed to have breached Council's Code of Conduct and will be subject to disciplinary action.
5. An authorised user who shares access details, passwords or user identification details for the DRIVES database will be deemed to have breached Council's Code of Conduct and will be subject to disciplinary action.
6. All information obtained from DRIVES is confidential and must only be used for the permitted purpose for which it is obtained. The use of this information for another purpose will constitute a breach of Council's Code of Conduct and the person(s) responsible will be subject to disciplinary action.

DATA AND DOCUMENT CONTROL		
Division: City Development Section: City Standards and Compliance DocSet: 1555160	Adopted Date: 02/09/2003 Revised Date: 11/06/2019 Minute Number: 094 Review Date: 30/06/2021	Page: 1 of 2

Campbelltown City Council

Scope

This Policy applies to all Council staff, however the main users of information obtained from the DRIVES system are staff from the City Standards and Compliance section.

Definitions

authorised user means the Council officer who is authorised to access information from the Roads and Maritime Service’s Driver and Vehicle Information System.

Legislative Context

This Policy was first adopted by Council at its meeting on 2 September 2003. It is a condition of Council's Terms of Access Agreement with the Roads and Maritime Services (RMS) that Council has a policy that addresses the access, storage and use of records obtained under the licence agreement.

This policy is a mandatory requirement to maintain the Terms of Access Agreement with the RMS.

Principles

The main principle behind this policy is the confidential maintenance of personal information in order to maintain the access agreement with the RMS.

Responsibility

Staff from Council's City Standards and Compliance Section will access data via DRIVES and are therefore responsible for complying with this Policy.

Authorised Users are responsible for ensuring that requests for data are only made for matters covered by the Terms of Access Agreement.

Authorised Users are individually responsible to ensure that access to the system is only obtained for the purposes detailed in the Terms of Access Agreement and for the confidential maintenance of access details, passwords or user identification details.

The Manager City Standards and Compliance is Council's Security Administrator in accordance with the Terms of Access Agreement and as such is the authorised point of contact between Council and the RMS for the ongoing operation of the agreement. This position has the responsibility of authorising changes to the authorised users and supplying compliance audit certificates to the RMS as required under the Terms of Access Agreement.

Effectiveness of this Policy

As part of the Terms of Access Agreement with the RMS, Council is required to submit to the RMS an independent compliance audit certificate to confirm that Council has complied with the terms of the agreement. Therefore the effectiveness of this Policy will be demonstrated by the ongoing achievement of satisfactory annual and quarterly compliance audit results.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
DocSet: 1555160	Page: 2 of 2	

8.5 Campbelltown (Sustainable City) Development Control Plan - Tree Permits Housekeeping Amendment

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.5 - Plan for and ensure that development in our city is sustainable and resilient

Officer's Recommendation

1. That Council endorse public exhibition of the proposed draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 1 Part 11 (Vegetation and Wildlife Management) for a minimum period of 28 days.
2. That where submissions are received during the public exhibition period, a further report be provided to the Council.
3. That where no submissions are received during the public exhibition period, Council approve and finalise the Development Control Plan and publish it on the Campbelltown City Council website.

Purpose

The purpose of this report is to present a proposed housekeeping amendment to the Campbelltown (Sustainable City) Development Control Plan (CSCDCP), and seek the endorsement of the Council for the public exhibition of the plan.

History

In August 2017, the NSW Government made State Environmental Planning Policy (Vegetation in Non-Rural) Areas 2017 for the purpose of providing a consistent approval framework for the clearing of native vegetation in NSW.

When made, the Vegetation SEPP removed the ability for councils in Metropolitan Sydney to require a development application for vegetation clearing, except where the clearing is ancillary to a use that requires development consent or vegetation that forms a heritage item.

At its ordinary meeting of 14 April 2020, Council resolved to finalise a Development Control Plan Amendment 8 amendment to the CSCDCP. This amendment included new types of permits for tree and vegetation clearing with the associated provisions remaining substantially the same as previous controls. Both tree and vegetation permits issued by Council expire 6 months after issuing.

DCP Amendment 8 created a new permit type to cover those cases that were previously a development application. A vegetation permit was introduced for the clearing of more than 4 trees and for clearing that involves high value vegetation. Internally, processes were established to treat vegetation permits with an assessment process similar to that of a development application so that the full range of potential merit issues would be considered.

Since commencement of Amendment 8 on 4 May 2020, a procedural concern has arisen whereby no provision exists to prevent the lodgement of multiple tree permit applications as a means of avoiding the requirement for a vegetation permit.

Tree permits are assessed by Council's arborist from a tree health and safety perspective and are not required to consider environmental or merit issues. Vegetation permits are assessed by Council planners and environment officers with the assistance of arborists. The process is similar to a development application and is designed to ensure a broader range of issues are considered.

Report

It is proposed to amend CSCDCP, Volume 1 Part 11 (Vegetation and Wildlife Management) as follows:

Delete existing clause

11.3.7

- a) Council may issue a tree permit under this clause. A tree permit may authorise the clearing of up to 4 declared trees.

Replace with

11.3.7

- a) Council may issue a tree permit under this clause. A tree permit may authorise the clearing of up to 4 declared trees. A tree permit may not be considered or issued if another tree permit has approved the removal of one or more trees on the subject lot in the preceding 2 years. For the avoidance of doubt, this provision prevents the approval of more than one tree permit concurrently.

Note: This provision is intended to limit the total number of trees that can be removed under the tree permit assessment process in any 2 year period.

This amendment would provide a minimum time period between applications for tree permits that remove trees and would not impact tree permits for pruning only. This would prevent applications for multiple tree permits and direct applicants to the vegetation permit process for clearing of more than 4 trees on a property.

The amendment would not create any new restrictions on the issue of vegetation permits nor the issue of a declaration that a tree is dead, dying or dangerous.

Conclusion

The proposed housekeeping amendment to the Campbelltown (Sustainable City) Development Control Plan to limit the total number of trees that can be removed under the tree permit assessment process in any 2 year period would prevent an inappropriate use of the process.

It is recommended that Council endorse the draft housekeeping amendments to the Campbelltown (Sustainable City) Development Control Plan for exhibition.

Attachments

Nil

8.6 Planning Proposal - "Glenlee Estate" Menangle Park

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land comprising "Glenlee Estate" (No.60) Menangle Road Menangle Park, to the Department of Planning, Industry and Environment seeking endorsement of Gateway Determination.
2. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979*, that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
3. That following the public exhibition:
 - (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council, or
 - (b) where no submissions are received by Council during the public exhibition period, the draft Planning Proposal be finalised.
4. That subject to recommendation 3(a) Council exercise via the General Manager the approval functions of the Minister under Section 3.36 (2)(a) of the *Environmental Planning and Assessment Act 1979*, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

Executive Summary

1. A Planning Proposal Request (attachment 3) was submitted to the Council that applies to land at No. 60 Menangle Road, Menangle Park (Lots 1, 2 and 3 DP 713646). The land is known generally as the Glenlee Estate (the Land).
2. The Planning Proposal Request seeks to rezone the Land from RU2 Rural Landscape to part E2 Environmental Conservation, part E3 Environmental Management, part E4 Environmental Living and part RE1 Public Recreation, and reduce the existing building height of 8.5 m to 5.0 m in respect of the proposed development precincts and establish minimum lot sizes ranging from 600 m² to 2,000 m² and residue minimum lot sizes of 2 ha and 5 ha for elements of the revised curtilage.
3. The proposal is considered to demonstrate strategic and site specific merit, by providing for an under supplied housing type in a manner that fulfils the draft Campbelltown Housing Strategy and objectives and principles of the Local Strategic Planning Statement. The proposal has been developed with due regard to the environmental sensitivities of the site including its unique heritage.
4. The proposal demonstrates a public benefit via the proposed zoning and dedication of the significant ridge for public open space and ongoing conservation strategy of the important heritage elements and setting of the State Significant holding. This is secured by a formal offer to enter into a Planning Agreement under Section 7.4 of the *Environmental Planning and Assessment Act 1979*.
5. As the site forms part of the Menangle Park Urban Release Area, future subdivision would be dependent upon development of adjoining lands to provide the necessary lead-in services.
6. The Campbelltown Local Planning Panel (the Panel) provided advice in support the proposal, subject to consolidation of the proposed E2 and E3 zone as a single E3 zoned precinct and a single allotment, the introduction of controls in respect of buildings in Area 5 (the southern foot slopes) and submission of an irrevocable offer in respect of proposed land dedication and conservation actions in perpetuity.

Purpose

To assist Council in its decision whether to support the progression of the subject application for a Gateway Determination in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Property Description	Lots 1, 2 and 3 DP 713646, Known as Property No. 60 Menangle Road, Menangle Park (Glenlee Estate)
Application No	2527/2016/E-PP
Applicant	Premise Australia Pty Ltd.
Owner	Mrs Patricia Maree Wilson and Mr William David Wilson
Provisions	Campbelltown Local Environmental Plan 2015 Section 9.1 Ministerial Directions Greater Sydney Region Plan Western City District Plan Campbelltown Community Strategic Plan Campbelltown Local Strategic Planning Statement Campbelltown Local Housing Strategy State Environmental Planning Policies Campbelltown (Sustainable City) Development Control Plan 2015 State Environmental Planning Policy (Sydney Region Growth Centres)

Subject Site

The land subject to the Planning Proposal Request is at No. 60 Menangle Road, Menangle Park on Lots 1, 2 and 3 DP 713646 (the Land). It is generally identified as the Glenlee Estate and has an area of 17.86 ha. The Land is located off Glenlee Road within the Menangle Park Urban Release Area (MPURA) and is surrounded by land zoned generally for urban purposes. The Land is located approximately 5 kilometres south of the Campbelltown CBD.

The Main Southern Railway aligns with the north western boundary of the Land with proposed industrial development beyond. The north eastern and south eastern boundaries abut residential and open space zoned land; whilst the proposed Spring Farm Parkway and future open space are located to the south of the Land. Further, the Land is visually connected to the former Glenlee Coal Washery, Australian Botanic Garden Mount Annan and broader Nepean River flood plain.

The Land is occupied by the Glenlee House, gardens, gate lodge (remnants) and outbuildings and comprises an open general rural landscape. This broader landscape has been extensively cleared for past agricultural activities, including until recently an olive grove.

The area of the Land comprising, the homestead, outbuildings, garden and gate lodge (and rural setting), is listed as a State Heritage Item (CLEP Item No. I00009).

The Land is part of a historically significant pastoral holding and was created in its current form as a reduced property holding when in the former ownership of the NSW State Planning Authority in 1972.

Planning Proposal Request

The Planning Proposal Request (PPR) was initially lodged by Michael Brown Planning Strategies and subsequently amended by Premise (Australia Pty Ltd) on behalf of the land owner (attachment 3).

The current PPR seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP) by:

- rezoning the site from RU2 Rural Landscape to a range of zones including E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living and RE1 Private Recreation
- amending the Minimum Lot Size from 40 ha to part 2,000 m², part 600 m², part 5 ha and part 2 ha and
- reducing the maximum height of buildings from 8.5 m to 5.0 m, with the exception of the Homestead precinct, where the 8.5 m maximum will remain.

The supporting Concept Masterplan proposes approximately 77 Environmental Living lots including a ridgetop park and the residue Homestead precinct. The Concept Masterplan, if supported, would be translated into a future DCP amendment.

The applicant promotes that the proposal would provide a public benefit through the:

- preservation of the important local ridge as open space to support public access
- establishment of a framework for the long-term conservation of the Glenlee Estate, including the restoration of the gate lodge and enhancement of all buildings generally to a maintainable standard and provision for future maintenance and
- provision of large-lot, lifestyle homes that are currently under-represented in the LGA's planning.

The proposal is supported by the following technical studies:

- Glenlee Estate – Conservation Management Plan (Tropman and Tropman Architects)
- Glenlee Estate – Aboriginal Heritage Assessment (AMBS Ecology and Heritage)
- Historical Archaeological Assessment Glenlee (Casey and Lowe Pty Ltd)
- Glenlee Estate – Heritage Impact Statement proposed subdivision and development options (Architectural Projects)
- Preliminary Site Investigation for Contamination – (Douglas Partners)

It is noted that the Aboriginal Heritage Assessment and Aboriginal Heritage Assessment are reproduced as Appendices in the Conservation Management Plan (CMP).

On 29 October 2019, Councillors were briefed on the proposal and were generally supportive of the matter progressing in the form submitted.

Campbelltown City Local Planning Panel (CLPP)

The PPR was considered by the Campbelltown City Council Local Planning Panel (the Panel), at its meeting on 28 April 2021 who provided the following advice:

1. That Campbelltown City Council Local Planning Panel considers that the proposal has sufficient strategic and site specific merit in regard to the values of the Glenlee House (State Heritage Item), natural environment, dwelling diversity, open space provisions and consistency with relevant requirements of the Regional and District Plans to warrant progressing to the Gateway stage and advises the Council that it supports the Planning Proposal Request to amend the Campbelltown Local Environmental Plan 2015 as outlined in the Officer's report proceeding to Gateway provided that:
 - a. The proposal includes an appropriate mechanism or control to limit dwelling size and provide for an adequate landscape setting for dwellings and ancillary development;
 - b. A development control plan is prepared prior to exhibition of the planning proposal which reflects the recommendations for precinct based development controls as outlined in the Heritage Impact Statement for area 4 (Northern Bowl) and area 5 (Southern Corner). In addition, further controls should be included in relation to building footprints, clustering of buildings and maximum number of buildings on lots within area 5 (Southern Corner).
 - c. The homestead and southern pastures grouping be consolidated into a single E3 Environmental Management zone with an associated amendment to the minimum lot size map to support consolidation into a single holding.
2. The Panel noted the planning proposal lacked any mechanism that would otherwise guarantee the delivery of the various public elements to be provided in support of the proposal. The Panel advised that the applicant should commit to submitting a formal irrevocable offer that addresses such matters as land dedication and conservation actions in perpetuity prior to consideration of the proposal by the Council.

In response to this advice, the land owner has since formally written to the Council making an irrevocable offer to enter into a Planning Agreement under Section 7.4 of the EP&A Act, which will operate if the CLEP is amended in accordance with the proposal.

Planning Proposal

A draft Planning Proposal (PP) has been compiled based on the PPR and the advice of the Panel that pertains to the proposed amendment of CLEP (attachment 1). The relevant amendments to the PPR reflected in the draft PP included:

- An appropriate control to limit the building footprint of proposed dwellings and ancillary development and in doing so provide an adequate landscape setting.

- Consolidation of the proposed E2 Environmental Conservation and E3 Environmental Management Zones, into a combined E3 Environmental Management zone and provision that precludes further subdivision.

The applicant is currently drafting an irrevocable offer that addresses land dedication and conservation actions in perpetuity. Should Council support progression for Gateway Determination, the provision of this undertaking would be recommended as a condition of Gateway.

Further, some of the Panel recommendations would be addressed within a site specific amendment to Volume 2 of the Campbelltown Sustainable City Development Control Plan (CSCDCP).

Report

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

1. Strategic Context

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

1.1 Greater Sydney Region Plan - A Metropolis of Three Cities

The Metropolis of Three Cities (GSRP) has been prepared by the NSW State Government to guide Greater Sydney land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 817,000 new jobs and 725,000 new homes by 2036. The GSRP identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The land is located within the MPURA. The initial stages of residential development are noted to have commenced and trunk service infrastructure under construction.

A detailed assessment of the PPR against the relevant Directions and Objectives of the GSRP is provided in attachment 2

1.2 Western City District Plan

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

The PPR is considered generally consistent with the WCDP. Importantly it provides increased housing diversity which would be serviced by requisite infrastructure as urbanisation of the precinct occurs.

An assessment of the PPR against the relevant Directions and Priorities of the WCDP is provided in attachment 2 and discussed in Section 1.7 below.

1.3 Consideration of State Regional Environmental Plans

The PPR is considered generally consistent with relevant State Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (No.2) which applies to the site. A statement of consistency is provided in attachment 2.

1.4 Consideration of State Environmental Planning Policies

The PPR is considered generally consistent with relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and statement of consistency is provided in attachment 2.

1.5 Consideration of Section 9.1 Ministerial Directions

The PPR is considered generally consistent with Section 9.1 directions issued by the Minister for Planning; with the exception of two justifiable inconsistencies in respect of Rural Zones (Direction 1.2) and Mine Subsidence and Unstable Land (Direction 4.2).

With regard to rural land it is noted to have limited agricultural potential and the most significant open rural landscapes can be protected in the draft PP (attachment 1) by the proposed E3 Environmental Management Zone. The mining of coal resources beneath the MPURA was restricted at the time of rezoning for urban purposes. This restriction applies to the limited portion of the site which falls within the South Campbelltown Mine Subsidence District.

A detailed commentary in respect of the relevant Section 9.1 directions forms attachment 2.

1.6 Campbelltown Community Strategic Plan 2017-2027

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

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

The PPR is generally consistent with the CSP and would support the following outcomes:

CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	<ul style="list-style-type: none"> • The proposed environmental living allotments would provide a niche form of housing choice that is not well represented in the locality. • The proposed development provides a framework to identify lands for landscape screening, environmental management, stormwater management, access and maintenance, consistent with the values of the landscape, and to prevent incidental or subsequent development of the lands in a way that is consistent with the objective of the proposal.
Outcome 2	
A respected and protected natural environment	<ul style="list-style-type: none"> • The Proposal aims to minimise impacts on the natural environment.
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> • It is proposed to zone and dedicate strategically significant scenic land and to provide public access to such land. • There are prospects of greater public (physical and visual) access to the unique heritage qualities of the Estate.
Outcome 4	
A successful city	<ul style="list-style-type: none"> • The proposed large lot environmental living allotments would provide a form of desired housing that is identified by Council's Housing Strategy, and uniquely located as required to attract knowledge jobs to Campbelltown.

1.7 Campbelltown Local Strategic Planning Statement

The Campbelltown Local Strategic Planning Statement (LSPS) details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- Provide a 20-year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed

The LSPS responds to the Regional and District Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the Campbelltown LGA thrives now and remains prosperous in the future, having regard to the local context. The specific actions relevant to the PPR are discussed below:

LSPS Action	Comment
<p>2.5: Contain urban development to existing urban areas and within identified growth and investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area.</p>	<p>The Glenlee Estate is located in the MPURA, which was rezoned principally for urban purposes in November 2017 and is surrounded by land zoned largely for urban purposes, including residential, industrial and open space.</p> <p>The PPR acknowledges the cultural and contextual sensitivity of the site by limiting the siting and form of proposed development. Additionally, it seeks to ensure the prominent ridgeline is conserved as public open space.</p> <p>Further, the limited areas identified for potential low density environmental living occur in locations considered less sensitive to the main vistas and cultural values of the heritage item. The revised curtilage contained with the supporting CMP ensures the items and areas of greatest cultural sensitivity are conserved.</p> <p>The site does not comprise part of the Metropolitan Rural Area.</p> <p>The proposed development of larger lot housing on land zoned E4 Environmental Living could be considered a form of rural-residential development as envisaged by the WCDP.</p>
<p>3.6: Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn.</p>	<p>The PPR and specialist heritage documents have identified zones of sensitivity and limited areas for potential development that do not impact unacceptably on the important elements of the Estate and their setting. The proposal also identifies significant landscape elements such as the ridge which are to be retained for both resident and broader public enjoyment.</p> <p>The ultimate development scenario would provide a mechanism for facilitating the long-term conservation of the important cultural heritage elements of the Estate.</p>
<p>5.11 Promote community management of scenic and cultural landscapes in the LGA</p>	<p>The proposal would provide for both private (through subdivision design) and public management (Ridgetop Reserve) of the important scenic and cultural landscape elements of the Estate.</p>

In summary, the PPR is considered to be generally consistent with the actions of the Campbelltown Local Strategic Planning Statement.

1.8 Draft Local Housing Strategy 2020

The draft Campbelltown Local Housing Strategy's (CLHS) primary aim is to examine the housing needs of Campbelltown's current and future residents and advances an evidence-based approach to managing sustainable housing growth to 2036.

Council has prepared the CLHS to align with the updated CLEP and WCDP, which is directly relevant to the future zoning of the subject land. Council considered a submission report at its meeting on 29 September 2020, where it resolved to adopt the Local Housing Strategy and forward it to the Department of Planning, Industry and Environment for endorsement.

The objectives of the CCLHS are as follows:

- Meet the housing needs of the future population
- Support urban containment
- Provide for housing that meets the needs of all households
- Encourage provision of new housing in locations that support the 30 minute city
- Encourage the planning of housing within neighbourhoods
- Manage the development of Greenfield release areas
- Facilitate the urban renewal of walkable catchments
- Support housing growth in the Campbelltown CBD
- Plan for incremental growth through infill development
- Promote high quality and environmentally sustainable residential environments

The housing vision for Campbelltown LGA is to provide sustainable, high quality and diverse range of housing options to meet the accommodation needs of the local community and future population growth.

The proposal would contribute to the diverse housing needs of the future population in a manner consistent with the principles of urban containment (as an infill site) and delivery of the 30 minute city as espoused in the CLHS.

Additionally, the proposal would be compatible with the desired neighbourhood character and promote a high quality and environmentally sustainable environment, which is consistent more broadly consistent with the objectives of the E4 – Environmental Living Zone.

1.9 Campbelltown Local Environmental Plan 2015

The CLEP is the principal environmental planning instrument for the City of Campbelltown.

A summary of the existing planning framework, proposed amendment and evaluation is summarised below. Attachment 1 provides the suggested CLEP amendments required to support the amendment.

CLEP Current	Proposed Amendment	Comment
Land Use Zoning Map		
The subject land is zoned RU2 – Rural Landscape	The PPR seeks to rezone the site to the following: <ul style="list-style-type: none"> • E4 Environmental Living • E2 Environmental Conservation • E3 Environmental Management • RE1 Public Recreation 	The proposed land use zones and their spatial distribution is based on a sensitivity analysis in the Conservation Management Plan for the estate, the Heritage Impact Statement translation and landscape objectives of the LSPS. Limited low density

		<p>residential development in the 'northern bowl' and 'south eastern foot slopes' (Areas 4 and 5 respectively) are proposed to be zoned E4 Environmental Living Zone with the heritage sensitivities attached to the Homestead outbuildings and immediate curtilage appropriately zoned E2 and E3.</p> <p>The PP at attachment 1 combines the E2 and E3 zones as a common E3 zone in response to advice from the Panel.</p> <p>Protection of the strategic knoll and ridge as open space (RE1) is consistent with the principles of the LSPS and is the subject of a formal offer to enter into a voluntary planning agreement from the applicant.</p>
<p>Height of Building Map</p>		
<p>The site current has a height limit of 8.5 m.</p>	<p>The PPR proposes to reduce the maximum building height to 5.0 m with the exception of the Homestead Precinct which will maintain a maximum building height of 8.5 m.</p>	<p>The reduction in maximum building height would ensure future development is low in scale as part of the strategy to minimise visual impacts.</p>
<p>Minimum Lot Size</p>		
<p>The minimum lot size within the subject land is 40 ha</p>	<p>The PPR seeks to amend the minimum lot size to the following:</p> <ul style="list-style-type: none"> • 600 m² • 2,000 m² • 20,000 m² (2 ha) • 50,000 m² (5 ha) 	<p>The proposed minimum lot sizes have been established having regard to the sensitivities of the site and the form of development considered appropriate for the site; it being noted that 2 ha and 5 ha was to prevent further subdivision of the residue curtilage with homestead and outbuildings.</p> <p>The draft PP at attachment 1 in a manner consistent with the consolidation of the E2</p>

		and E3 zone introduces a minimum lot size of 8 ha so as to prevent subdivision of the homestead precinct
Site Coverage	The PPR does not seek to address site coverage.	<p>In accordance with the advice of the Local Planning Panel, it is considered appropriate that the draft PP include provisions that limit the site coverage or floor area of future dwellings in areas 4 (Northern Bowl) and area 5 (Southern Corner). It is considered this amendment could be drafted in consultation with DPIE as a condition of Gateway Determination.</p> <p>A similar amendment is currently under consideration by DPIE in relation to the Glenfield Precinct - Macquarie Fields House and could be progressed in a consistent manner.</p>

The proposed E4 Environmental Living zone would cater for lifestyle lots within the precinct, and minimise the extent of development permissible. This zone does not support complying development and would ensure that local development is appropriately assessed via development applications, within the context of detailed site specific development controls in a relevant DCP amendment.

1.10 Campbelltown (Sustainable City) Development Control Plan 2015

Should the draft PP progress through the Gateway process, the Land would be subject to an amendment to the Menangle Park Site-Specific Development Control chapter located in Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP). This amendment would address the recommendation of the Local Planning Panel in respect of precinct based controls (as outlined in the Heritage Impact Statement), together with controls pertaining to building footprints, clustering of buildings and maximum number of buildings in area 5 (southern corner).

CSCDCP 2015 would accordingly be further amended in accordance with the LPP advice and Council’s decisions on whether to support the proposal.

2. Environmental Evaluation

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

2.1 Environmental Heritage/Conservation

The site comprises a significant heritage holding and is importantly listed as a Stage Heritage Item. It was created as a composite holding in the 1970s when the State Planning Authority and Macarthur Development Board were rationalising properties acquired under the *Growth Centres Acquisition Act*.

The existing holding emerged in such context, with no recorded detail of its creation available apart from the "evolution" of land titles.

The draft PP includes a comprehensive heritage assessment and conservation strategies comprising:

- A Conservation Management Plan (CMP) for the estate
- An Aboriginal heritage assessment (appended to the CMP)
- An Historical archaeological assessment (appended to the CMP)
- A Heritage Impact Statement (HIS)

The above documentation has been compiled over several years and has been subject to reviews by the NSW Heritage Office, an independent heritage consultant engaged by Council and Council staff with a heritage background. The final review of the CMP by the NSW Heritage Office is nearing completion, with "endorsement" considered imminent.

The *Heritage Act* and EP&A Act do not require an "endorsed" CMP in the Planning Proposal pathway, nor is it required by Section 9.1 direction – Heritage Conservation. However, formal consultation with the Heritage Office would be required as a condition of Gateway.

The CMP does, however, form an important foundation in establishing zones of sensitivity in respects of the holding and by translation, limited development opportunities. It also outlines the immediate and future physical conservation requirements in the form of a future Heritage Agreement or similar.

The principles of a "Heritage Agreement" are detailed in the PPR. These have recently been refined in response to the recommendation of the CLPP and relevant legal and professional advice.

As a part of the irrevocable offer, the proponent states that it will register the Voluntary Planning Agreement (VPA) on the current titles of the land and reference the final Conservation Management Plan, inclusive of a Schedule of Works and related costings. A Bank Guarantee will be provided under the VPA to provide ongoing security for the conduct of the Heritage Conservation Works.

Under the VPA, initial conservation actions will need to be undertaken to ensure all heritage elements including the garden/landscape setting are at a "maintainable standard" before any future residential subdivisions are registered.

The proposed zoning regime (as amended in accordance with the recommendation of the Panel), including the dedication of the strategic land as (RE1 Public Open Space) and development standards in the form of minimum lot size and maximum height of buildings complete the planning framework for ensuring appropriate development outcomes and the conservation of the balance of the Glenlee Estate in perpetuity.

The limited Aboriginal cultural heritage matters identified relate to areas not proposed for development or on adjoining land and would be the subject of further development applications and related investigations where relevant.

2.2 Flooding and Stormwater Management

The site is generally flood free apart from a small section adjacent to the northern boundary. Future development of the Concept Masterplan would require a comprehensive flood mitigation and stormwater management strategy.

Such a strategy would likely require civil works that modify the landscape to control the potential flood impact and integrate with a detention and treatment train strategy to control gross pollutants, sediment and nutrients in accordance with Council's relevant stormwater quantity and quality standards.

Further consideration of the stormwater strategy would be appropriate at the development application stage.

2.3 Accessibility (Transport, Traffic, Pedestrian and Cycle)

The site is currently accessed from Menangle Road via a bridge over the Hume Highway. However, future access via this route would require significant works, including detailed engineering review of the highway overpass, realignment and widening of the water canal crossing (State Heritage Item) and intersection improvements to Menangle Road.

For these reasons, it is recommended that future access to the land be via the exiting / draft street layout contained within the proposed amendments to the Menangle Park Master Plan which would require all traffic to access the site from a new intersection with the proposed Spring Farm Parkway. Provision of this work is secured by the State Voluntary Planning Agreement 2017/8774 (Menangle Park - Urban Growth) and is expected to commence construction within 2 years.

Further consideration of traffic generation would be appropriate at the development application stage. Pedestrian and cycle facilities would be required to integrate with the proposed network for the locality, including open space areas.

2.4 Biodiversity

The site has largely been cleared in the past to facilitate various broad-acre agricultural activities. Only strategic plantings generally remain.

The Terrestrial Biodiversity Map contained in CLEP does not identify the subject land to have significant vegetation present.

The proposal would assist in establishing local biodiversity through extensive screen planting and street planting initiatives together with future domestic plantings associated with the development of new residential premises.

The bio retention facilities of the stormwater management strategy will also likely contribute to enhanced ecological values.

Further consideration of biodiversity would occur at the development application stage.

2.5 Bushfire Hazard

The Campbelltown City Council Bush Fire Prone Land Map identifies the site as containing Bushfire prone land with a Category 3 and vegetation buffer classification, due to existing grasslands.

Asset protection zones are capable of being achieved and managed in accordance with Planning for Bushfire Protection 2019. Furthermore, construction standards and access would be subject to future compliance with Planning for Bushfire Protection 2019.

Further consideration of bushfire hazard would be appropriate at the development application stage.

2.6 Acoustics, Noise and Vibration

The site adjoins the Southern Railway Line, as does the broader MPURA. Despite the railway being partly in cut, further development in accordance with the Concept Masterplan would be exposed to various levels of noise associated with passenger and freight trains and potentially vibration impacts.

Further, the proposed Spring Farm Parkway is located south of the site and is proposed as an elevated viaduct that would be a future source of traffic noise. Various mitigation measures are potentially capable of occurring in the form of civil works and noise suppression measures in building design and insulation.

Consideration of acoustic and vibration impacts would be appropriate at the development application stage, and would be required to address the NSW Department of Planning's 'Development near Rail Corridors and Busy Roads (Interim Guideline)'.

2.7 Utilities and Services

Proposals to service the MPURA are currently being advanced in fulfilment of clause 6.2 of CLEP, in relation to satisfactory arrangements for development subject to exiting approval.

Work is currently taking place in respect of the provision of reticulated water and wastewater services to the MPURA, with trunk infrastructure focussed on servicing existing approved subdivision applications.

Apart from limited electrical services from supply in Menangle Road, a 66 KiloVault feeder and zone substation are being provided proximate to the south west boundary of the site.

Advice has been provided that existing telecommunications services including NBN can be extended to service the proposal.

Gas is currently not available to the MPURA. Future availability would be determined at the development application stage.

2.8 Contamination

A Preliminary Site Investigation undertaken by Douglas and Partner's identified a total of 10 Areas of Environmental Concern on the site.

The Areas of Environmental Concern are considered to be a result of previous land use and management across the site including utilisation of the site for the cultivation of olives.

Any future development of the site would be subject to further detailed environmental investigations and potential remediation actions as the planning process proceeds. The Preliminary Site Investigation concludes that the site can be made suitable for the proposed uses.

4. Infrastructure Delivery

The proposal includes the zoning of land for public open space that would require a voluntary planning agreement. The proponent has offered to dedicate the strategic knoll and ridge as open space for public purposes, but not to embellish the same. A formal irrevocable offer that addresses land dedication and conservation actions in perpetuity is provided in attachment 4.

Standard development contributions would also be required pursuant to the Menangle Park Contributions Plan 2020 and an appropriate arrangement entered into for State Infrastructure with the NSW Department of Planning, Industry and Environment.

5. Formal Consultation

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

6. Delegation Process

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

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

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

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

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

Conclusion

The nature of the Planning Proposal Request for the Glenlee Estate has demonstrated strategic and site specific merit. It is considered to respond appropriately to the future supply of under-represented larger lot housing in a manner that fulfils the draft Campbelltown Local Housing Strategy's objectives and Campbelltown Local Strategic Planning Statement underlying principles. The proposal is considerate of the environmental sensitivities of the Land including its unique environmental heritage.

Public benefits of the proposal include protection of a significant ridge, a dominant local landscape element and the restoration and provision for the long term conservation of the important heritage elements and setting of the State Significant holding.

Accordingly, it is recommended that the draft Planning Proposal be supported and forwarded for a Gateway Determination.

Attachments

1. Planning Proposal (contained within this report)
2. Strategic Context (contained within this report)
3. Planning Proposal Request (contained within this report)
4. Signed Letter of Offer to enter VPA (contained within this report)



Planning Proposal
Glenlee House, Menangle Park

Proposed amendment of
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Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

DCP means Development Control Plan

DPIE means Department of Planning, Industry and Environment

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

GSC means Greater Sydney Commission

LGA means local government area

M means metres

PP means Planning Proposal

PPR means Planning Proposal Request

SEPP means State Environmental Planning Policy

SQM means square metres

Subject Site

The land subject to the Planning Proposal (PP) is identified as Glenlee Estate, Property No. 60 Menangle Road, Menangle Park on Lots 1, 2 and 3 DP 713646 and has an area of 17.86 ha. It is located off Glenlee Road within the Menangle Park Urban Release Area (MPURA) and is surrounded by land zoned generally for urban purposes. The land is located approximately 5 kilometres south of the Campbelltown CBD.

The Main Southern Railway aligns with the north western boundary of the site with proposed industrial development beyond. The north eastern and south eastern boundaries abut residential and open space zoned land; whilst the proposed Spring Farm Parkway and future open space are located to the south. Further, the site is visually connected to the former Glenlee coal washery, Australian Botanic Garden Mount Annan and broader Nepean River flood plain.

The site is occupied by the Glenlee House, gardens, gate lodge (remnants) and outbuildings and comprises an open general rural landscape. This broader landscape has been extensively cleared for past agricultural activities, including until recently an olive grove.

The site comprising, the homestead, outbuildings, garden and gate lodge (and rural setting), is listed as a State Heritage Item (CLEP Item No. I00009).

The site is part of a historically significant pastoral holding and was created in its current form as a reduced property holding when in the former ownership of the NSW State Planning Authority in 1972.

Immediate Planning Background

The Planning Proposal is the response to a Planning Proposal Request submitted in August 2016 and subsequently revised. The final version of the PPR is dated April 2021 and was compiled by Premise (Australia Pty Ltd) and forms Annexure (3) of this PP.

The PPR was supported by the following technical studies:

- Glenlee Estate – Conservation Management Plan (Tropman and Tropman Architects)
- Glenlee Estate – Aboriginal Heritage Assessment (AMBS Ecology and Heritage)
- Historical Archaeological Assessment Glenlee (Casey and Lowe Pty Ltd)
- Glenlee Estate – Heritage Impact Statement proposed subdivision and development options (Architectural Projects)
- Preliminary Site Investigation for Contamination (Douglas Partners)

It is noted that the Aboriginal Heritage Assessment and Historical Archaeological Assessment are reproduced as Appendices in the CMP. (Refer to Annexure 4)

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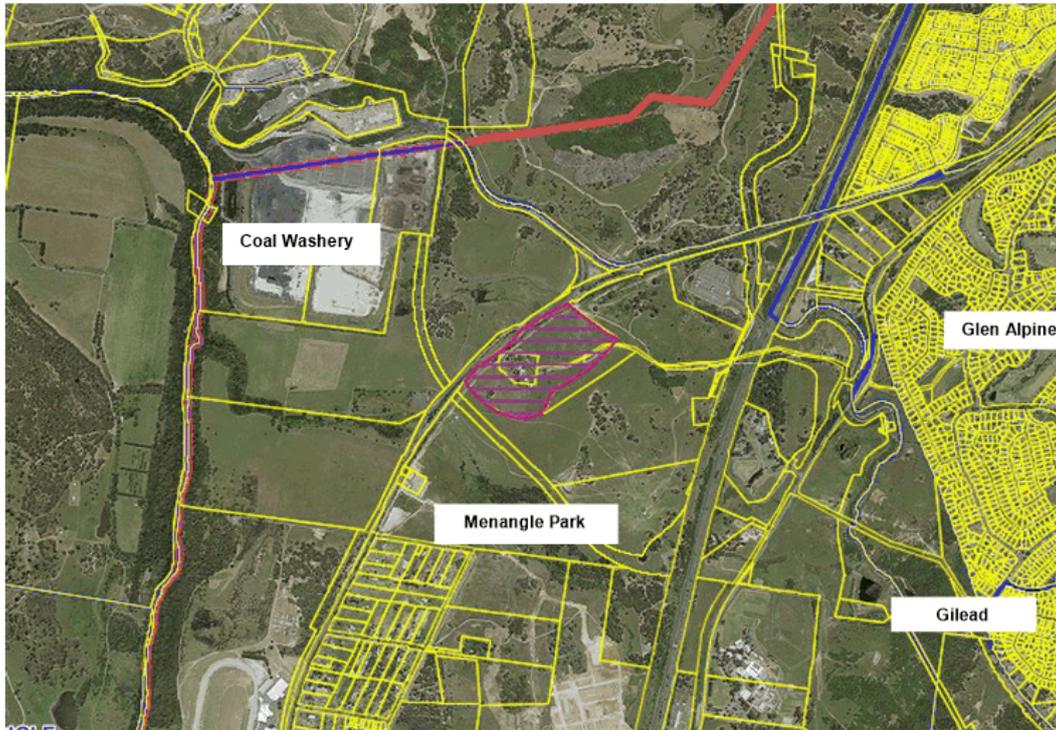


Figure 1 Subject Site and Immediate Locality

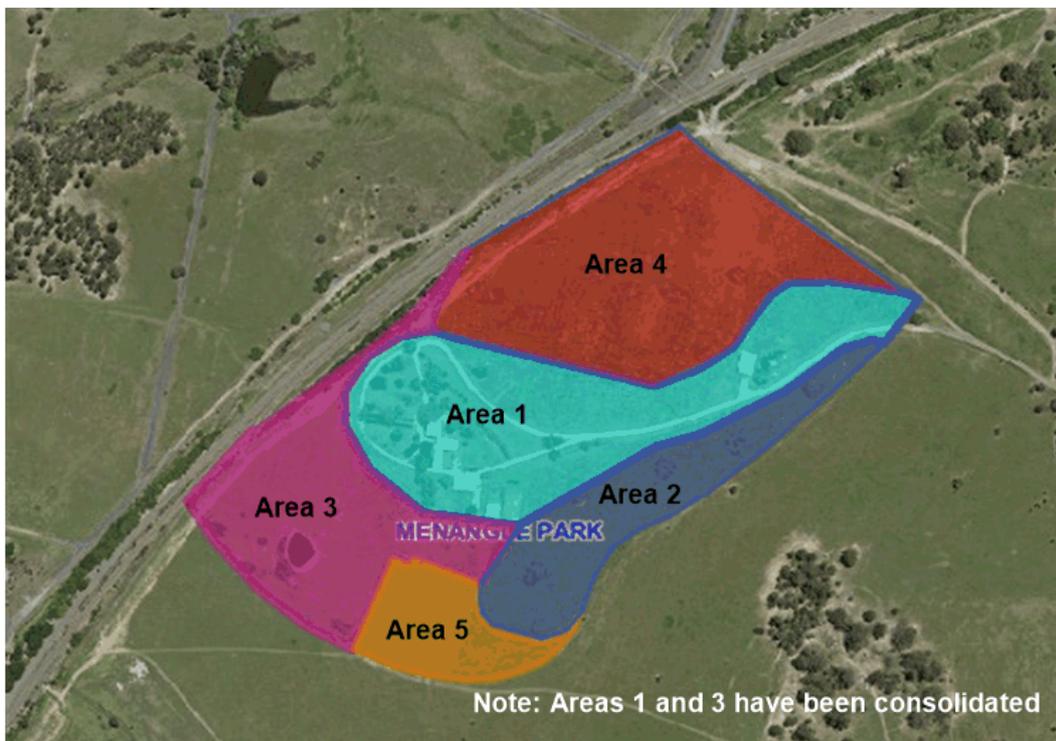


Figure 2 Precinct (Area) Map

Part 1 – Objectives or Intended Outcomes

The objectives of the Planning Proposal (PP) are to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) to facilitate limited development of the subject land for environmental living purposes as depicted conceptually in Annexure (3) and in doing so facilitate conservation of the important cultural and landscape context.

In seeking to realise this objective, the PP and development scenario aims to deliver the following outcomes:

- A planning template for environmental living opportunities
- strategic vegetation, bushfire hazard and landscape character management;
- sensitive integration with the existing and future interfaces;
- a strategic approach to community and physical infrastructure integration; and
- augmentation and reticulation of all essential services.

Part 2 - Explanation of provisions

It is proposed that CLEP 2015 be amended, for the subject land, as detailed below. (Refer to Annexure 1)

- Amend the zoning map from RU2 – Rural Landscape to part E4 – Environmental Living, part E3 – Environmental Management and part RE1 – Public Recreation.
- Amend the minimum lot size map from 40 ha to 600 m², 2000 m² and 8 ha.
- Amend the minimum lot size for dual occupancy map from 40 ha to 600 m² and 2,000 m².
- Amend the maximum building height from 9 m to 5 m (except for the homestead precinct- i.e the land to be rezoned E3 – Environmental Management which is to retain the existing maximum height limitation of 9m)

Part 3 - Justification

Section A – Need for the Planning Proposal

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The PP is the result of extensive investigations and review of the urban release area context and inherent qualities of the site including its environmental sensitivities and the need to establish a long term cultural heritage conservation strategy.

It is noted that the PPR submitted in respect of the subject land (and forming Annexure 3) is a professionally compiled report supported by a range of specialist studies and professional reviews. The subject reports were augmented/refined as the PPR was advanced.

The supporting reports address the following specific areas:

- Contamination;

- Conservation Management Plan
- Heritage Impact Statement
- Concept Masterplan; and
- Planning framework compliance.

They are reproduced in Annexure 4.

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

The PP is considered to be the best means of achieving the planning objective and intended outcomes detailed in Part 1. There are no other relevant means of accommodating the proposed development and facilitating the conservation outcomes than to amend CLEP 2015 as proposed in this PP. Alternative incremental changes would not deliver the projected integrated and sustainable outcome.

Section B – Relation to Strategic Planning Framework

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan – A Metropolis of Three Cities

The Metropolis of Three Cities (GSRP) has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 817,000 new jobs and 725,000 new homes by 2036. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The land is located within the MPURA. The initial stages of residential development are noted to have commenced and trunk service infrastructure under construction.

An assessment of the proposal against the relevant Directions and Objectives of the GSRP is provided in Table 1. (Refer to Annexure 2)

The proposal is generally consistent with the Plan particularly as the proposal seeks to ensure that development is aligned with the existing and proposed urban zoning of adjoining land. The proposal also provides housing diversity in the form of larger lots.

Western City District Plan - Connecting Communities

The Western City District Plan (WCDP) as updated in March 2018 establishes more detail in respect of the GSRP with regard to the anticipated sustainable growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The PP is considered to be consistent with the WCDP, in that it is consistent with the following relevant Directions and Planning Priorities summarised below and detailed in Table 1. (Refer to Annexure 2)

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Planning Priority	Comments on consistency
W1 – Planning for a city supported by infrastructure	Objective 4 - Infrastructure is Optimised.
W3 – Providing Services and social infrastructure to meet peoples changing needs	Objective 6 – Services and Infrastructure meet communities’ changing needs.
W5: Providing housing supply, choice and affordability, with access to jobs and services	Objective 10 – Housing is more diverse and affordable
W6 – Creating and renewing great places and local centres and respecting the Districts Heritage	Objective 12 – Environmental Heritage is identified, conserved and enhanced
W12 – Protecting and improving the health and enjoyment of the Districts waterways	Objective 25 – The coast and waterways are protected and healthier
W15 - Increasing urban tree canopy cover and delivering Green Grid connections	Objective 30 – Urban Tree Canopy is increased
W19 – Reducing carbon emissions and managing energy, water and waste efficiently	Objective 33 – A low carbon city contributes zero emissions by 2050 and mitigates climate change.
W20 – Adopting to the impacts of urban and natural hazards and climate change	Objective 37 – Exposure to natural and urban hazards is reduced.

Campbelltown Local Environmental Plan 2015 (CLEP 2015)

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. The proposed changes to the CLEP 2015 are detailed in Parts 2 Explanation of Provisions and Part 4 Mapping of this PP.

The objectives and permitted uses of the proposed zones are detailed below:

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown’s urban area.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To maintain significant stands of native vegetation and wildlife and riparian corridors.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

2 Permitted without consent

Home occupations

3 Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Horticulture; Home-based child care centres; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Tank-based aquaculture; Viticulture; Water supply systems

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To enable development for purposes other than rural-residential only if that development is compatible and complementary, in terms of design, size and scale, with the character of land in the zone.
- To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land.
- To protect, and maintain the environmental, ecological and visual amenity of, the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the vicinity of the Georges River from inappropriate development.
- To preserve the rural heritage landscape character of the Scenic Hills.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

2 Permitted without consent

Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Cellar door premises; Dual occupancies (attached); Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural workers' dwellings; Tank-based aquaculture; Viticulture; Water supply systems

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide for land uses compatible with the ecological, scientific, cultural or aesthetic values of land in the zone.
- To facilitate the multiple use of certain open space areas.
- To facilitate development that is ancillary or incidental to the special land uses provided for in this zone.
- To provide for the sufficient and equitable distribution of public open space to meet the needs of the local community.
- To preserve and rehabilitate bushland, wildlife corridors and natural habitat, including waterways and riparian lands, and facilitate public enjoyment of these areas.
- To provide for the retention and creation of view corridors.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To preserve land that is required for public open space or recreational purposes.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Camping grounds; Car parks; Community facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Signage; Small bars; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

It is not proposed to modify these land use provisions.

Table 1: Proposed Campbelltown Local Environmental Plan Provisions

CLEP Current	Proposed Amendment	Comment
Land Use Zoning Map		
The subject land is zoned RU2 – Rural Landscape	<p>The PPR seeks to rezone the site to the following:</p> <ul style="list-style-type: none"> • E4 Environmental Living • E2 Environmental Conservation • E3 Environmental Management • RE1 Public Recreation 	<p>The proposed land use zones and their spatial distribution is based on a sensitivity analysis in the Conservation Management Plan for the estate, the Heritage Impact Statement translation and landscape objectives of the LSPS.</p> <p>Limited low density residential development in the ‘northern bowl’ and ‘south eastern foot slopes’ (Areas 4 and 5 respectively, Refer to Figure 2) are proposed to be zoned E4 Environmental Living Zone with the heritage sensitivities attached to the Homestead outbuildings and immediate curtilage appropriately zoned E2 and E3.</p> <p>This PP at Annexure 1 combines the proposed E2 and E3 zones as a common E3 zone in response to advice from the CLPP.</p> <p>Protection of the strategic knoll and ridge as open space (RE1) is consistent with the principles of the LSPS and is the subject of a formal offer to enter into a voluntary planning agreement from the applicant. (Refer to Annexure 5)</p>
Height of Building Map		
The site current has a height limit of 8.5 m.	The PPR proposes to reduce the maximum building height to 5.0 m with the exception of the Homestead Precinct which	The reduction in maximum building height would ensure future development is low in scale as part of the strategy to minimise visual impacts.

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	will maintain a maximum building height of 8.5 m.	The retention of the current control for the Homestead Precinct would facilitate compatible scale development.
Minimum Lot Size		
The minimum lot size within the subject land is 40 ha	<p>The PPR seeks to amend the minimum lot size to the following:</p> <ul style="list-style-type: none"> • 600 m² • 2,000 m² • 20,000 m² (2 ha) • 50,000 m² (5 ha) 	<p>The proposed minimum lot sizes have been established having regard to the sensitivities of the site and the form of development considered appropriate for the site; it being noted that 2 ha and 5 ha prevents further subdivision of the residue curtilage with homestead and outbuildings.</p> <p>This PP at Annexure 1, in a manner consistent with the consolidation of the proposed E2 and E3 zones, introduces a minimum lot size of 8 ha, so as to prevent subdivision of this Homestead Precinct.</p>
Site Coverage	The PPR does not seek to address site coverage.	<p>In accordance with the advice of the CLPP, it is considered appropriate that this PP include provisions that limit the site coverage or floor area of future dwellings in areas 4 (Northern Bowl) and area 5 (Southern Corner – Refer to Figure 2). It is considered this amendment could be drafted in consultation with DPIE as a condition of Gateway Determination.</p> <p>A similar amendment is currently under consideration by DPIE in relation to the Glenfield Precinct – Macquarie Fields House and could be progressed in a consistent manner.</p>

The proposed E4 Environmental Living zone would cater for lifestyle lots within the precinct, and minimise the extent of development permissible. This zone does not support complying development and would ensure that local development is appropriately assessed via development applications, within the context of detailed site specific development controls in a relevant DCP amendment.

Campbelltown (Sustainable City) Development Control Plan, 2015

This DCP provides a compendium of general controls for subdivisions and subsequent residential development. It would be proposed to introduce a series of detailed controls to deliver the vision communicated in the Heritage Impact Statement and concept subdivision layout plan reproduced in Annexure 4.

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

Local Strategic Planning Statement 2019

The Local Strategic Planning Statement details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

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

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PP is consistent with the draft LSPS with the specific actions relevant to the PP discussed below, with a broader overview in Table 2 of Annexure 2.

LSPS Action	Comment
2.5 Contain urban development to existing urban areas and within identified growth and investigation areas, in order to protect the functions and values of scenic lands and the Metropolitan Rural Area (MRA).	The Glenlee Estate is located in the MPURA, which was rezoned principally for urban purposes in November 2017 and is surrounded by land zoned largely for urban purposes, including residential, industrial and open space. The PP acknowledges the cultural and contextual sensitivity of the site by limiting the siting and form of proposed development. Additionally, it seeks to ensure the prominent ridgeline is conserved as public open space. Further, the limited areas identified for potential low density environmental living occur in locations considered less sensitive to the main vistas and cultural values of the heritage item. The revised curtilage contained with the supporting Conservation Management Plan (CMP)

	<p>ensures the items and areas of greatest cultural sensitivity are conserved.</p> <p>The site does not comprise part of the MRA.</p> <p>The proposed development of larger lot housing on land zoned E4 Environmental Living could be considered a form of rural-residential development as envisaged by the WCDP.</p>
<p>3.6: Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn.</p>	<p>The PPR and specialist heritage documents have identified zones of sensitivity and limited areas for potential development that do not impact unacceptably on the important elements of the Estate and their setting. The proposal also identifies significant landscape elements such as the ridge which are to be retained for both resident and broader public enjoyment.</p> <p>The ultimate development scenario would provide a mechanism for facilitating the long-term conservation of the important cultural heritage elements of the Estate.</p>
<p>5.11 Promote community management of scenic and cultural landscapes in the LGA</p>	<p>The proposal would provide for both private (through subdivision design) and public management (Ridgetop Reserve) of the important scenic and cultural landscape elements of the Estate.</p>

In summary, the PP is generally consistent with the actions of the Campbelltown Local Strategic Planning Statement.

Draft Campbelltown Local Housing Strategy 2020

The Draft Campbelltown Local Housing Strategy (CLHS) was endorsed at Council’s Extraordinary Meeting of 29 September 2020 and would come into effect when endorsed by the Department of Planning, Industry and Environment (DPIE). Its primary aim is to examine the housing needs of Campbelltown’s current and potential future residents and puts forward an evidence based approach to managing sustainable housing growth to 2036.

Council has prepared the CLHS to align with the updated CLEP 2015 and WCDP, which is relevant to the future zoning of the subject land.

The housing vision for Campbelltown LGA is to provide sustainable, high quality housing options to meet the diverse accommodation needs of the local community and future population growth.

The objectives of the CLHS are as follows:

- Meet the housing needs of the future population.
- To support urban containment.
- To provide for housing that meets the needs of all households.

- To encourage the provision of new housing in locations that support the 30 minute city principle.
- To encourage the planning of housing within neighbourhoods.
- Manage the development of Greenfield release areas.
- Facilitate the urban renewal of walkable catchments
- Support housing growth in the Campbelltown CBD
- Plan for incremental growth through infill development which is compatible with the desired neighbourhood character.
- Promote high quality and environmentally sustainable residential environments.

The housing vision for Campbelltown LGA is to provide sustainable, high quality and diverse range of housing options to meet the accommodation needs of the local community and future population growth.

The proposal would contribute to the diverse housing needs of the future population in a manner consistent with the principles of urban containment (as an infill site) and delivery of the 30 minute city as espoused in the CLHS.

Additionally, the proposal would be compatible with the desired neighbourhood character and promote a high quality and environmentally sustainable environment, which is consistent more broadly consistent with the objectives of the E4 – Environmental Living Zone.

Campbelltown Community Strategic Plan – Campbelltown 2027

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

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

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

Table 2	
CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	<ul style="list-style-type: none"> • The proposed environmental living allotments would provide a niche form of housing choice that is not well represented in the locality. • The proposed development provides a framework to identify lands for landscape screening, environmental management, stormwater management, access and maintenance, consistent with the values of the landscape, and to prevent incidental or subsequent development of the lands in a way that is consistent with the objective of the proposal.
Outcome 2	

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A respected and protected natural environment	<ul style="list-style-type: none"> The Proposal aims to minimise impacts on the natural environment.
Outcome 3	
A thriving, attractive city	<ul style="list-style-type: none"> It is proposed to zone and dedicate strategically significant scenic land and to provide public access to such land. There are prospects of greater public (physical and visual) access to the unique heritage qualities of the Estate.
Outcome 4	
A successful city	<ul style="list-style-type: none"> The proposed large lot environmental living allotments would provide a form of desired housing that is identified by Council's Housing Strategy, and uniquely located as required to attract knowledge jobs to Campbelltown.

2. Is the Planning Proposal consistent with applicable State Environmental Planning Polices?

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

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Aboriginal Land) 2019	N/A	Not applicable to this PP.
SEPP (Activation Precincts) 2020	N/A	Not applicable to this PP.
SEPP (Affordable Rental Housing) 2009	Consistent	The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing although, it is unlikely to be an affordable housing product.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	The PPR is not inconsistent with the SEPP; the provisions of which would apply to future developments and indeed are envisaged to be exceeded.
SEPP (Coastal Management) 2018	N/A	Not applicable to this PP.
SEPP (Concurrences and Consents)	N/A	Not applicable to this PP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent	Any educational establishments would be subject to development approval in accordance with the provisions of the SEPP, if proposed.
SEPP (Exempt & Complying Development Codes) 2008	Consistent	The PPR is not inconsistent with the SEPP and the provisions. Given the proposed E4 zoning the Exempt and Complying Code would not be applicable to housing development within the precinct.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent	The PPR does not preclude future merit based provisions of housing for seniors and people with a disability, although none is proposed.

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SEPP (Infrastructure) 2007	Consistent	The proposal does not constitute traffic generating development. Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.
SEPP (Koala Habitat Protection) 2020	Consistent	The site is not identified as potential koala habitat and accordingly not subject to the provisions of the SEPP.
SEPP (Major Infrastructure Corridors) 2020	N/A	Not applicable to this PP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable to this PP.
SEPP No 1 Development Standards	Consistent	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	Consistent	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation. Little vegetation will be removed from the general pastoral landscape. The tree canopy will be increased from the current grazing landscape through significant street tree and screen planting initiatives.
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.
SEPP No. 33 - Hazardous and Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Consistent	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 - Remediation of Land	N/A	A Preliminary Site Investigation was undertaken by Douglas Partners. A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site. Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of future development application/s. The investigation concluded that the site can be made suitable for the proposed uses.

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SEPP No. 64 – Advertising and Signage	Consistent	Any future advertising/signage will need to comply with the provisions of the SEPP.
SEPP No. 65 – Design Quality of Residential Apartment Development	N/A	Not applicable to this PP.
SEPP No. 70 – Affordable Housing (Revised Schemes)	N/A	Not applicable to this PP.
SEPP (Primary Production and Rural Development) 2019	N/A	Not applicable to this PP.
SEPP (State and Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Consistent	The land is contained within the Menangle Park Precinct of the SEPP. The relevant planning controls for the precinct are cited to be the provisions of CLEP 2015. The proposal seeks to amend the prevailing controls as detailed in Parts 2 and 4.
SEPP (Vegetation in Non-Rural Areas) 2017	Consistent	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Western Sydney Aerotropolis) 2020	N/A	Not Applicable to this PP.
SEPP (Western Sydney Employment Area) 2009	N/A	Not Applicable to this PP.
SREP No. 20 – Hawkesbury Nepean River	Consistent	The Proposal does not conflict or hinder the achievement of the SREP aims, with the principles of NorBE underpinning water management and the proposal being removed from the iconic Nepean River landscapes.

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

The PP is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions is shown below.

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
1. Employment and Resources		
1.2 Rural Zones		
This Direction seeks to protect the agricultural production value of rural lands.	Justifiably Inconsistent	The PP relates to a limited parcel of constrained land with little inherent productive capacity. The application of capital in the form of intensive agriculture would lead potentially to significant neighbourhood conflicts and potential adverse visual impacts. Further, intensive cultivation would be

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		severely curtailed by the prevailing topography.
1.3 Mining, Petroleum Production and Extractive Industries		
The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Justifiably Consistent	Future extraction would be incompatible with the proposal and surrounding development and would be inappropriate. The existing neighbourhood character would generally mitigate against extractive industry approval irrespective of the proposal.
1.5 Rural Lands		
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	Consistent	Not Applicable within the Campbelltown Local Government Area.
2. Environment and Heritage		
2.1 Environmental Protection Zones		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Consistent	The PP does not include areas of biodiversity significance as identified on the CLEP 2015 Terrestrial Biodiversity Mapping Layer.
2.3 Heritage Conservation		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent	An Aboriginal Heritage Due Diligence Assessment has been undertaken (Refer to Annexure 4) and identified areas of moderate to high archaeological potential. These areas can be largely avoided and/or appropriately managed. Areas where future development may impact, will require further assessment at the DA stage in the form of an Aboriginal Cultural Heritage Assessment (ACHA). The subject site is listed as a State Heritage Item and is subject to the relevant provisions of the Heritage Act and CLEP 2015. Additionally, the PP is accompanied by a Conservation Management Plan (CMP), Heritage Impact Statement and principles of a proposed Heritage Agreement, which supports the proposed development outcomes.
2.6 Remediation of Contaminated Land		
This Direction seeks to reduce the risk of harm to human health and the environment by ensuring that	Consistent	The PP is accompanied by a Preliminary Site Investigation by Douglas Partners.

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<p>contamination and remediation are considered by planning proposal authorities</p>		<p>A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site.</p> <p>Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of a future development application/s.</p> <p>The investigation concluded that the site can be made suitable for the proposed uses.</p>
<p>3. Housing, Infrastructure and Urban Development</p>		
<p>3.1 Residential Zones</p>		
<p>This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.</p>	<p>Consistent</p>	<p>The PP will broaden housing choice in providing larger lot 'lifestyle housing' opportunities and be generally driven by good design aspirations. In doing so, by its very nature, it cannot reduce the consumption of land on the urban fringe and is considered an acceptable outcome given more intense residential development would never be suitable on the site.</p> <p>The existing LEP includes provisions which require inherit service commitments to be met. Further the PP does not include provisions that reduce the permissible residential density.</p>
<p>3.2 Home Occupations</p>		
<p>This Direction seeks to facilitate low impact small businesses in dwelling houses</p>	<p>Consistent</p>	<p>The proposal includes standard provisions to facilitate home occupations.</p>
<p>3.4 Integrating Land Use and Transport</p>		
<p>This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.</p>	<p>Consistent</p>	<p>The proposal can leverage off the public transport strategy for the MPURA and in particular proposed local bus services and the limited train services.</p> <p>Further, the subject accessibility network will link readily with the proposed Spring Farm Parkway and proposed Menangle Park Town Centre.</p> <p>Access is noted to be dependent on the development of the surrounding urban release area with the existing bridge over the Hume Highway not suited for significant vehicular movements.</p>

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4. Hazard and Risk		
4.1 Acid Sulphate Soils		
This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	N/A	The site is not identified to be under laid with acid sulphate soils.
4.2 Mine Subsidence and Unstable Land		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Justifiably Inconsistent	<p>A portion of the site falls within the South Campbelltown Mine Subsidence District. Whilst referral to the Subsidence Advisory Board is required, the relevant mine subsidence considerations underpinned the zoning of the MPURA.</p> <p>In this regard in 2006 the then Department of Planning advised that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at a scale and form necessary to make the development viable - given the important contribution of Menangle Park to land supply in the Sydney Metropolitan Region.</p>
4.3 Flood Prone Land		
This Direction seeks to ensure flood hazards are appropriately managed in a development context both on and off the subject land.	N/A	The site is not identified to be flood prone. Minor inundation is noted to occur in a limited area and is capable of being readily managed.
4.4 Planning for Bushfire		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Consistent	<p>The subject site contains bushfire prone land (Vegetation Category 3 and Vegetation Buffer). Such land comprises principally grasslands.</p> <p>The final design of the proposed development, including service infrastructure, can be made to comply with Planning for Bushfire Protection 2019.</p> <p>It is noted that pre consultation with the NSW RFS would likely be a requirement of a positive Gateway Determination.</p> <p>Any future vegetation rehabilitation and enhancement must ensure the principles of Planning for Bushfire Protection 2019 are complied with.</p>

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5. Regional Planning		
5.2 Sydney Drinking Water Catchment		
This Direction seeks to protect water quality in the Sydney Drinking Water Catchment.	N/A	Not Applicable
6. Local Plan Making		
6.1 Approvals and Referral Requirements		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Consistent	The Proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements.
6.2 Reserving land for Public Purposes		
This Direction seeks to facilitate the provision of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Council approval and endorsement of the Secretary is required	As part of the conservation strategy accompanying the proposal it is proposed to dedicate the eastern ridgeline and knoll as open space (at no cost to Council) with an attached RE1 Public Recreation zoning.
6.3 Site Specific Controls		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Consistent	The Proposal pertains to amendments to the 'standard instrument' Campbelltown LEP 2015. No site specific planning controls are proposed.
7. Metropolitan Planning		
7.8 Implementation of the Western Sydney Aerotropolis Plan		
This Direction seeks to ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan.	Consistent	The proposal does not undermine the achievement of the objectives, planning principles or priorities of the Western Sydney Aerotropolis Plan.
7.12 Implementation of Greater Macarthur 2040		
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Consistent	The Proposal is within the Greater Macarthur Land Release Area and is considered to be not inconsistent with the planning principles or the broader precinct; the site, being identified to be existing urban land in the Greater Macarthur Structure Plan (land release areas).

Section C – Environmental Social or Economic impact

4. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site has largely been cleared in the past to facilitate various broadacre agricultural activities. Only strategic plantings generally remain. The Terrestrial Biodiversity Map contained in CLEP 2015 does not identify the subject land to have significant vegetation present.

The proposal would assist in establishing local biodiversity through extensive screen planting and street planting initiatives together with future domestic plantings associated with the development of new residential premises.

The bio retention facilities of the stormwater management strategy will also likely contribute to enhanced ecological values.

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

An overview of other likely environmental effects is provided below:

Contamination

A preliminary Site Investigation (PSI) undertaken by Douglas and Partner's identified a total of 10 Areas of Environmental Concern (AEC) on the site.

The AECs are considered to be a result of previous land use and management across the site including utilisation of the site for the cultivation of olives.

Any future development of the site would be subject to further detailed environmental investigations and potential remediation actions as the planning process proceeds. The PSI concludes that the site can be made suitable for the proposed uses.

Bushfire Hazard

The Campbelltown City Council Bushfire Prone Land Map identifies the site as containing Bushfire prone land with a Category 3 and vegetation buffer classification, due to existing grasslands.

Asset protection zones are capable of being achieved and managed in accordance with Planning for Bushfire Protection 2019 (PFBP). Furthermore, construction standards and access would be subject to future compliance with PFBP.

A bushfire hazard report is likely to be required as a future Gateway condition.

Acoustic, Noise and Vibration

The site adjoins the Southern Railway Line, as does the broader MPURA. Despite the railway being partly in cut, further development in accordance with the Concept Masterplan would be exposed to various levels of noise associated with passenger and freight trains and potentially vibration impacts.

Further, the proposed Spring Farm Parkway is located south of the site and is proposed as an elevated viaduct that would be a future source of traffic noise. Various mitigation measures are potentially capable of occurring in the form of civil works and noise suppression measures in building design and insulation.

An acoustic and vibration assessment strategy would likely be required as a Gateway study, to address, as a minimum, the NSW 'Department of Planning's Development near Rail Corridors and Busy Roads (interim Guideline)'.

Flooding and Stormwater Management

The site is generally flood free apart from a small section adjacent to the northern boundary. Future development of the Concept Masterplan would require a comprehensive flood mitigation and stormwater management strategy.

Such a strategy would likely require civil works that modify the landscape to control the potential flood impact and integrate with a detention and treatment train strategy to control gross pollutants, sediment and nutrients in accordance with Council's relevant stormwater quantity and quality standards.

Further consideration of the stormwater strategy would be appropriate at the development application stage.

Accessibility (Transport, Traffic, Pedestrian and Cycle)

The site is currently accessed from Menangle Road via a bridge over the Hume Highway. However, future access via this route would require significant works, including detailed engineering review of the highway overpass, realignment and widening of the water canal crossing (State Heritage Item) and intersection improvements to Menangle Road.

For these reasons, it is recommended that future access to the land be via the existing / draft street layout contained with the proposed amendments to the Menangle Park Master Plan which would require all traffic to access the site from a new intersection with the proposed Spring Farm Parkway. Provision of this work is secured by the State Voluntary Planning Agreement 2017/8774 (Menangle Park - Urban Growth) and is expected to commence construction within 2 years.

Further consideration of traffic generation would be appropriate at the development application stage. Pedestrian and cycle facilities would be required to integrate with the proposed network for the locality, including open space areas.

Utilities and Services

Proposals to service the MPURA are currently being advanced in fulfilment of clause 6.2 of CLEP, in relation to satisfactory arrangements for development subject to existing approval.

Work is currently taking place in respect of the provision of reticulated water and wastewater services to the MPURA, with trunk infrastructure focused on servicing existing approved subdivision applications.

Apart from limited electrical services from supply in Menangle Road, a 66 KV feeder and zone substation are being provided proximate to the south west boundary of the site.

Advice has been provided that existing telecommunications services including NBN can be extended to service the proposal.

Gas is currently not available to the MPURA. Future availability would be determined at the development application stage.

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

The rezoning for residential purposes would result in positive economic effects. The PP would potentially result in short and medium term employment opportunities related to development and construction activities associated with the sub-divisional works and the subsequent erection of dwellings.

The increased supply of diverse housing stock would also have positive social impacts, particularly in terms of enhanced housing opportunities. Additionally, an increase in the resident population would potentially have positive social and economic impacts on the proposed Menangle Park Town Centre.

Finally, Social Infrastructure impacts would importantly be addressed via the proposed VPA (Refer to Annexure 5) and a relevant contribution pursuant to the Menangle Park Contributions Plan 2020.

Section D – State and Commonwealth interests

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

The proposal includes the zoning of land for public open space. The proponent has offered to dedicate the strategic knoll and ridge as open space for public purposes, but not to embellish the same. A formal irrevocable offer that addresses land dedication and conservation actions in perpetuity has been provided. (Refer to Annexure 5)

Standard development contributions would also be required pursuant to the Menangle Park Contributions Plan 2020 and an appropriate arrangement entered into for State Infrastructure with the NSW Department of Planning, Industry and Environment.

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

Proposals to service the MPURA are currently being advanced in fulfilment of clause 6.2 of CLEP, in relation to satisfactory arrangements for development subject to exiting approval. Work is currently taking place in respect of the provision of reticulated water and wastewater services to the MPURA, with trunk infrastructure focused on servicing existing approved subdivision applications.

Apart from limited electrical services from supply in Menangle Road, a 66 KV feeder and zone substation are being provided proximate to the south west boundary of the site.

Advice has been provided that existing telecommunications services including NBN can be extended to service the proposal.

Gas is currently not available to the MPURA. Future availability would be determined at the development application stage.

Part 4: Mapping

In seeking to achieve the PP objectives & outcomes the following map amendments are proposed and reflected in Annexure 1:

Item	Sheet Number	Location
Zoning Map	1500_COM_LZN_003_020_201704012	Annexure 1 (a)
Height of Buildings Map	1500_COM_HOB_003_020_20170412	Annexure 1 (b)
Minimum Lot Size Map	1500_COM_LSZ_003_020_20170412	Annexure 1 (c)
Dual Occupancy Map	1500_COM_LSP_003_020_20170412	Annexure 1 (d)

Part 5 - Community Consultation

It is proposed that community consultation and engagement with relevant public authorities and service agencies (Public Exhibition) take place in accordance with the provisions of Schedule 1 - Community participation requirements, of the EP&A Act 1979.

Specifically, it is proposed that the exhibition period extend for a period of 28 days, with documentation available on the Planning Portal, and Council's website during this period.

Part 6 Project Timeline

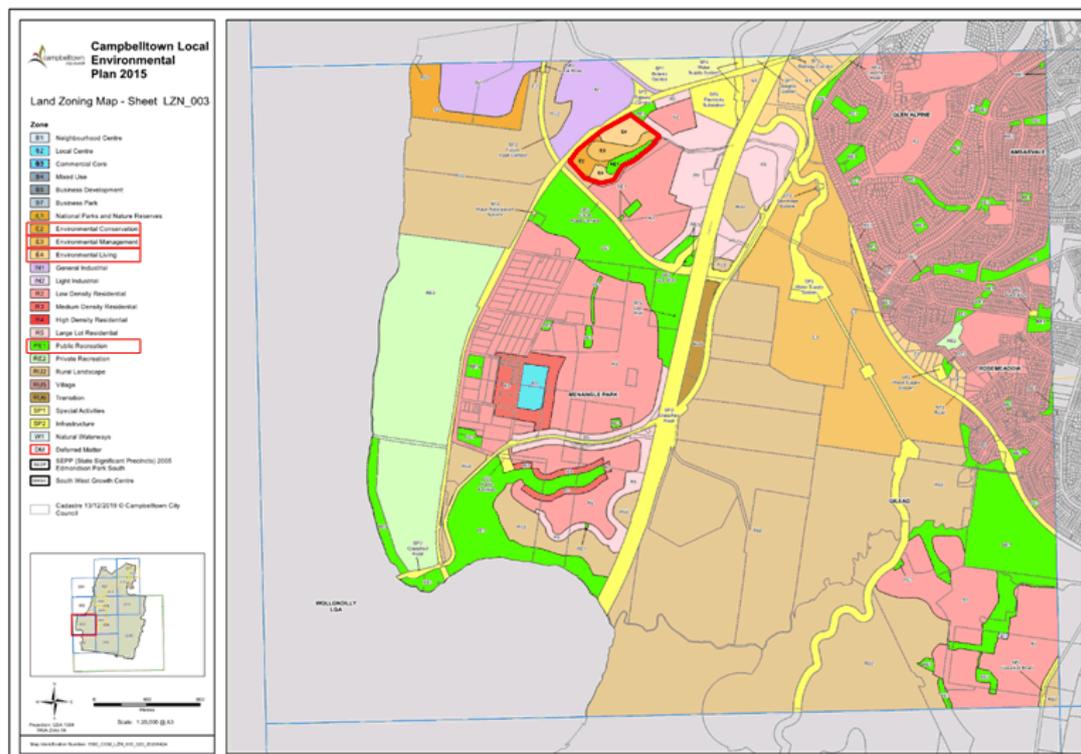
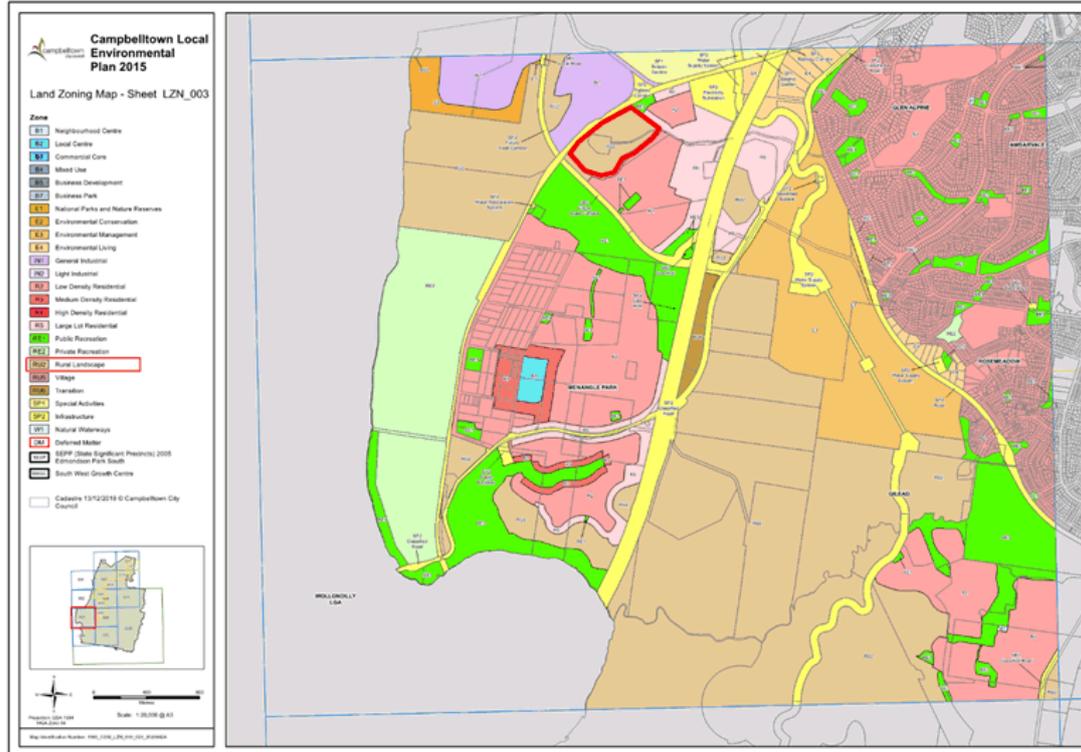
A draft project timeline has been included in the table below.

Milestone	Timeline
Referral to Local Planning Panel	April 2021
Council Consideration	May 2021
Referral for Gateway Determination	June 2021
Gateway Determination	August 2021
Completion of additional supporting documentation	November 2021
Public Exhibition	December/January 2021/2022
Consideration of Submissions	April 2022
Report to Council	June 2022
Finalisation of LEP amendment	August 2022

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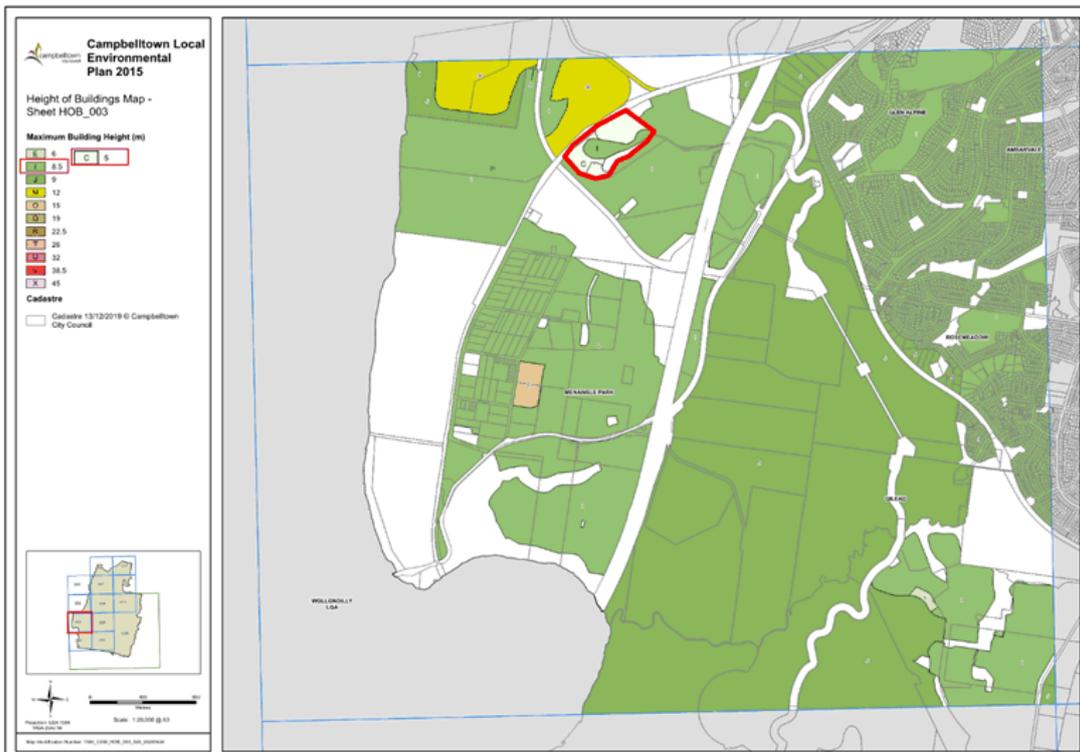
Annexure 1 (a) Changes to Zoning Map



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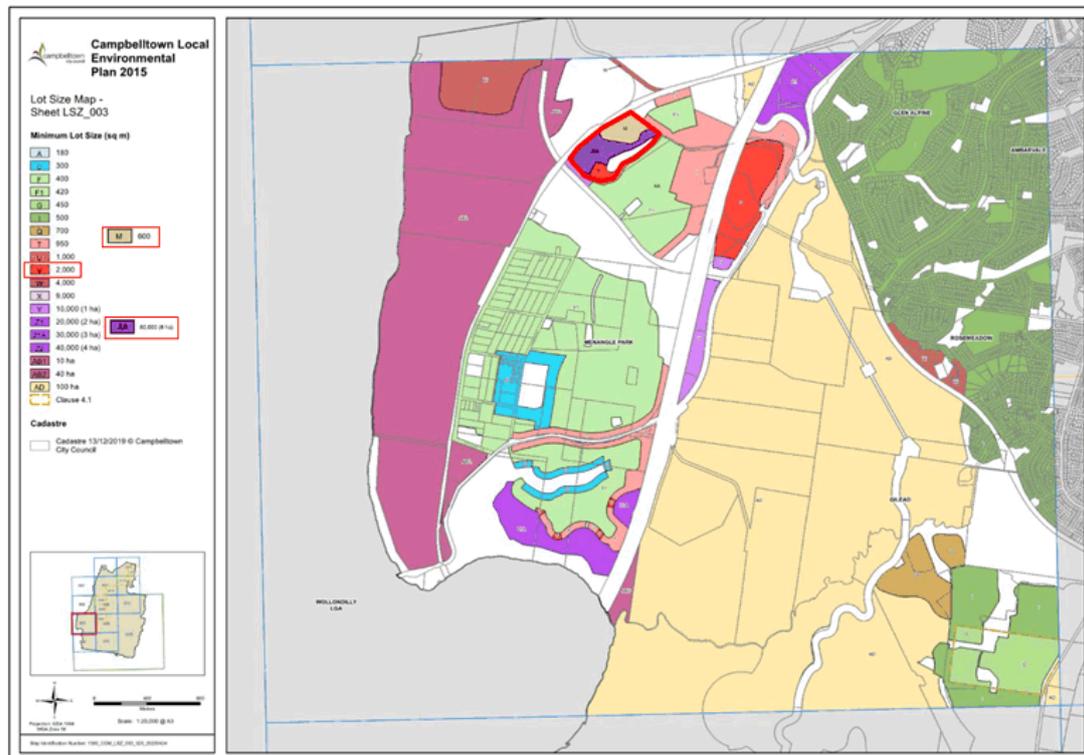
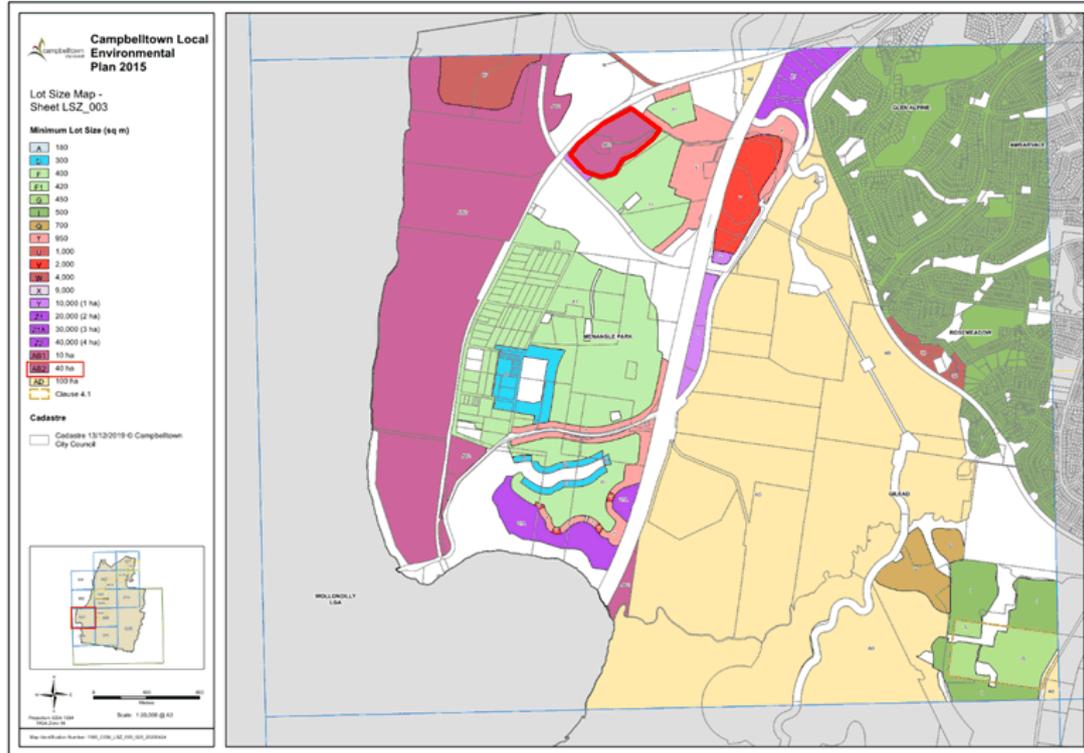
Annexure 1 (b) – Changes to Height of Buildings Map



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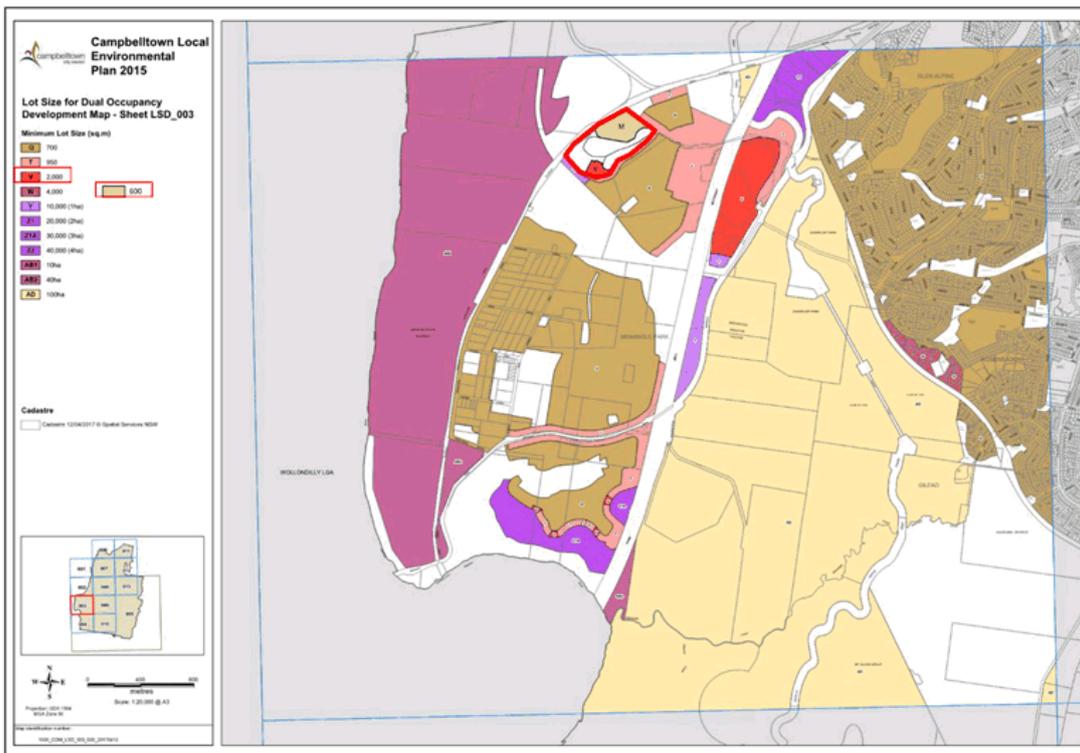
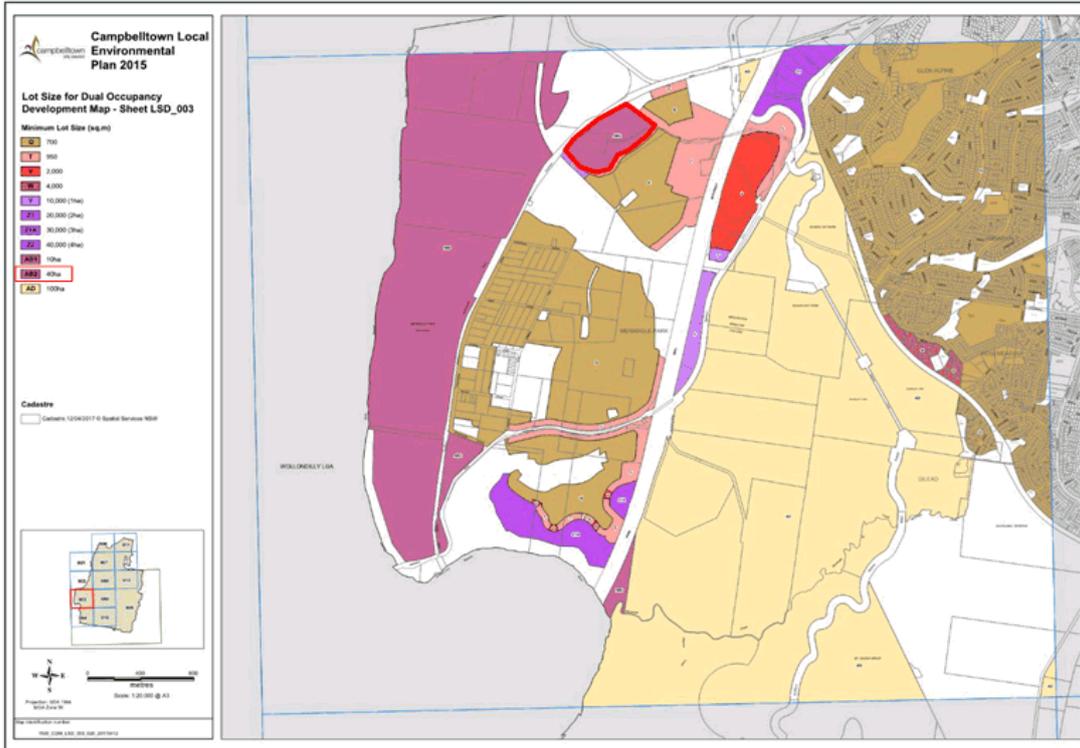
Annexure 1 (c) – Changes to Minimum Lot Size Map



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Annexure 1 (d) – Changes to Minimum Lot Size Dual Occ.



Annexure 2 – Strategic Context

Table 1: Greater Sydney and Western City District Plan

Table 2: Campbelltown Local Strategic Planning Statement

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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistency	Response
Infrastructure and Collaboration			
<i>A City Supported by Infrastructure</i>			
<ul style="list-style-type: none"> » Infrastructure supports the three cities » Infrastructure aligns with forecast growth - growth infrastructure compact » Infrastructure adapts to meet future needs » Infrastructure use is optimised 	<ul style="list-style-type: none"> » Planning for a city supported by infrastructure (W1) 	Generally Consistent	<p>The PPR proposes an additional 77 lots (approximately 260 people). The proposed utilities infrastructure to service the MPURA can be readily augmented to service the proposed development.</p> <p>Further, the road network proposed to service the surrounding precincts in the MURA can accommodate the increased traffic demands whilst appropriate connectivity to the proposed surrounding pedestrian/cycle network can be achieved.</p> <p>Therefore, it is considered that the PPR is consistent with the objectives within the direction 'A City Supported by Infrastructure.'</p>
<i>A Collaborative City</i>			
<ul style="list-style-type: none"> » Benefits of growth realised by collaboration of governments, community and business 	<ul style="list-style-type: none"> » Working through collaboration (W2) 	Generally Consistent	<p>Whilst, the PPR is not identified in the plan as a specific Collaboration Area, a relevant Planning Proposal will entail compulsory community engagement and consultation with authorities/agencies in accordance with a Gateway Determination.</p> <p>Therefore, the PPR can be considered consistent with the objectives of 'A Collaborative City'</p>
Liveability			
<i>A City for People</i>			
<ul style="list-style-type: none"> » Services and infrastructure meet communities' changing needs » Communities are healthy, resilient and socially connected » Greater Sydney's communities are 	<ul style="list-style-type: none"> » Providing services and social infrastructure to meet peoples changing needs (W3) » Fostering healthy, creative, culturally rich and socially 	Generally Consistent	<p>The PPR has not proposed any additional education or health facilities as the proposed yield will not impact significantly on the social infrastructure planned for the MPURA.</p> <p>However, the PPR provides access to proposed open space and visual access (as a minimum)</p>

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<p><i>culturally rich with diverse neighbourhoods</i></p> <p>» <i>Greater Sydney celebrates the arts and supports creative industries and innovation</i></p>	<p><i>connected communities (W4)</i></p>		<p>to the culturally significant elements of Glenlee estate.</p> <p>Therefore, the PPR can be considered consistent with the objectives of 'A City for People'</p>
<p>Housing the City</p>			
<p>» <i>Greater housing supply</i></p> <p>» <i>Housing is more diverse and affordable</i></p>	<p>» <i>Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)</i></p>	<p>Generally Consistent</p>	<p>The PPR proposes an additional 77 allotments to provide for a housing/lifestyle opportunity rarely catered for in Campbelltown's current housing provision.</p> <p>Housing affordability is more than adequately catered for in the urban release and urban renewal housing programs.</p> <p>Housing supply, however, fails to adequately cater for diversity at the 'lifestyle/environmental living' end of the housing spectrum.</p> <p>The proposal will importantly contribute to the subject housing void in a location with adequate access to Campbelltown LGA employment opportunities and city facilities and services, including those in the proposed Menangle Park Town Centre and existing Macarthur Centre.</p> <p>Therefore, whilst not addressing affordability (which is more than adequately catered for in the urban release and urban renewal housing programs) the PPR importantly addresses a void in housing diversity and can be considered generally consistent with the objectives of 'Housing the City.'</p>
<p>A City of Great Places</p>			
<p>» <i>Great places that bring people together</i></p> <p>» <i>Environmental heritage is identified, conserved and enhanced</i></p>	<p>» <i>Creating and renewing great places and local centres, and respecting the District's heritage (W6)</i></p>	<p>Generally Consistent</p>	<p>The PPR's intent is to create a place that sensitively integrates with and facilitates the conservation of important elements of the cultural environment.</p>

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			The PPR has the potential to meet the objectives of 'Housing the City' and therefore can be considered consistent.
Productivity			
A Well Connected City			
<ul style="list-style-type: none"> » <i>A metropolis of three cities -integrated land use and transport creates walkable and 30 minute cities</i> » <i>The Eastern, GPOP and Western Economic corridors are better connected and more competitive and efficient</i> » <i>Freight and logistics network is competitive and efficient</i> » <i>Regional connectivity is enhanced</i> 	<ul style="list-style-type: none"> » <i>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)</i> 	Generally Consistent	<p>The PPR does not directly impact this Direction. It seeks to leverage off the broader local road system and proposed road system of the developing MPURA, including the proposed Spring Farm Link Road. Such road network will be provided progressively as the release area develops.</p> <p>Additionally; it will provide opportunities for integrated cycle/pedestrian provision and access to local centres/facilities.</p> <p>Therefore, the PPR can be considered consistent with the direction 'A Well Connected City.'</p>
Jobs and Skills for the City			
<ul style="list-style-type: none"> » <i>Harbour CBD is stronger and more competitive</i> » <i>Greater Parramatta is stronger and better connected</i> » <i>Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</i> » <i>Internationally competitive health, education, research and innovation. precincts</i> » <i>Investment and business activity in centres</i> » <i>Industrial and urban services land is planned, protected and manager</i> » <i>Economic sectors are targeted for success</i> 	<ul style="list-style-type: none"> » <i>Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)</i> » <i>Growing and strengthening the metropolitan city cluster (W9)</i> » <i>Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)</i> » <i>Growing investment, business opportunities and jobs in strategic centres (W11)</i> 	Generally Consistent	<p>The PPR does not directly impact this Direction. It provides a potential housing environment for a more skilled workforce and/or local business people sparingly catered for to date.</p> <p>Therefore, the PPR can be considered consistent with the direction 'Jobs and Skills for the City.'</p>

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Sustainability			
A City in its Landscape			
<ul style="list-style-type: none"> » <i>The coast and waterways are protected and healthier</i> » <i>A cool and green parkland city in the South Creek corridor</i> » <i>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i> » <i>Scenic and cultural landscapes are protected</i> » <i>Environmental, social and economic values in rural areas are protected and enhanced</i> » <i>Urban tree canopy cover is increased</i> » <i>Public open space is accessible, protected and enhanced</i> » <i>The Green Grid links, parks, open spaces, bushland and walking and cycling paths</i> 	<ul style="list-style-type: none"> » <i>Protecting and improving the health and enjoyment of the District's waterways (W12)</i> » <i>Creating a Parkland City urban structure and identity with South Creek as a defining spatial element (W13)</i> » <i>Protecting and enhancing bush land and biodiversity (W14)</i> » <i>Increasing urban tree canopy cover and delivering Green Grid connections (W15)</i> » <i>Protecting and enhancing scenic and cultural landscapes (W16)</i> » <i>Better managing rural areas (W17)</i> » <i>Delivering high quality open space (W18)</i> 	<p>Generally Consistent</p>	<p>The PPR provides an opportunity through part of the limited urbanisation of the site to achieve cultural heritage outcomes that would alternatively not be achieved.</p> <p>The significant heritage elements will be bought to a maintainable standard and a heritage trust fund established for future maintenance (via a Heritage Agreement), as part of a VPA.</p> <p>The proposed open space will form part of a broader strategic network; consistent with the underpinning City and District Plan Key Directions and Planning Priorities.</p> <p>Building envelope restrictions on title can be enforced through a site specific DCP at subdivision stage to minimise the impact, particularly in the south east slopes quadrant.</p> <p>Water Sensitive Urban Design principles will underpin stormwater management to ensure neutral or beneficial effect water quality outcomes (NorBE).</p>
An Efficient City			
<ul style="list-style-type: none"> » <i>A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change</i> » <i>Energy and water flows are captured, used and re-used</i> » <i>More waste is re-used and recycled to support the development of a circular economy</i> 	<ul style="list-style-type: none"> » <i>Reducing carbon emissions and managing energy, water and waste efficiently (W19)</i> 	<p>Generally Consistent</p>	<p>The PPR proposes, through the planting initiatives compensating in part for any limited carbon emissions.</p> <p>Additionally, passive solar design principles beyond the BASIX can be detailed in the relevant DCP amendment. Also on-site capacity exists for managing green waste.</p> <p>Protection of the cultural/scenic landscape is a fundamental underpinning of the proposal.</p>

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			<p>As mentioned above NorBE principles will underpin stormwater management.</p> <p>Therefore, the PPR can be considered consistent with the direction 'An Efficient City.'</p>
A Resilient City			
<ul style="list-style-type: none"> » <i>People and places adapt to climate change and future shocks and stresses</i> » <i>Exposure to natural and urban hazards is reduced</i> » <i>Heatwaves and extreme heat are managed</i> 	<ul style="list-style-type: none"> » <i>Adapting to the impacts of urban and natural hazards and climate change (W20)</i> 	<p>Generally Consistent</p>	<p>The PPR will likely produce an outcome which is at least neutral in terms of hazard management. The additional plantings will likely contribute to combating any urban heat generation. Further, the stormwater management system will be designed to address local flooding prospects.</p> <p>Finally, the principles contained in Planning for Bushfire Protection 2019 would underpin the future development.</p> <p>Therefore, the PPR can be considered consistent with the direction 'A Resilient City.'</p>

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Local Strategic Planning Statement	
Action	Comment
Liveability - A Vibrant, Liveable City	
Planning Priority 1 - Creating a great place to live, work, play and visit	
Strategic Policy Positions: <ul style="list-style-type: none"> • Our people are our most valued asset • Our city is an inclusive place for all people 	
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas.	The PPR and Concept Masterplan promotes several internal walking opportunities and access to the land proposed to be dedicated as open space.
1.16 Maximise urban shade by protecting existing trees, ensuring new developments incorporate appropriate landscaping and by increasing planting in the open space areas and streetscapes.	The proposal will protect most of the limited existing trees. Additional plantings will take place in the open space areas of the proposed development precincts focussing upon the streets, screen planting and on-site domestic plantings.
1.17 Ensure open space is well connected via pedestrian and cycle links.	This proposal has the potential to link ultimately with the pedestrian/cycle network servicing the MPURA.
1.22 Investigate opportunities to deliver an integrated active transport plan and network (for cyclists and pedestrians) that links important destinations with transport infrastructure between urban development, the open space network and with adjoining areas.	The land subject to the PPR has the potential to integrate with the ABGMA/WSP proposed for the MPURA.
1.25 Support the health and well-being of the community through master planning (including that of key public spaces) and encouraging healthy urban design outcomes, particularly for children, seniors and people with a disability.	The Concept Masterplan accompanying the PPR is underpinned by larger lots with space for enhanced opportunities for healthy living including on-site leisure and recreation and domestic food production/gardening.
Planning Priority 2 - Creating high quality, diverse housing	
Strategic Policy Positions: <ul style="list-style-type: none"> • Contain urban growth within the existing urban area or within the identified priority growth and urban investigation areas • Housing supply, diversity, choice and quality respond to community needs and contribute to housing requirements at the District level 	
2.1 Develop a comprehensive Local Housing Strategy for Campbelltown LGA that identifies and prioritises the areas for growth having regard to housing demand, growth trends and the existing and likely future housing stock.	The CLHS has identified the potential for Large Lot housing to cater for professionals, this being one of the central markets/audiences of the proposal.
2.12 Promote housing diversity through local planning controls and initiatives.	The PPR provides a unique opportunity to increase diversity in the local offer via providing "lifestyle lots" as opposed to traditional suburban development.
2.15 Ensure that sufficient, quality and accessible open space is provided for new urban areas.	The proposal will provide the strategic ridge aligned open space and access there to.
Planning Priority 3 - Embracing our heritage and cultural identity	
Strategic Policy Positions: <ul style="list-style-type: none"> • Our heritage is respected as a fundamental part of our identity • Our city embraces its Indigenous heritage and culture • Our diverse cultural mix is an asset for our city 	
3.6 Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn.	The proposal unreservedly has as a central underpinning the long term conservation of the important elements of the site's cultural heritage.

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<p>3.7 Manage development outcomes having appropriate regard to environmental and heritage considerations.</p>	<p>The Concept Masterplan demonstrates concept subdivision layouts that minimise site disturbance and promotes planting initiatives on private land.</p> <p>Further, the proposal will deliver a long term conservation strategy for the significant heritage precinct.</p>
<p>Sustainability - A respected and Protected Natural Environment</p>	
<p>Planning Priority 5 – Embracing our unique landscape setting.</p>	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> • Campbelltown is a city of choice and opportunity in a natural environment • Our scenic and natural city edges are protected into the future • We celebrate the First Nations People as the traditional custodians of our land, and embrace their knowledge in the stewardship of our natural environment. • Our multicultural community is celebrated and embraced. 	
<p>5.7 Develop an asset management plan for scenic and cultural landscapes.</p>	<p>The proposal potentially assists in Council’s asset management plan development by advancing a ‘blueprint’ for this strategic cultural heritage precinct.</p>
<p>5.10 Ensure development is undertaken in accordance with relevant legislation to preserve and/or enhance scenic and cultural landscapes</p>	<p>The proposal aims to limit development and guide built form and landscape outcomes to preserve the important elements of existing character.</p> <p>The proposal will importantly ensure statutory requirements are met in pursuit of the conservation objectives attached to the culturally significant landscapes.</p>
<p>5.11 Promote community management of scenic hills and cultural landscapes in LGA.</p>	<p>The proposal will promote the management of a significant cultural landscape be it largely in private ownership.</p>
<p>5.13 Investigate opportunities to rehabilitate existing waterways within the LGA to maximise benefits to the community.</p>	<p>The proposal will manage natural drainage lines through the adoption of WSUD principles.</p>
<p>5.18 Work in partnership with Government and key stakeholders, including the development industry, to ensure that future development is undertaken in a manner that protects areas of biodiversity value.</p>	<p>To ensure the best outcome occurs for this precinct, key stakeholders need be included in the strategic process and become ‘partners’ in the delivery of the proposed sustainable vision.</p> <p>Reference to the Heritage office will be critical.</p>
<p>Planning Priority 6 – Respecting and Protecting our natural assets</p>	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> • We conserve and protect our rich and diverse biodiversity • We contribute measurable improvements to local air and water quality • We will ensure that natural bushland and open spaces are accessible, attractive and safe places for recreation and wellbeing 	
<p>6.16 Collaborate with other levels of government and government agencies to recognise the value of well planned, connected and designed landscapes.</p>	<p>The proposal will provide a well-planned, connected and designed landscape.</p>
<p>6.24 Ensure natural bushland and open spaces and places are accessible, attractive and safe places for recreation and wellbeing.</p>	<p>The proposal enhances the potential for public access through dedication of strategic open space.</p>
<p>Productivity – A thriving, attractive city</p>	
<p>Planning Priority 8 – Adapting to climate change and building resilience</p>	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> • We will increase our city’s resilience to ensure our future prosperity. • We strive to embed the delivery of low resource, low carbon solutions 	

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<ul style="list-style-type: none"> We will adopt best practice in mitigating and adapting to climate change. We will address the urban heat island effect and implement innovative ways to cool our LGA to maintain liveable standards for a healthy community. 	
8.21 Work in partnership with various stakeholders to deliver Green Grid projects	The proposal presents possible opportunities to help build the grid on-site and integrate with the grid off site.
8.29 Work with key stakeholders to protect waterways, riparian vegetation and environmental values.	Key stakeholders will be consulted with during the planning phase to ensure that biodiversity is protected and conserved in an appropriate manner.
Planning Priority 12 – Creating a smart, connected, productive city	
Strategic Policy Positions: <ul style="list-style-type: none"> Advancements in technology provide opportunities for our people and businesses Utilising the latest technology attracts future investment and business growth 	
12.5 Leverage opportunities to innovate with tourism and enterprise business opportunities that support health and wellbeing including opportunities for healthy tourism such as bushwalking, trails, e-bikes, city farms and the like.	<p>The proposal will add to the blue-green web of integrated passive recreational opportunities, supporting broader healthy, lifestyle initiatives.</p> <p>Opportunities to access significant heritage elements may emerge.</p>

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Table 3: Greater Sydney and Western City District Plan

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistency	Response
Infrastructure and Collaboration			
<i>A City Supported by Infrastructure</i>			
<ul style="list-style-type: none"> » Infrastructure supports the three cities » Infrastructure aligns with forecast growth - growth infrastructure compact » Infrastructure adapts to meet future needs » Infrastructure use is optimised 	<ul style="list-style-type: none"> » Planning for a city supported by infrastructure (W1) 	Generally Consistent	<p>The PPR proposes an additional 77 lots (approximately 260 people). The proposed utilities infrastructure to service the MPURA can be readily augmented to service the proposed development.</p> <p>Further, the road network proposed to service the surrounding precincts in the MURA can accommodate the increased traffic demands whilst appropriate connectivity to the proposed surrounding pedestrian/cycle network can be achieved.</p> <p>Therefore, it is considered that the PPR and accordingly the PP is consistent with the objectives within the direction 'A City Supported by Infrastructure.'</p>
<i>A Collaborative City</i>			
<ul style="list-style-type: none"> » Benefits of growth realised by collaboration of governments, community and business 	<ul style="list-style-type: none"> » Working through collaboration (W2) 	Generally Consistent	<p>Whilst, the PPR is not identified in the plan as a specific Collaboration Area, the attached PP would entail compulsory community engagement and consultation with authorities/agencies in accordance with a Gateway Determination.</p> <p>Therefore, the PPR and accordingly the PP can be considered consistent with the objectives of 'A Collaborative City'</p>
Liveability			
<i>A City for People</i>			
<ul style="list-style-type: none"> » Services and infrastructure meet communities' changing needs 	<ul style="list-style-type: none"> » Providing services and social infrastructure to meet peoples 	Generally Consistent	<p>The PPR has not proposed any additional education or health facilities as the proposed yield will not impact significantly on the</p>

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<ul style="list-style-type: none"> » <i>Communities are healthy, resilient and socially connected</i> » <i>Greater Sydney's communities are culturally rich with diverse neighbourhoods</i> » <i>Greater Sydney celebrates the arts and supports creative industries and innovation</i> 	<p><i>changing needs (W3)</i></p> <ul style="list-style-type: none"> » <i>Fostering healthy, creative, culturally rich and socially connected communities (W4)</i> 		<p>social infrastructure planned for the MPURA.</p> <p>However, the PPR provides access to proposed open space and visual access (as a minimum) to the culturally significant elements of Glenlee estate.</p> <p>Therefore, the PPR and accordingly the PP can be considered consistent with the objectives of 'A City for People'</p>
<i>Housing the City</i>			
<ul style="list-style-type: none"> » <i>Greater housing supply</i> » <i>Housing is more diverse and affordable</i> 	<ul style="list-style-type: none"> » <i>Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)</i> 	<p>Generally Consistent</p>	<p>The PPR proposes an additional 77 allotments to provide for a housing/lifestyle opportunity rarely catered for in Campbelltown's current housing provision.</p> <p>Housing affordability is more than adequately catered for in the urban release and urban renewal housing programs.</p> <p>Housing supply, however, fails to adequately cater for diversity at the 'lifestyle/environmental living' end of the housing spectrum.</p> <p>The proposal will importantly contribute to the subject housing void in a location with adequate access to Campbelltown LGA employment opportunities and city facilities and services, including those in the proposed Menangle Park Town Centre and existing Macarthur Centre.</p> <p>Therefore, whilst not addressing affordability (which is more than adequately catered for in the urban release and urban renewal housing programs) the PPR importantly addresses a void in housing diversity and can be considered generally consistent with the objectives of 'Housing the City.'</p>
<i>A City of Great Places</i>			

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<ul style="list-style-type: none"> » <i>Great places that bring people together</i> » <i>Environmental heritage is identified, conserved and enhanced</i> 	<ul style="list-style-type: none"> » <i>Creating and renewing great places and local centres, and respecting the District’s heritage (W6)</i> 	<p>Generally Consistent</p>	<p>The PPR’s intent is to create a place that sensitively integrates with and facilitates the conservation of important elements of the cultural environment.</p> <p>The PPR and accordingly the PP has the potential to meet the objectives of ‘Housing the City’ and therefore can be considered consistent.</p>
Productivity			
A Well Connected City			
<ul style="list-style-type: none"> » <i>A metropolis of three cities -integrated land use and transport creates walkable and 30 minute cities</i> » <i>The Eastern, GPOP and Western Economic corridors are better connected and more competitive and efficient</i> » <i>Freight and logistics network is competitive and efficient</i> » <i>Regional connectivity is enhanced</i> 	<ul style="list-style-type: none"> » <i>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)</i> 	<p>Generally Consistent</p>	<p>The PPR does not directly impact this Direction. It seeks to leverage off the broader local road system and proposed road system of the developing MPURA, including the proposed Spring Farm Link Road. Such road network will be provided progressively as the release area develops.</p> <p>Additionally; it will provide opportunities for integrated cycle/pedestrian provision and access to local centres/facilities.</p> <p>Therefore, the PPR and accordingly the PP can be considered consistent with the direction ‘A Well Connected City.’</p>
Jobs and Skills for the City			
<ul style="list-style-type: none"> » <i>Harbour CBD is stronger and more competitive</i> » <i>Greater Parramatta is stronger and better connected</i> » <i>Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</i> » <i>Internationally competitive health, education, research and innovation precincts</i> 	<ul style="list-style-type: none"> » <i>Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)</i> » <i>Growing and strengthening the metropolitan city cluster (W9)</i> » <i>Maximising freight and logistics opportunities and planning and managing</i> 	<p>Generally Consistent</p>	<p>The PPR does not directly impact this Direction. It provides a potential housing environment for a more skilled workforce and/or local business people sparingly catered for to date.</p> <p>Therefore, the PPR can be considered consistent with the direction ‘Jobs and Skills for the City.’</p>

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<ul style="list-style-type: none"> » Investment and business activity in centres » Industrial and urban services land is planned, protected and managed » Economic sectors are targeted for success 	<p><i>industrial and urban services land (W10)</i></p> <ul style="list-style-type: none"> » Growing investment, business opportunities and jobs in strategic centres (W11) 		
Sustainability			
A City in its Landscape			
<ul style="list-style-type: none"> » The coast and waterways are protected and healthier » A cool and green parkland city in the South Creek corridor » Biodiversity is protected, urban bushland and remnant vegetation is enhanced » Scenic and cultural landscapes are protected » Environmental, social and economic values in rural areas are protected and enhanced » Urban tree canopy cover is increased » Public open space is accessible, protected and enhanced » The Green Grid links, parks, open spaces, bushland and walking and cycling paths 	<ul style="list-style-type: none"> » Protecting and improving the health and enjoyment of the District's waterways (W12) » Creating a Parkland City urban structure and identity with South Creek as a defining spatial element (W13) » Protecting and enhancing bush land and biodiversity (W14) » Increasing urban tree canopy cover and delivering Green Grid connections (W15) » Protecting and enhancing scenic and cultural landscapes (W16) » Better managing rural areas (W17) » Delivering high quality open space (W18) 	<p>Generally Consistent</p>	<p>The PPR provides an opportunity through part of the limited urbanisation of the site to achieve cultural heritage outcomes that would alternatively not be achieved.</p> <p>The significant heritage elements will be brought to a maintainable standard and a heritage trust fund established for future maintenance (via a Heritage Agreement), as part of a VPA.</p> <p>The proposed open space will form part of a broader strategic network; consistent with the underpinning City and District Plan Key Directions and Planning Priorities.</p> <p>Building envelope restrictions on title can be enforced through a site specific DCP at subdivision stage to minimise the impact, particularly in the south east slopes quadrant.</p> <p>Water Sensitive Urban Design principles will underpin stormwater management to ensure neutral or beneficial effect water quality outcomes (NorBE).</p>
An Efficient City			
<ul style="list-style-type: none"> » A low carbon city contributes to net-zero 	<ul style="list-style-type: none"> » Reducing carbon emissions and 	<p>Generally Consistent</p>	<p>The PPR proposes, through the planting initiatives compensating</p>

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<p><i>emissions by 2050 and mitigates climate change</i></p> <ul style="list-style-type: none"> » <i>Energy and water flows are captured, used and re-used</i> » <i>More waste is re-used and recycled to support the development of a circular economy</i> 	<p><i>managing energy, water and waste efficiently (W19)</i></p>		<p>in part for any limited carbon emissions.</p> <p>Additionally, passive solar design principles beyond the BASIX can be detailed in the relevant DCP amendment. Also on-site capacity exists for managing green waste.</p> <p>Protection of the cultural/scenic landscape is a fundamental underpinning of the proposal.</p> <p>As mentioned above NorBE principles will underpin stormwater management.</p> <p>Therefore, the PPR and accordingly the PP can be considered consistent with the direction ‘An Efficient City.’</p>
<p>A Resilient City</p>			
<ul style="list-style-type: none"> » <i>People and places adapt to climate change and future shocks and stresses</i> » <i>Exposure to natural and urban hazards is reduced</i> » <i>Heatwaves and extreme heat are managed</i> 	<ul style="list-style-type: none"> » <i>Adapting to the impacts of urban and natural hazards and climate change (W20)</i> 	<p>Generally Consistent</p>	<p>The PPR will likely produce an outcome which is at least neutral in terms of hazard management. The additional plantings will likely contribute to combating any urban heat generation. Further, the stormwater management system will be designed to address local flooding prospects.</p> <p>Finally, the principles contained in Planning for Bushfire Protection 2019 would underpin the future development.</p> <p>Therefore, the PPR and accordingly the PP can be considered consistent with the direction ‘A Resilient City.’</p>

Table 4: Assessment against State Environmental Planning Policies

Assessment Against State Environmental Planning Policies		
SEPP	Consistency	Evaluation
SEPP (Aboriginal Land) 2019	N/A	Not applicable to this PP.
SEPP (Activation Precincts) 2020	N/A	Not applicable to this PP.

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SEPP (Affordable Rental Housing) 2009	Consistent	The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing although, it is unlikely to be an affordable housing product.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	The Proposal is not inconsistent with the SEPP; the provisions of which would apply to future developments and indeed are envisaged to be exceeded.
SEPP (Coastal Management) 2018	N/A	Not applicable to this PP.
SEPP (Concurrences and Consents)	N/A	Not applicable to this PP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent	Any educational establishments would be subject to development approval in accordance with the provisions of the SEPP, if proposed.
SEPP (Exempt & Complying Development Codes) 2008	Consistent	The Proposal is not inconsistent with the SEPP and the provisions. Given the proposed E4 zoning the Exempt and Complying Code would not be applicable to housing development within the precinct.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent	The Proposal does not preclude future merit based provisions of housing for seniors and people with a disability, although none is proposed.
SEPP (Infrastructure) 2007	Consistent	The proposal does not constitute traffic generating development. Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.
SEPP (Koala Habitat Protection) 2020	Consistent	The site is not identified as potential koala habitat and accordingly not subject to the provisions of the SEPP.
SEPP (Major Infrastructure Corridors) 2020	N/A	Not applicable to this PP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable to this PP.
SEPP No 1 Development Standards	Consistent	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 – Bushland in Urban Areas	Consistent	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation. Little vegetation will be removed from the general pastoral landscape. The tree canopy will be increased from the current grazing landscape through significant street tree and screen planting initiatives.
SEPP No. 21 – Caravan Parks	N/A	Not Applicable to this PP.

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SEPP No. 33 – Hazardous and Offensive Development	N/A	Not Applicable to this PP.
SEPP No. 36 – Manufactured Home Estates	Consistent	The provisions of the SEPP are not compromised by the Proposal.
SEPP No. 50 – Canal Estate Development	N/A	Not Applicable to this PP.
SEPP No. 55 – Remediation of Land	N/A	A Preliminary Site Investigation was undertaken by Douglas Partners. A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site. Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of a future development application/s. The investigation concluded that the site can be made suitable for the proposed uses.
SEPP No. 64 – Advertising and Signage	Consistent	Any future advertising/signage will need to comply with the provisions of the SEPP.
SEPP No. 65 – Design Quality of Residential Apartment Development	N/A	Not applicable to this PP.
SEPP No. 70 – Affordable Housing (Revised Schemes)	N/A	Not applicable to this PP.
SEPP (Primary Production and Rural Development) 2019	N/A	Not applicable to this PP.
SEPP (State and Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Consistent	The land is contained within the Menangle Park Precinct of the SEPP. The relevant planning controls for the precinct are cited to be the provisions of CLEP 2015. The proposal seeks to amend the prevailing controls as per the PPR.
SEPP (Vegetation in Non-Rural Areas) 2017	Consistent	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Western Sydney Aerotropolis) 2020	N/A	Not Applicable to this PP.
SEPP (Western Sydney Employment Area) 2009	N/A	Not Applicable to this PP.
SREP No. 20 – Hawkesbury Nepean River	Consistent	The Proposal does not conflict or hinder the achievement of the SREP aims, with the principles of NorBE underpinning water management and the proposal being removed from the iconic Nepean River landscapes.

Table 5: Assessment against Relevant S9.1 Ministerial Directions

Assessment Against Relevant S9.1 Ministerial Directions		
Ministerial Direction	Consistency	Evaluation
1. Employment and Resources		
1.2 Rural Zones		

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<p>This Direction seeks to protect the agricultural production value of rural lands.</p>	<p>Justifiably Inconsistent</p>	<p>The PPR and accordingly the PP relates to a limited parcel of constrained land with little inherent productive capacity. The application of capital in the form of intensive agriculture would lead potentially to significant neighbourhood conflicts and potential adverse visual impacts. Further, intensive cultivation would be severely curtailed by the prevailing topography.</p>
<p>1.3 Mining, Petroleum Production and Extractive Industries</p>		
<p>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p>	<p>Justifiably Consistent</p>	<p>Future extraction would be incompatible with the proposal and surrounding development and would be inappropriate. The existing neighbourhood character would generally mitigate against extractive industry approval irrespective of the proposal.</p>
<p>1.5 Rural Lands</p>		
<p>This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.</p>	<p>Consistent</p>	<p>Not Applicable within the Campbelltown Local Government Area.</p>
<p>2. Environment and Heritage</p>		
<p>2.1 Environmental Protection Zones</p>		
<p>This direction seeks to ensure that environmentally sensitive areas are not compromised.</p>	<p>Consistent</p>	<p>The PPR and accordingly the PP does not include areas of biodiversity significance as identified on the CLEP 2015 Terrestrial Biodiversity.</p>
<p>2.3 Heritage Conservation</p>		
<p>This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>Consistent</p>	<p>An Aboriginal Heritage Due Diligence Assessment has been undertaken and identified areas of moderate to high archaeological potential. These areas can be largely avoided and/or appropriately managed.</p> <p>Areas where future development may impact, will require further assessment at the DA stage in the form of an Aboriginal Cultural Heritage Assessment (ACHA).</p> <p>The subject site is listed as a State Heritage Item and is subject to the relevant provisions of the Heritage Act and CLEP 2015. Additionally, the PPR is accompanied by a Conservation Management Plan (CMP), Heritage Impact Statement and principles of a proposed Heritage Agreement, which supports the proposed development outcomes.</p>
<p>2.6 Remediation of Contaminated Land</p>		

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<p>This Direction seeks to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities</p>	<p>Consistent</p>	<p>The PPR is accompanied by a Preliminary Site Investigation by Douglas Partners.</p> <p>A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site.</p> <p>Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of a future development application/s.</p> <p>The investigation concluded that the site can be made suitable for the proposed uses.</p>
<p>3. Housing, Infrastructure and Urban Development</p>		
<p>3.1 Residential Zones</p>		
<p>This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.</p>	<p>Consistent</p>	<p>The PPR and accordingly the PP will broaden housing choice in providing larger lot 'lifestyle housing' opportunities and be generally driven by good design aspirations. In doing so, by its very nature, it cannot reduce the consumption of land on the urban fringe and is considered an acceptable outcome given more intense residential development would never be suitable on the site.</p> <p>The existing LEP includes provisions which require inherit service commitments to be met. Further the PPR and accordingly the PP does not include provisions that reduce the permissible residential density.</p>
<p>3.2 Home Occupations</p>		
<p>This Direction seeks to facilitate low impact small businesses in dwelling houses</p>	<p>Consistent</p>	<p>The proposal includes standard provisions to facilitate home occupations.</p>
<p>3.4 Integrating Land Use and Transport</p>		
<p>This Direction seeks to ensure urban structures, building forms, land use locations, development design, subdivision and street layouts achieve movement efficiencies, optimise amenity and safety and contribute to more sustainable community outcomes.</p>	<p>Consistent</p>	<p>The proposal can leverage off the public transport strategy for the MPURA and in particular proposed local bus services and the limited train services.</p> <p>Further, the subject accessibility network will link readily with the proposed Spring Farm Parkway and proposed Menangle Park Centre</p> <p>Access is noted to be dependent on the development of the surrounding urban release area with the existing bridge over the Hume Highway not suited for significant vehicular movements.</p>
<p>4. Hazard and Risk</p>		
<p>4.1 Acid Sulphate Soils</p>		

Attachment 2 – Strategic Context

This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	N/A	The site is not identified to be under laid with acid sulphate soils.
4.2 Mine Subsidence and Unstable Land		
This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Justifiably Inconsistent	<p>A portion of the site falls within the South Campbelltown Mine Subsidence District. Whilst referral to the Subsidence Advisory Board is required, the relevant mine subsidence considerations underpinned the zoning of the MPURA.</p> <p>In this regard in 2006 the then Department of Planning advised that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at a scale and form necessary to make the development viable - given the important contribution of Menangle Park to land supply in the Sydney Metropolitan Region.</p>
4.3 Flood Prone Land		
This Direction seeks to ensure flood hazards are appropriately managed in a development context both on and off the subject land.	N/A	The site is not identified to be flood prone. Minor inundation is noted to occur in a limited area and is capable of being readily managed.
4.4 Planning for Bushfire		
This Direction seeks to protect life, property and the environment from bushfire hazards, whilst, encouraging sound management of bushfire prone areas and discouraging incompatible land uses.	Consistent	<p>The subject site contains bushfire prone land (Vegetation Category 3 and Vegetation Buffer). Such land comprises principally grasslands.</p> <p>The final design of the proposed development, including service infrastructure, can be made to comply with Planning for Bushfire Protection 2019.</p> <p>It is noted that pre consultation with the NSW RFS would likely be a requirement of a positive Gateway Determination.</p> <p>Any future vegetation rehabilitation and enhancement must ensure the principles of Planning for Bushfire Protection 2019 are complied with.</p>
5. Regional Planning		
5.2 Sydney Drinking Water Catchment		
This Direction seeks to protect water quality in the Sydney Drinking Water Catchment.	N/A	Not Applicable
6. Local Plan Making		
6.1 Approvals and Referral Requirements		
This Direction seeks to ensure that the LEP provisions encourage the efficient and appropriate assessment of development.	Consistent	The Proposal is consistent with this direction because it does not alter the provisions

Attachment 2 – Strategic Context

		relating to approval and referral requirements.
6.2 Reserving land for Public Purposes		
This Direction seeks to facilitate the provision of public services and facilities by reserving the land for public purpose and remove any reservations of land for public purpose where land is no longer required for acquisition.	Council approval and endorsement of the Secretary is required	As part of the conservation strategy accompanying the proposal it is proposed to dedicate the eastern ridgeline and knoll as open space with an attached RE1 Public Recreation zoning.
6.3 Site Specific Controls		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Justifiably Inconsistent	The Proposal pertains to amendments to the 'standard instrument' Campbelltown LEP 2015. No site specific planning controls are proposed.
7. Metropolitan Planning		
7.8 Implementation of the Western Sydney Aerotropolis Plan		
This Direction seeks to ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan.	Consistent	The Proposal does not undermine the achievement of the objectives, planning principles or priorities of the Western Sydney Aerotropolis Plan.
7.12 Implementation of Greater Macarthur 2040		
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Consistent	The Proposal is within the Greater Macarthur Land Release Area and is considered to be not inconsistent with the planning principles or the broader precinct; the site, being identified to be existing urban land in the Greater Macarthur Structure Plan (land release areas).

Table 6: Campbelltown Local Strategic Planning Statement

Local Strategic Planning Statement	
Action	Comment
Liveability – A Vibrant, Liveable City	
Planning Priority 1 – Creating a great place to live, work, play and visit	
Strategic Policy Positions: <ul style="list-style-type: none"> • Our people are our most valued asset • Our city is an inclusive place for all people 	
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas.	The PPR and Concept Masterplan promotes several internal walking opportunities and access to the land proposed to be dedicated as open space.
1.16 Maximise urban shade by protecting existing trees, ensuring new developments incorporate appropriate landscaping and by increasing planting in the open space areas and streetscapes.	The proposal will protect most of the limited existing trees. Additional plantings will take place in the open space areas of the proposed development precincts focussing upon the streets, screen planting and on-site domestic plantings.

Attachment 2 – Strategic Context

1.17 Ensure open space is well connected via pedestrian and cycle links.	This proposal has the potential to link ultimately with the pedestrian/cycle network servicing the MPURA.
1.22 Investigate opportunities to deliver an integrated active transport plan and network (for cyclists and pedestrians) that links important destinations with transport infrastructure between urban development, the open space network and with adjoining areas.	The land subject to the PPR and accordingly the PP has the potential to integrate with the ABGMA/WSP proposed for the MPURA.
1.25 Support the health and well-being of the community through master planning (including that of key public spaces) and encouraging healthy urban design outcomes, particularly for children, seniors and people with a disability.	The Concept Masterplan accompanying the PPR is underpinned by larger lots with space for enhanced opportunities for healthy living including on-site leisure and recreation and domestic food production/gardening.
Planning Priority 2 – Creating high quality, diverse housing	
Strategic Policy Positions: <ul style="list-style-type: none"> • Contain urban growth within the existing urban area or within the identified priority growth and urban investigation areas • Housing supply, diversity, choice and quality respond to community needs and contribute to housing requirements at the District level 	
2.1 Develop a comprehensive Local Housing Strategy for Campbelltown LGA that identifies and prioritises the areas for growth having regard to housing demand, growth trends and the existing and likely future housing stock.	The CLHS has identified the potential for Large Lot housing to cater for professionals, this being one of the central markets/audiences of the proposal.
2.12 Promote housing diversity through local planning controls and initiatives.	The PPR and accordingly the PP provides a unique opportunity to increase diversity in the local offer via providing “lifestyle lots” as opposed to traditional suburban development.
2.15 Ensure that sufficient, quality and accessible open space is provided for new urban areas.	The proposal will provide the strategic ridge aligned open space and access there to.
Planning Priority 3 – Embracing our heritage and cultural identity	
Strategic Policy Positions: <ul style="list-style-type: none"> • Our heritage is respected as a fundamental part of our identity • Our city embraces its Indigenous heritage and culture • Our diverse cultural mix is an asset for our city 	
3.6 Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges River Corridor Landscape, Scenic Hills and Wedderburn.	The proposal unreservedly has as a central underpinning the long term conservation of the important elements of the site’s cultural heritage.
3.7 Manage development outcomes having appropriate regard to environmental and heritage considerations.	The Concept Masterplan demonstrates concept subdivision layouts that minimise site disturbance and promotes planting initiatives on private land. Further, the proposal will deliver a long term conservation strategy for the significant heritage precinct.
Sustainability – A respected and Protected Natural Environment	
Planning Priority 5 – Embracing our unique landscape setting.	
Strategic Policy Positions: <ul style="list-style-type: none"> • Campbelltown is a city of choice and opportunity in a natural environment • Our scenic and natural city edges are protected into the future • We celebrate the First Nations People as the traditional custodians of our land, and embrace their knowledge in the stewardship of our natural environment. 	

Attachment 2 – Strategic Context

<ul style="list-style-type: none"> Our multicultural community is celebrated and embraced. 	
5.7 Develop an asset management plan for scenic and cultural landscapes.	The proposal potentially assists in Council’s asset management plan development by advancing a ‘blueprint’ for this strategic cultural heritage precinct.
5.10 Ensure development is undertaken in accordance with relevant legislation to preserve and/or enhance scenic and cultural landscapes	<p>The proposal aims to limit development and guide built form and landscape outcomes to preserve the important elements of existing character.</p> <p>The proposal will importantly ensure statutory requirements are met in pursuit of the conservation objectives attached to the culturally significant landscapes.</p>
5.11 Promote community management of scenic hills and cultural landscapes in LGA.	The proposal will promote the management of a significant cultural landscape be it largely in private ownership.
5.13 Investigate opportunities to rehabilitate existing waterways within the LGA to maximise benefits to the community.	The proposal will manage natural drainage lines through the adoption of WSUD principles.
5.18 Work in partnership with Government and key stakeholders, including the development industry, to ensure that future development is undertaken in a manner that protects areas of biodiversity value.	<p>To ensure the best outcome occurs for this precinct, key stakeholders need be included in the strategic process and become ‘partners’ in the delivery of the proposed sustainable vision.</p> <p>Reference to the Heritage office will be critical.</p>
Planning Priority 6 – Respecting and Protecting our natural assets	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> We conserve and protect our rich and diverse biodiversity We contribute measurable improvements to local air and water quality We will ensure that natural bushland and open spaces are accessible, attractive and safe places for recreation and wellbeing 	
6.16 Collaborate with other levels of government and government agencies to recognise the value of well planned, connected and designed landscapes.	The proposal will provide a well-planned, connected and designed landscape.
6.24 Ensure natural bushland and open spaces and places are accessible, attractive and safe places for recreation and wellbeing.	The proposal enhances the potential for public access through dedication of strategic open space.
Productivity – A thriving, attractive city	
Planning Priority 8 – Adapting to climate change and building resilience	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> We will increase our city’s resilience to ensure our future prosperity. We strive to embed the delivery of low resource, low carbon solutions We will adopt best practice in mitigating and adapting to climate change. We will address the urban heat island effect and implement innovative ways to cool our LGA to maintain liveable standards for a healthy community. 	
8.21 Work in partnership with various stakeholders to deliver Green Grid projects	The proposal presents possible opportunities to help build the grid on-site and integrate with the grid off site.
8.29 Work with key stakeholders to protect waterways, riparian vegetation and environmental values.	Key stakeholders will be consulted with during the planning phase to ensure that biodiversity is protected and conserved in an appropriate manner.
Planning Priority 12 – Creating a smart, connected, productive city	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> Advancements in technology provide opportunities for our people and businesses 	

Attachment 2 - Strategic Context

<ul style="list-style-type: none"> Utilising the latest technology attracts future investment and business growth 	
<p>12.5 Leverage opportunities to innovate with tourism and enterprise business opportunities that support health and wellbeing including opportunities for healthy tourism such as bushwalking, trails, e-bikes, city farms and the like.</p>	<p>The proposal will add to the blue-green web of integrated passive recreational opportunities, supporting broader healthy, lifestyle initiatives.</p> <p>Opportunities to access significant heritage elements may emerge.</p>



Premise

Planning Proposal

GLENLEE ESTATE

Report No: 320207/PP01_Rev 4

8 April 2021

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Document reference: 320207_PP01_Rev 1

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Rev 1	29/03/2021	Revised document			
Rev 2	31/03/2021	Revised document			
Rev 3	01/04/2021	Revised document			
Rev 4	08/04/2021	Revised document			
Prepared By		Reviewed By		Authorised By	
E Elliott		Paul Hume		Paul Hume	

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EXECUTIVE SUMMARY

This Planning Proposal Request (the Proposal) is submitted to Campbelltown City Council (the Council) in support of an amendment to *Campbelltown Local Environmental Plan 2015* (CLEP on behalf of David & Patricia Wilson. The land to which the Proposal pertains is 60 Menangle Road, Menangle (the Site), which is known as *Glenlee House*. The Site is within the Menangle Park Urban Release Area (MPURA), with approved residential urban development currently under construction in the Release Area. *Glenlee House* is a State Heritage listed item.

An initial Planning Proposal Request was lodged with the Council in 2016 (Council ref: 2527/2016/E-LEPA). Following lodging, there was a series of meetings and discussions with Council regarding the proposed scale of development and its impact on the heritage significance of *Glenlee House*. This culminated in a presentation to the Council of a revised development scheme on 29 October 2019.

The purpose of the now amended proposal is to permit limited residential development of the Site, consistent with the development scheme presented to the Council on 29 October 2019. The proposed amendments to the land use controls under the *Campbelltown Local Environmental Plan 2015* (CLEP2015) to facilitate this limited residential development include:

- Rezoning of the land from *RU2 Rural Landscape* to part *E2 Environmental Conservation*, part *E3 Environmental Management*, part *E4 Environmental Living* and part *RE1 Public Recreation*.
- Amending the minimum lot size map to allow for lot sizes from 600sqm to 2000sqm on the proposed E4 zoned land, and minimum lot sizes of 2ha for the proposed E3 zoned land and 5ha for the proposed E2 zoned land.
- Amending the Height of Building control from 8.5metres to 5.0 metres.

The Proposal is supported by an accompanying Conservation Management Plan (CMP) for *Glenlee House*, and Heritage Impact Statement (HIS) for a proposed concept development in line with this Proposal. The CMP identifies areas of the Site which are less 'heritage sensitive' and potentially capable of sustaining limited development. The HIS finds that the development concept would not significantly impact the heritage significance of *Glenlee*. It is envisaged that the amendments sought by the Proposal would be supported by Development Control Plan provisions specific to the Site, as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.

The limited development of the Site will enable the generation of funds to restore / upgrade buildings and maintain them as per the recommendations of the Conservation Management Plan. The dedication of the proposed RE1 zoned land (the eastern ridge) will not only protect the visual curtilage in perpetuity but afford the community the opportunity for access to a very strategic open space location. The entering into of a Planning Agreement to dedicate the proposed RE1 zoned land and incorporating a heritage conservation agreement is the intended mechanism to implement the above.

The Proposal has been prepared in accordance with Section 3.33 and 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning, Infrastructure and Environment's *A guide to preparing planning proposals*.

The Proposal is considered appropriate for the following reasons:

- It will facilitate the long term, sustainable conservation of the significant elements of the *Glenlee House* Estate through limited residential development.
- Given the Site's proximity to Menangle Park and Campbelltown CBD it is ideally located to support the principle of transit-oriented development. It provides valuable opportunity to contribute to providing residential housing within a '30-minute city'.
- It will support the provision of additional housings within an identified urban release area.

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- It is consistent with State, Regional and Local Strategic planning frameworks. Specifically, the Proposal is consistent with the directives of A Plan for Growing Sydney, the priorities and targets of the Western City District Plan, the outcomes of *Greater Macarthur Area 2040: An Interim Plan for Greater Macarthur Growth Area*, and Campbelltown Strategic Planning documents.
- It is consistent with the relevant Ministerial Directions including residential zones and the integration of land use and heritage items.
- It is consistent with the aims of the CLEP2015 as it seeks to facilitate the sustainable development and use of land for housing which meets the needs of the local and regional population.
- It supports a positive visual outcome through high quality urban design interfaces, such as landscaping and open space.
- No adverse social impacts will arise from the Proposal.
- It will integrate into the future road networks surrounding the Site, including the Spring Farm Parkway, access to the M31 and connector roads with Menangle Park.
- It is capable of integrating with the existing and proposed services infrastructure surrounding the Site. Proposed augmentation of these services would be considered at development stage.
- A Preliminary Site Investigation (PSI) of the Site found it is suitable for the proposed land uses.

The Proposal is structured as follows:

- Section 1 – Site Analysis
- Section 2 – Planning Context
- Section 3 - Objectives and Intended Outcomes
- Section 4 – Explanation of Provisions
- Section 5 – Justification
- Section 6 – Community Consultation
- Section 7 - Conclusion

This report should be read in conjunction with the following specialist consultant reports:

Discipline	Consultant Report Details
Heritage	<i>Glenlee Estate, Lots 1, 2 & 3 DP 713646, Glenlee Road, Menangle Park Conservation Management Plan</i> , by Tropman and Tropman Architects, August 2020
	<i>Glenlee Estate Aboriginal Heritage Assessment</i> , by AMBS Ecology & Heritage, July 2020
	<i>Historical Archaeological Assessment Glenlee, Menangle Park</i> , by Casey & Lowe Pty Ltd, August 2017
	<i>1817 – Glenlee Estate, Menangle Park Heritage Impact Statement Proposed Subdivision and Development Options</i> , by Architectural Projects, March 2021
Geotechnical	<i>Preliminary Site Investigation for Contamination, Planning Proposal Request for Glenlee House, Menangle Park, NSW</i> , by Douglas Partners, September 2020

Table 1 Planning Proposal Inputs

1. THE SITE & ITS CONTEXT

1.1 SITE DESCRIPTION

The Proposal is in respect to land known as Glenlee Estate, 60 Menangle Road, Menangle Park (the Site).

The Site comprises Lot 1, Lot 2 and Lot 3 of Deposited Plan 713646. The allotments cover an area of approximately 17.86ha, with the Site being irregular in shape. Refer to **Figures 1, 2 and 3** which show the Site's context and provide a visual overview.

The Site is within the Menangle Park Urban Release Area ('MPURA'), which is bounded by the Nepean River to the South and West, Hume Highway (M31) to the East and Australian Botanic Gardens to the North. The Main Southern railway line abuts the Site on the Western Boundary. The existing land use is predominantly rural residential in nature. To the North of the Site is the TransGrid Substation, Australian Botanic Gardens and Glenlee Employment Lands (part) which falls within the Campbelltown LGA. The Glenlee precinct was previously utilised as a coal washery and is subject to a Proposal which seeks to redevelop the land for additional employment generating purposes. Menangle Park is located to South of the Site with the Hume Highway (M31) to the East.

The Site is a listed State Heritage Item, known as *Glenlee House, outbuildings, garden and gate lodge*. The Site is accessed from Glenlee road which intersects with Menangle Road and provides access to Menangle Park town centre to the South and Macarthur Square to the North. The Site is part of a former dairy farm with strong pastoral history, with the homestead being designed by Henry Kitchen, the first non-convict architect, for William and Mary Howe. The broader homestead curtilage has previously been utilised as an orchard for the cultivation of olives which are no longer produced on the Site, with the trees removed. The Site consists of the following:

- Restored family residence;
- Outbuildings which include a former milking yard;
- Former Servants Quarters;
- Gate House; and
- Tennis Court.

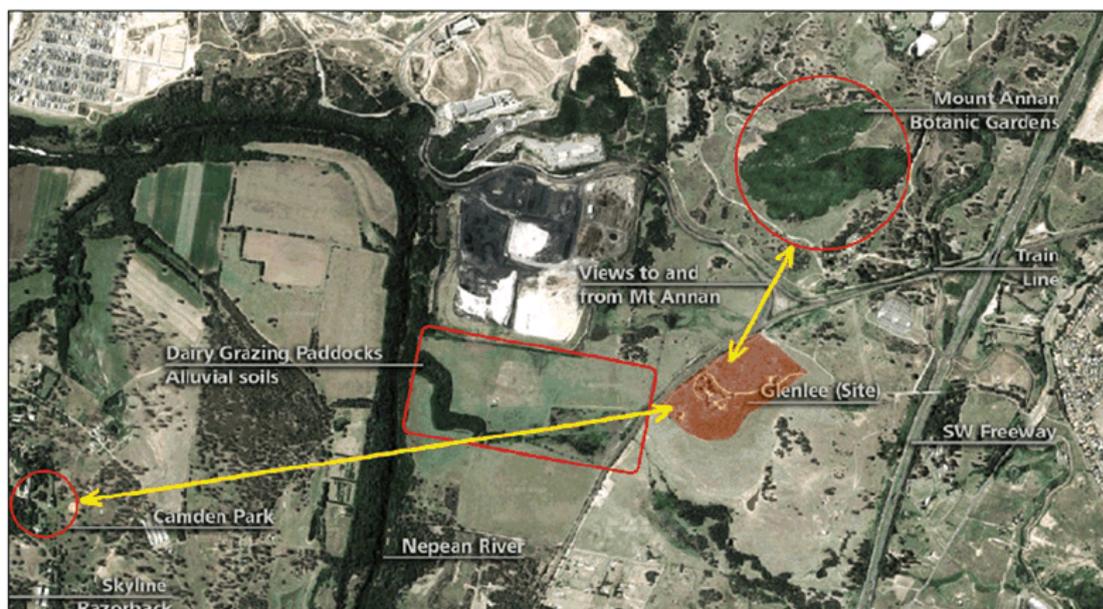


Figure 1: Site Context

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Figure 2: *Glenlee* Homestead and Outbuildings



Figure 3: The Site (Source: Sixmaps,2020)

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1.2 REGIONAL CONTEXT

The Site is located approximately 1.8km from Menangle Park Raceway, approximately 5km from Menangle Park Village and 5km from Campbelltown CBD.

The character of the area can be described as largely 'rural residential', defined by large lot rural-residential development and low intensity agricultural land uses. However, with the rezoning and release of the MPURA, the character of the area will alter to one of an urbanised area, with redevelopment occurring on the Western, Southern and Eastern boundaries.

Menangle Park was recently rezoned in 2017 and is currently the subject of a Planning Proposal to increase the urban density of the area, relocate the town centre and introduce a neighbourhood centre to adjoin the new planned primary school under PP_2020_CAMPB_003_00.

Within the Greater Sydney Regional Plan – *A Metropolis of three cities* (The Plan), Menangle Park (which includes the Site) is identified as part of the Greater Macarthur Growth Area (GMGA), alongside Mount Gilead and Wilton. The NSW Government has earmarked GMGA as an area to accommodate part of the growing population of Sydney. This is reaffirmed by the Western City District Plan (District Plan) which identifies the needs for additional housing supply.

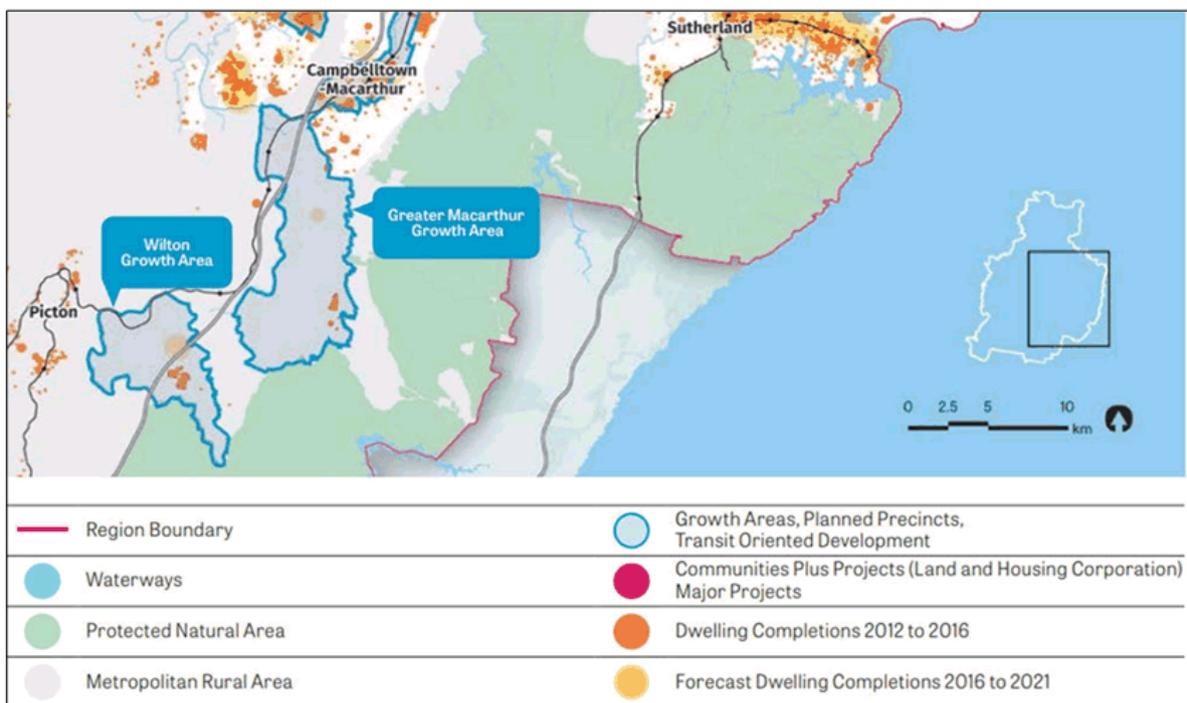


Figure 4: The Plan identifying GMGA

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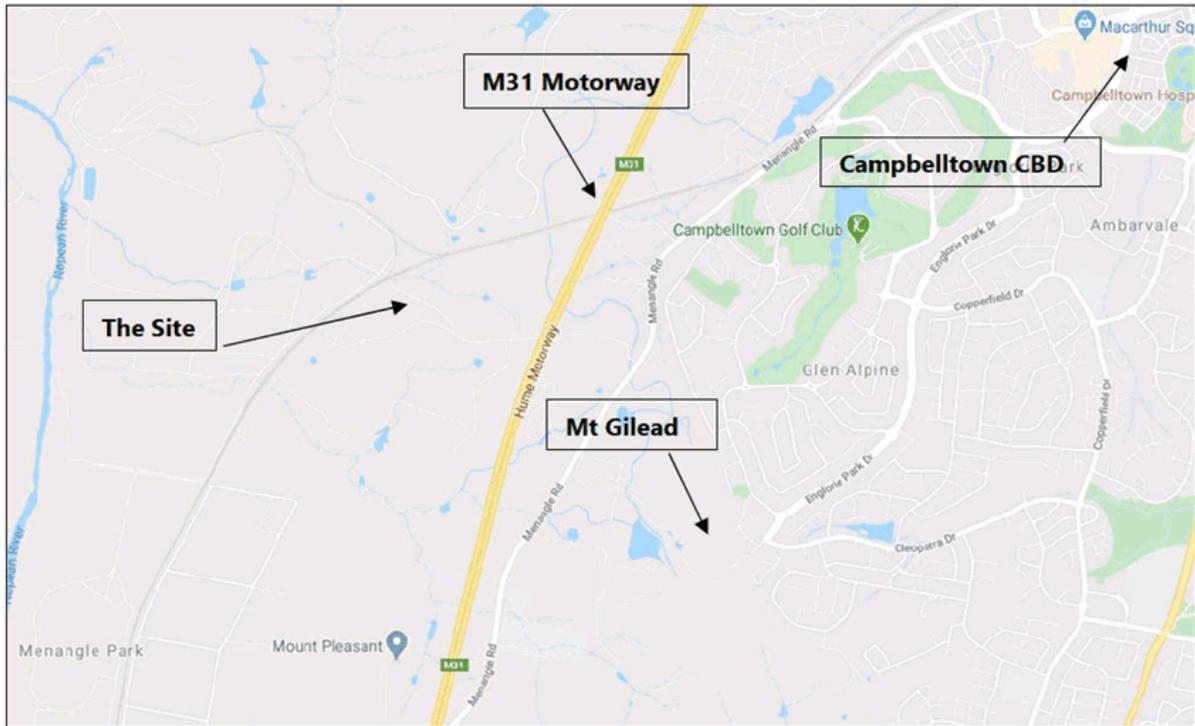


Figure 5: Site Context Map (Source : Google Maps, 2020)

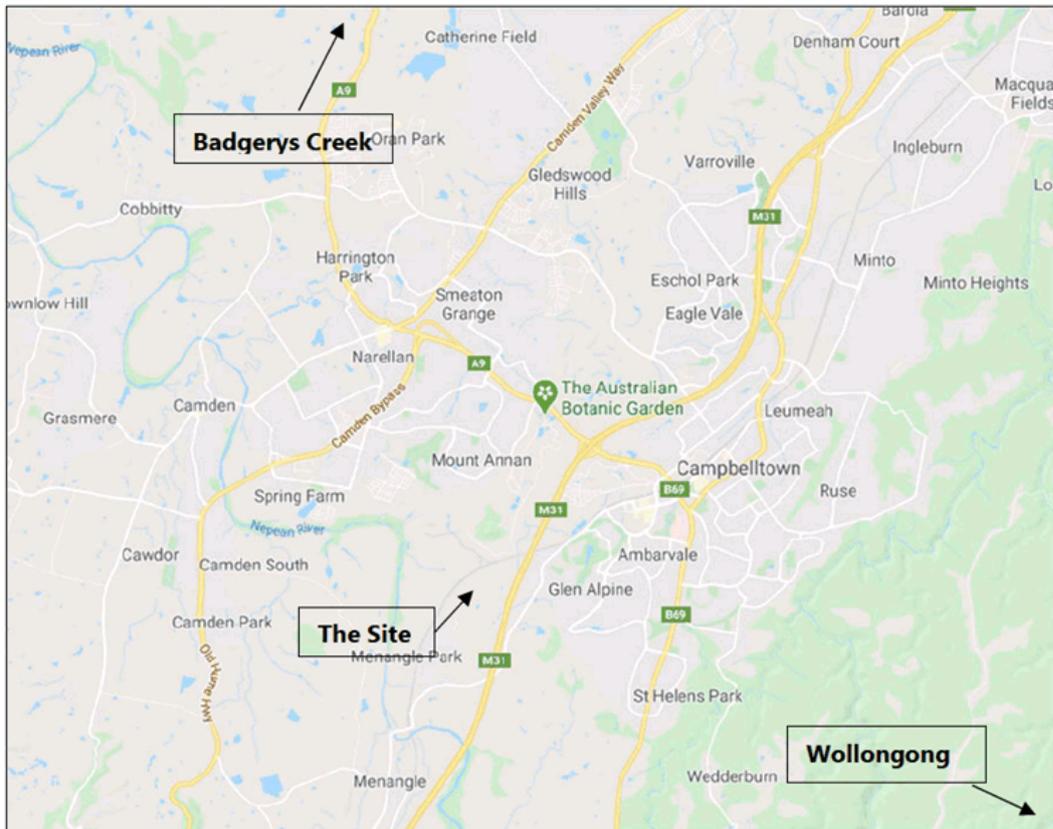


Figure 6: Regional Context Map (Source: Google Maps, 2020)

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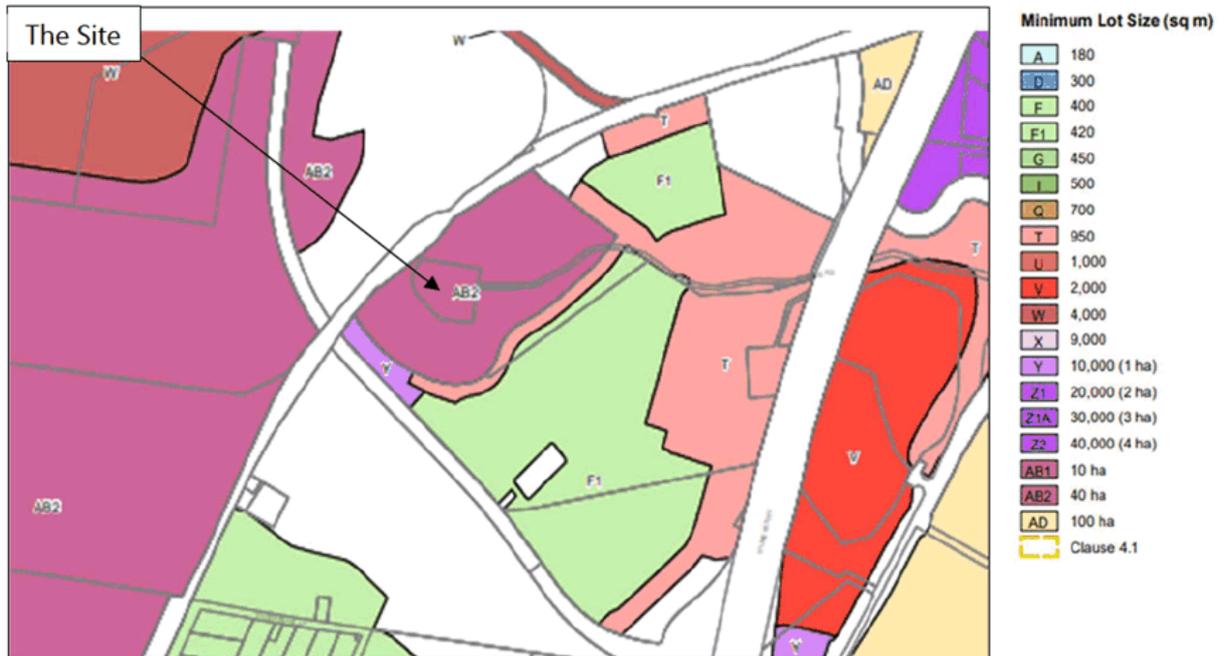


Figure 8: Minimum Lot Size Map - LSZ_003

Clause 4.3 Height of buildings

The Site is prescribed a maximum building height of 8.5metres.



Figure 9: Height of Buildings Map - HOB_003

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Clause 4.5 Floor Space Ratio

The Site does not have a prescribed Floor Space Ratio (FSR). The Proposal does not seek to amend the FSR development standard, applicable to the Site.

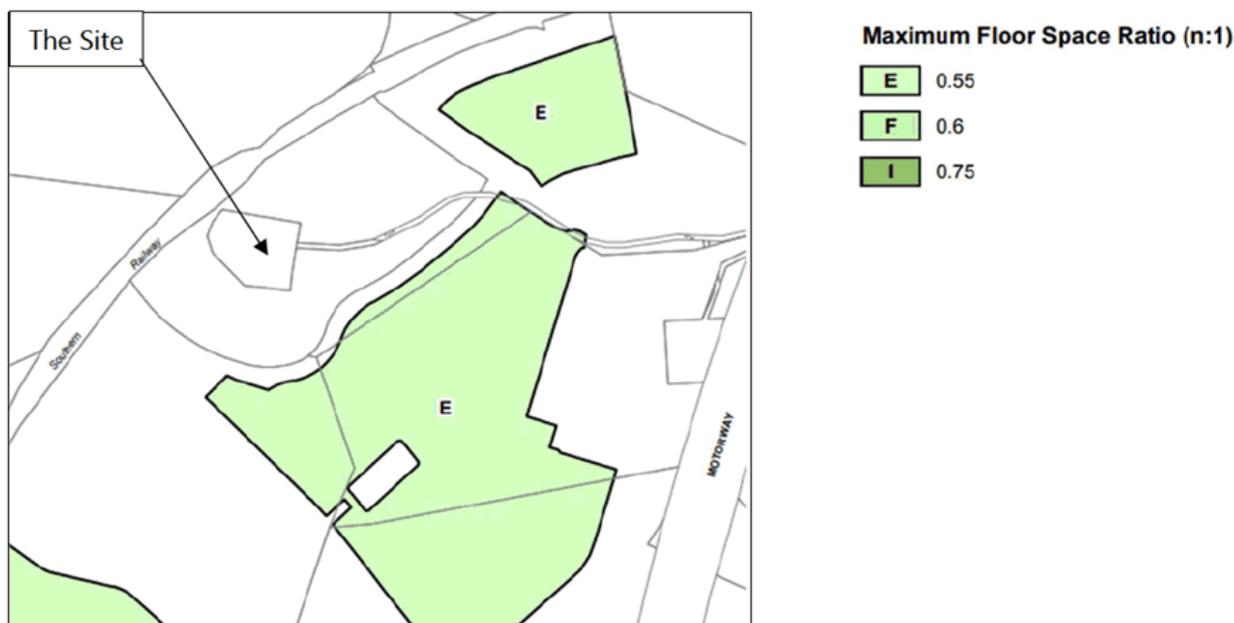


Figure 10: Floor Space Ratio Map - FSR_003

Other relevant and significant planning provisions in CLEP 2015 include:

Clause 5.10 Heritage Conservation

The Site is identified as containing a State Heritage Item known as *Glenlee House, and outbuildings, garden and gate lodge*. A Conservation Management Plan (CMP) has been prepared by **Tropman and Tropman** for the Site and accompanies this report at **Appendix 1**. This is discussed further at Section 4.3.2 of this report.

Glenlee is considered to be of historical significance at a state level due to the following considerations:

- The area is a former living and hunting ground of the Tharawal people.
- It was an early 19th century pastoral holding.
- It was once considered the best and earliest dairy farms in the NSW Colony.
- The Homestead was constructed in the early nineteenth century (1824).
- The homestead has generally always been utilised as a gentleman’s country estate with a working farm.
- It had a connection with several early landowners such as Michael Hayes and William Howe.
- William Howe promoted pastoral interests within the area, along with being instrumental in establishing the Bank of NSW in Camden.
- The principal building design is attributed to Colonial architect, Henry Kitchen.

Glenlee was acquired by the State Planning Authority in 1968 with its restoration of the day being commissioned by the National Trust of Australia. In 1978 the house was listed on the Register of the National Estate which focussed on restoration of the house, in particular waterproofing works. In 1982 the house and part of the estate (which is bounded by the southern railway line) was brought under a Permanent Conservation Order under the NSW Heritage Act 1977.

The heritage status is summarised in **Figure 11** below.

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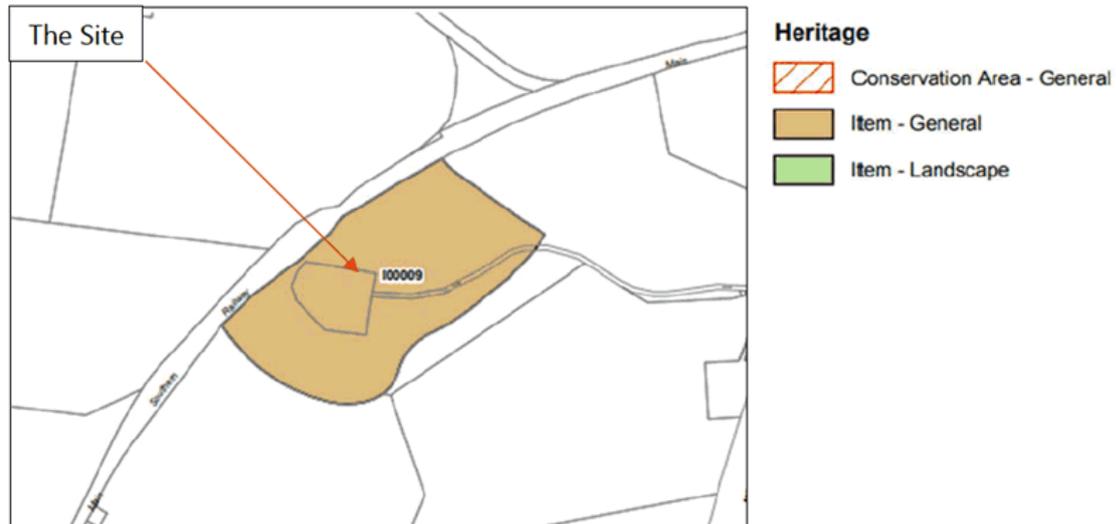


Figure 11: Heritage Map - HER_003

Bushfire Prone Land

A review of the Campbelltown City Council LGA Bush Fire Prone Land Map has identified the Site as containing Bush Fire Prone Land with a Vegetation Category 3 and Vegetation Buffer (refer to **Figure 12**). *Planning for Bush Fire Protection 2019* (PBP) was developed by the NSW Rural Fire Service (NSW RFS) to provide development standards for building in bush fire prone areas.

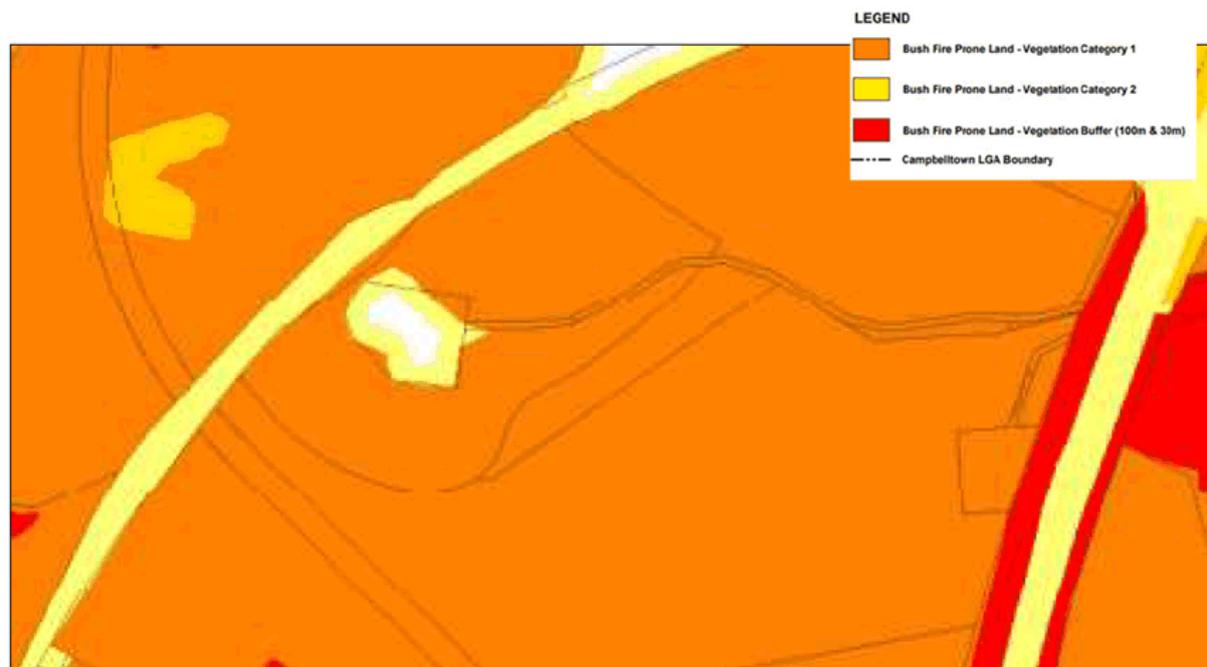


Figure 12: Campbelltown City Council Bushfire Prone Land Map (Produced by NSW RFS 30 December 2020)

Development on land identified as being bushfire prone land is required to satisfy the requirements of the PBP. This is discussed in further detail at Section 5.3.2 of this report.

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Mine Subsidence

A portion of the Site falls within the South Campbelltown Mine Subsidence District. As identified by *Greater Macarthur Area 2040: An Interim Plan for Greater Macarthur Growth Area*.

Coal extraction in these precincts is unlikely to continue now that the Growth Area is declared. (p63)

Whilst it is noted mining in the precinct is unlikely to continue, concurrence is required by the Subsidence Advisory pertaining to any development located on the Site. In any case, the relevant mine subsidence considerations underpinned the zoning of the adjoining Menangle Park area for urban purposes in 2017. In this regard in 2006 the then Department of Planning advised that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This was because of Menangle Park’s contribution to land supply in the Sydney Metropolitan Region.

This Planning Proposal would be generally consistent with this approach.

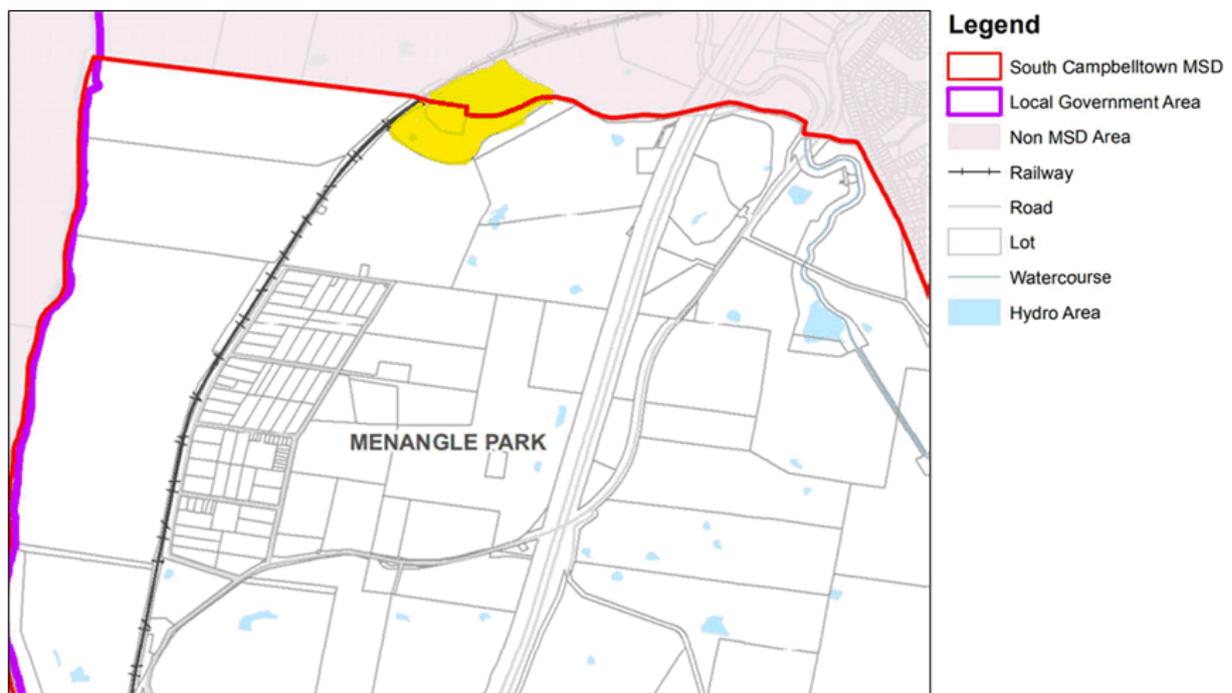


Figure 13: South Campbelltown Mine Subsidence District Map

2.2 DRAFT CLEP REVIEW – AMENDMENT NO. 24

This draft environmental planning instrument (Ref: No. PP-2020-3134) is in its finalisation stage. In summary, the amendments proposed by it are to resolve minor errors, anomalies and improve readability of the document, simplify the planning rules applying to Campbelltown Local Government Area (LGA) by transferring controls for deferred areas into the CLEP2015 and repealing older planning instruments and making other changes to align the plan with the Western City District Plan including expanding terrestrial biodiversity mapping and increasing the maximum building height in industrial zones.

The draft instrument amends existing terrestrial biodiversity mapping at Menangle Park to reflect the outcomes of more recent vegetation surveys. This does not affect land that is subject to this Planning Proposal (see **Figure 14** below).



Figure 14: draft CLEP 2014 Amendment 24 - Proposed Biodiversity Map

2.3 CAMPBELLTOWN DEVELOPMENT CONTROL PLAN 2015

The Site is subject to the controls under the Campbelltown Development Control Plan 2015 (CDCP2015) which provides site specific controls and guidelines for development which is subject to the CLEP2015. Volume 2 of the DCP contains Site Specific provisions, Part 8 of which covers the MPURA which includes the Site. The Key objective of the Menangle Park DCP relevant to this request is outlined below:

To ensure that conservation of heritage items, and that any development within the vicinity of heritage items takes into consideration the significance of such items.

The Site is identified as a *heritage precinct* in the Urban Structure Plan at figure 1.2 of the Menangle Park DCP. Section 1.9.2 of the Menangle Park DCP addresses non-indigenous heritage and has the following objectives:

- *Ensure that new development is undertaken in a manner that is sympathetic to, and does not detract from, the heritage significance of heritage items and their settings.*
- *Promote the protection or conservation of those resources where possible.*
- *Ensure the impacts of development on significant views to and from Glenlee House are minimised as far as possible.*

The Menangle Park Site Specific DCP provisions do not deal in detail with the sensitivity of the Glenlee House site.

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3. OBJECTIVES AND INTENDED OUTCOMES

The key objective of the Proposal is to amend the CLEP 2015 to permit limited residential development of the Site whilst ensuring the heritage conservation of Glenlee is maintained.

The Proposal would facilitate the transition of a rural setting sympathetically into a built form, scale and density which would respond to the demand for residential land within the MPURA.

The intended outcomes of the Proposal are:

- Facilitate the long term, sustainable conservation of the significant elements of the *Glenlee* House Estate.
- Protect the significant local landscape elements through facilitating public ownership of the Site's eastern ridge.
- Provide a sympathetic urban design outcome for the Site and its surrounds.
- Provide improved public domain, pedestrian connectivity and public open space opportunities throughout the Site which in turn provides a generous visual curtilage to Glenlee.
- Provide an appropriate density transition between low residential areas and heritage land use.
- Increase the diversity of housing opportunities at Menangle Park.
- Ensure built form demonstrates simple forms, local scale, single storey housing which integrates within the Site setting.
- Ensure land is able to be developed to its full potential by recognising the housing product being sought by new home buyers.

The proposal is informed by a draft development potential concept prepared by Architectural Projects and presented to a Councillor Workshop in November 2019.

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4. EXPLANATION OF PROVISIONS

4.1 OVERVIEW

The amendments sought to the CLEP2015 are in respect to the existing land use zones, minimum lot size and, height of buildings development standards and additional permitted use.

The proposal does not seek to amend the FSR or Heritage Status of the Site. The amendments sought to these standards are discussed further within **Sections 4.2, Section 4.3** and **Section 4.4** following.

4.2 AMENDMENT TO CLEP2015 LAND USE ZONING/PERMITTED USES

The objectives of this Proposal would be achieved through amending the prevailing RU2 Rural Landscape zoning of the Site under CLEP2015 to:

- *Part E3 Environmental Management.* This is proposed to apply to the area of the Site containing the *Glenlee* homestead, outbuildings and access driveway.
- *Part E2 Environmental Conservation.* This is proposed to apply to the south-western portion of the Site and bordered by the *Glenlee* homestead, outbuildings and access driveway (to the north) and the South-East foot slopes residential Precinct (to the east).
- *Part E4 Environment Living.* This is proposed to apply to the Northern Bowl and South-East Foot Slopes residential Precincts of the Site.
- *Part RE1 Public Recreation.* This is proposed to apply to the area east of the *Glenlee* access driveway and containing the eastern ridge.

Adoption of the proposed zonings facilitate retention of the parts of the Site having enhanced environmental sensitivity, whilst facilitating limited lifestyle housing opportunities and public access.

The proposed E4 zones for the Northern Bowl and South-East Foot Slopes residential Precincts is considered as offering higher recognition and acknowledgement of the Site's heritage conservation sensitivities and thereby justifying greater provisions for future housing form through site specific DCP provisions.

The proposed E2 zone of the south-west slope establishes strong conservation status of this area as an open foreground and visual curtilage for the *Glenlee* Heritage Precinct.

The proposed E3 zone for the *Glenlee* Heritage Precinct offers an appropriate acknowledgement of its heritage conservation importance whilst offering the opportunity for consideration of limited and potentially heritage compatible land use opportunities.

The proposed RE1 zone would be consistent with the land use zoning approach applied to other public open space land at Menangle Park.

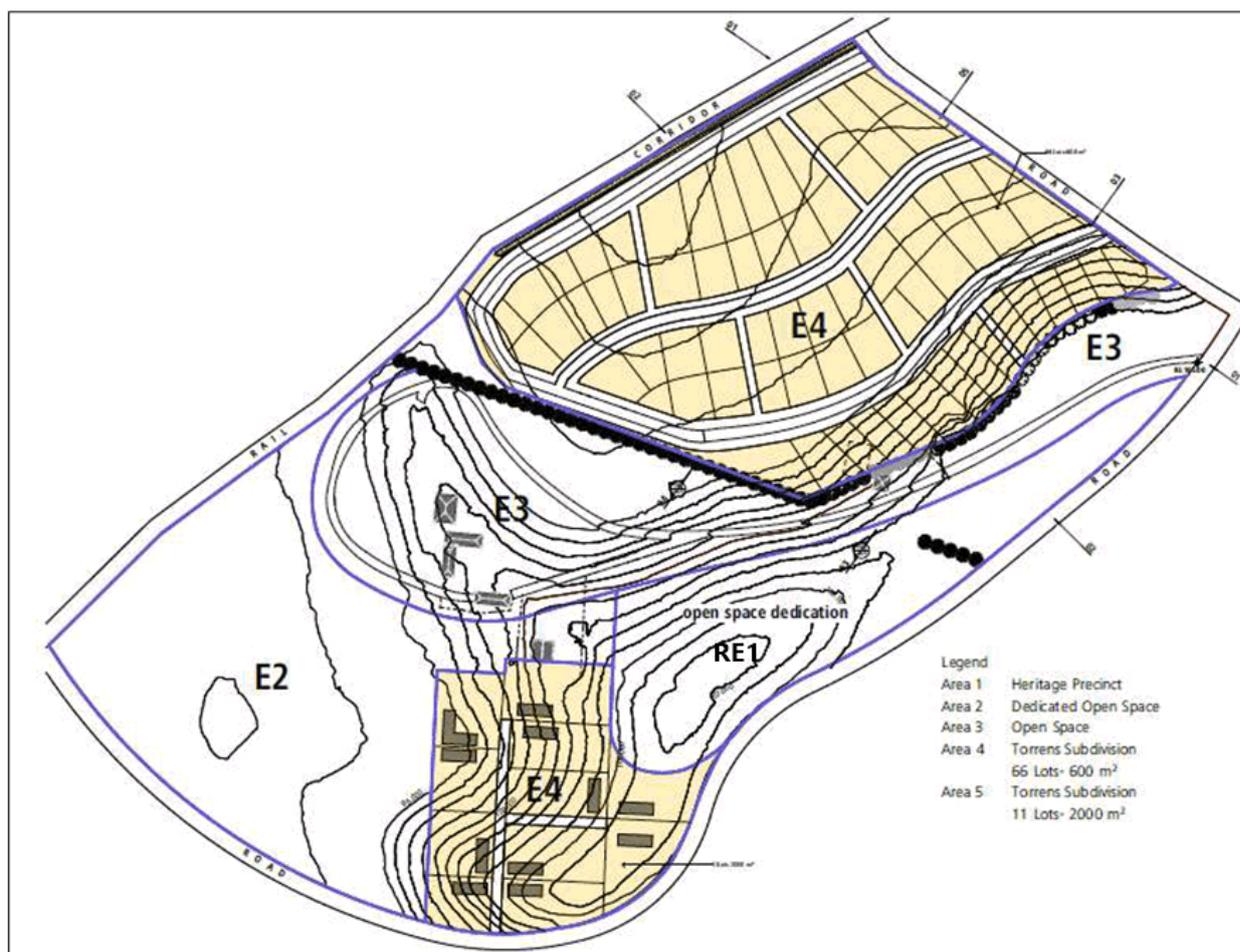


Figure 15: Proposed Zoning

4.3 AMENDMENT TO CLEP2015 MINIMUM LOT SIZE

The proposal intends to prescribe:

- A minimum lot size of 600sqm to the proposed E4 zoned Northern Bowl residential Precinct.
- A minimum lot size of 2000sqm to the proposed E4 zoned South-East Foot Slopes residential.
- A minimum lot size of 2ha to the proposed E3 zoned area of the Site containing the *Glenlee* homestead, outbuildings and access driveway.
- A minimum lot size of 5ha to the proposed E2 zoned area in the south-western portion of the Site and bordered by the *Glenlee* homestead, outbuildings and access driveway (to the north) and the South-East foot slopes residential Precinct (to the east).
- Remove minimum lot size provisions for the proposed RE1 zoned portion of the Site.

The proposed minimum lot sizes facilitate (i) the development outcomes for the Northern Bowl and South-East Foot Slopes residential Precincts as intended by the development concept presented to Council in November 2019, (ii) prevent any further subdivision of the south-western portion of the site (being retained as an open landscape curtilage) and the Precinct containing the *Glenlee* Homestead, outbuildings and driveway and (iii) have consistency with the CLEP 2015 lot size controls for RE1 zoned land, i.e. no minimum lot size.

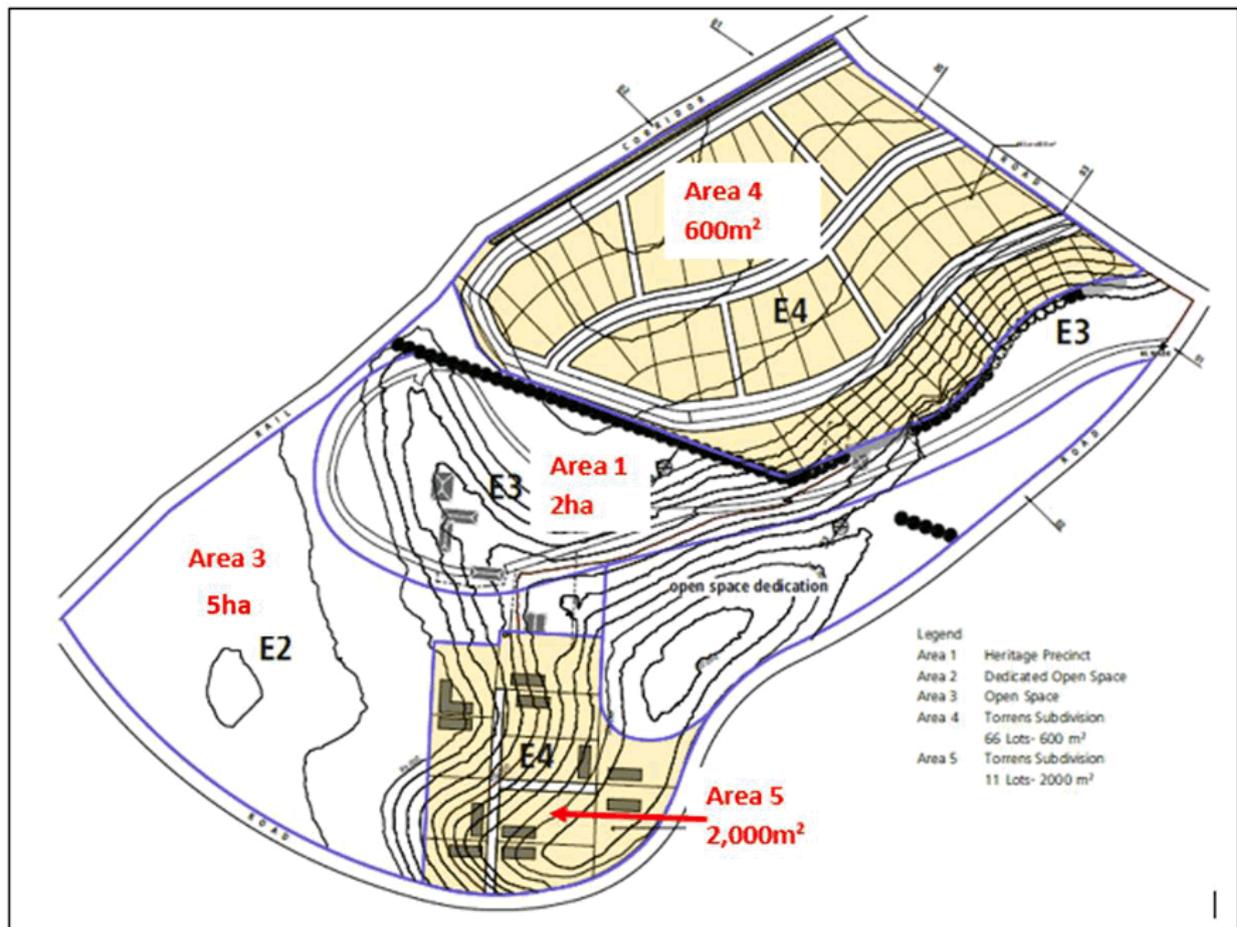


Figure 16: Proposed Lot sizes

4.4 AMENDMENT TO CLEP2015 HEIGHT OF BUILDINGS

Amendment is sought to *Clause 4.3 Height of Buildings* of CLEP2015 in order to achieve the objectives of the proposal, being future development for residential purposes.

Pursuant to Clause 4.3 of the CLEP2015 the Site is prescribed a maximum building height of 8.5metres.

The Proposal provides for a reduction of height from 8.5metres to 5.0 metres on those parts of the Site proposed to be zoned E4, being the Northern Bowl and South-East Foot Slopes residential Precincts as well as the proposed E2 zoned area in the south-western portion of the Site. This is to achieve outcomes in accordance with the development concept presented to Council in November 2019.

This is to assist in ensuring future development within and adjoining the visual setting of Glenlee and its curtilage is subservient to that setting, generally consistent with the Development Concept Plan previously presented to Council.

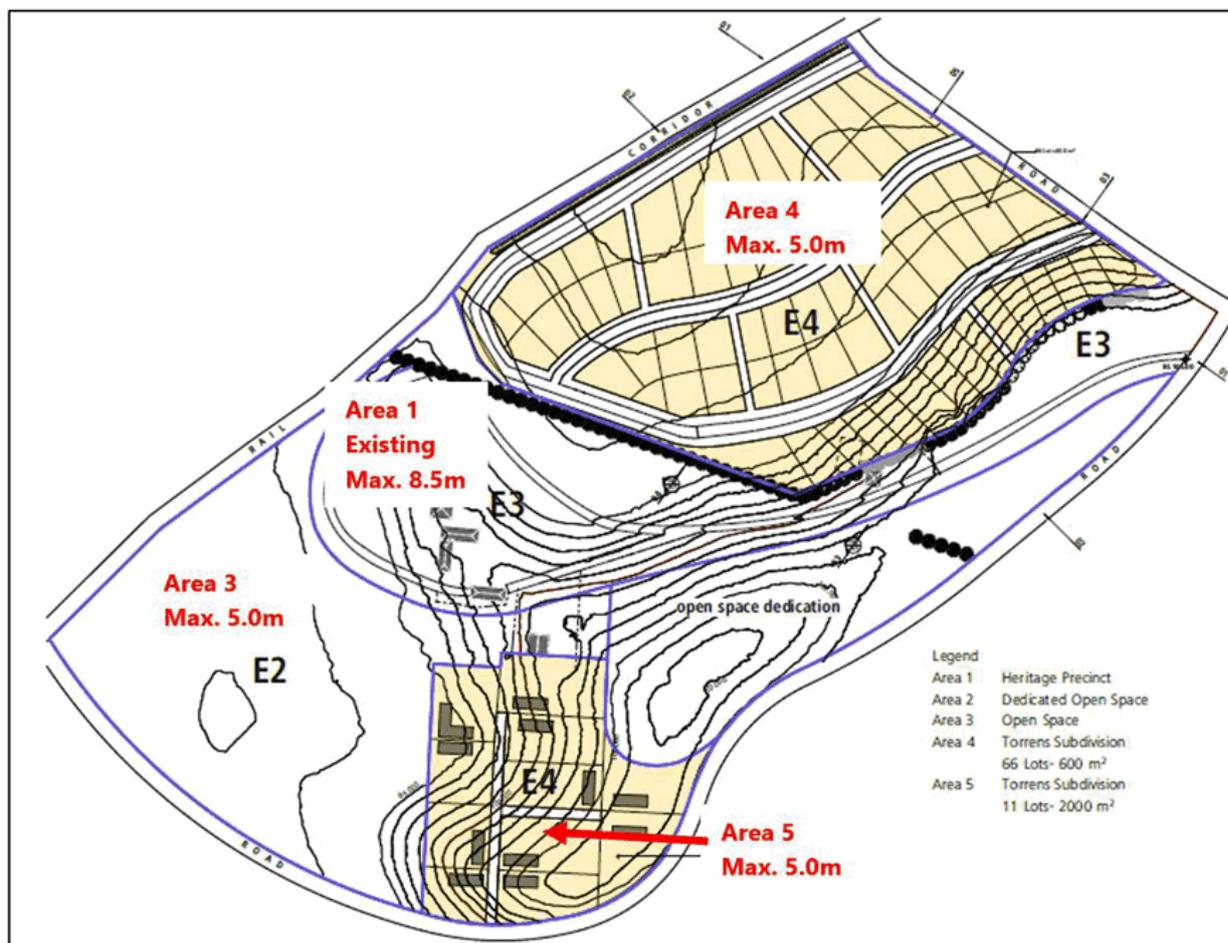


Figure 17: Height of Buildings

4.5 HERITAGE CONSERVATION / PLANNING AGREEMENTS

As mentioned previously, one of the key objectives of the Planning Proposal is provide a long-term conservation outcome for the significant elements of the *Glenlee* House Estate. The limited development of the Site would enable the generation of funds to restore / upgrade buildings and maintain them as per the recommendations of the Conservation Management Plan. The dedication of the proposed RE1 zoned land (the eastern ridge) will not only protect the visual curtilage in perpetuity but afford the community the opportunity for access to a very strategic open space location.

The proposed mechanism to implement this would be the negotiation of a Planning Agreement with Council. Key principles of a Planning Agreement offer is envisaged as including the following:

- Dedication of the proposed RE1 zoned land as open space.
- Commitment to the restoration and upgrading of buildings and the *Glenlee* homestead Precinct in general, consistent with an agreed Schedule of Works identifying the prioritised conservation and new works to be undertaken. This would include but not be restricted to restoration of the Gate Lodge, which is currently in a state of disrepair.
- Establishment of a maintenance plan detailing the cyclical maintenance tasks required to ensure the house, grounds, structures, garden elements and driveway access do not deteriorate.
- Establishment of a *Glenlee* heritage trust fund for maintenance in perpetuity of the *Glenlee* homestead Precinct. A potential scheme would see a percentage of funds generated from land subdivision sales

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placed in trust to generate income to cover maintenance of the Precinct in perpetuity, as identified by the aforementioned maintenance plan.

- Development and implementation of an Interpretation Plan and Interpretation Strategy for *Glenlee*. An Interpretation Plan for the site would determine the themes and messages to be interpreted at the site and the best media to accomplish this. The Interpretation Strategy would develop the Interpretation Plan and prioritise the proposed interpretation works and appropriate media.
- Development of a photographic archival record to record the heritage item before, during and after any proposed works to document the heritage item and any changes made. The record to be undertaken in accordance with NSW Heritage Branch guidelines.
- Development and implementation of a Public Domain Plan that considers and controls landscape treatments within and around the *Glenlee* homestead Precinct so as not to detract from the significance of the place.

It is envisaged that such an Agreement would be developed as part of post-gateway requirements of the Planning Proposal.

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5. JUSTIFICATION

5.1 NEED FOR THE PLANNING PROPOSAL

IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The Proposal responds to the framework established by *Greater Macarthur Area 2040: An Interim Plan for Greater Macarthur Growth Area* (Greater Macarthur 2040), which seeks to provide land use and infrastructure for Urban Release Areas (URA). As mentioned previously the Site is within the MPURA of the GMGA. Further, it has a foundation in the *Glenlee House* CMP and Heritage Impact Statement outcomes.

The Proposal will enable long term conservation management for *Glenlee House* through limited development of the Site.

Overall, the intended outcomes and objectives are consistent with State, Regional and Local strategic planning frameworks, which are outlined at Section 5.2 below.

IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered the Proposal is the best means of achieving its objectives / intended outcomes. Under the current CLEP2015 the Site is Zoned RU2 Rural Landscape which prevents the redevelopment potential of the Estate in line with Greater Macarthur 2040. The proposed zoning amendments and associated lot size / building height controls and additional permitted use are the most effective means of permitting limited residential development whilst protecting the heritage significance and conservation of Glenlee.

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

5.2.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities 2018

A Plan for Growing Sydney (The Plan) was prepared by the NSW State Government as a guide to land use planning over the next 20 years. The Plan outlines strategies for accommodating Sydney's population growth and identifies areas to deliver 664,000 homes by 2031. The most suitable areas for new housing are locations which are in close proximity to jobs, community facilities, public transport and services. The Plan is based on the vision of creating three cities comprising the Western Parkland City, the Central River City and the Eastern Harbour City. Together they endeavour to achieve a broader vision of Sydney.

It is estimated by 2056 Greater Sydney is expected to increase in population by an additional 1.7million people with the need for additional homes to increase by 725,000. To ensure these targets are met, the Plan envisions to create a '30-minute City' whereby residents live within 30 minutes of their jobs, education establishments, services and open space through the integration of land use and infrastructure planning to promote liveability, productivity and sustainability.

The Site is within the Western Parkland City, with the Greater Macarthur Area identified as a new community to provide homes, jobs, diverse housing supply, open space and future environmental conservation areas. There are 10 strategic directives which underpin this plan. **Table 1** at Section 5.2.1.2 following provides an assessment of the Proposal against the relevant Directions and Planning Priorities of the Greater Sydney Regional Plan and the Western City District Plan. The proposal is generally consistent with the Plans, in particular the directions under Liveability and City of Great Place.

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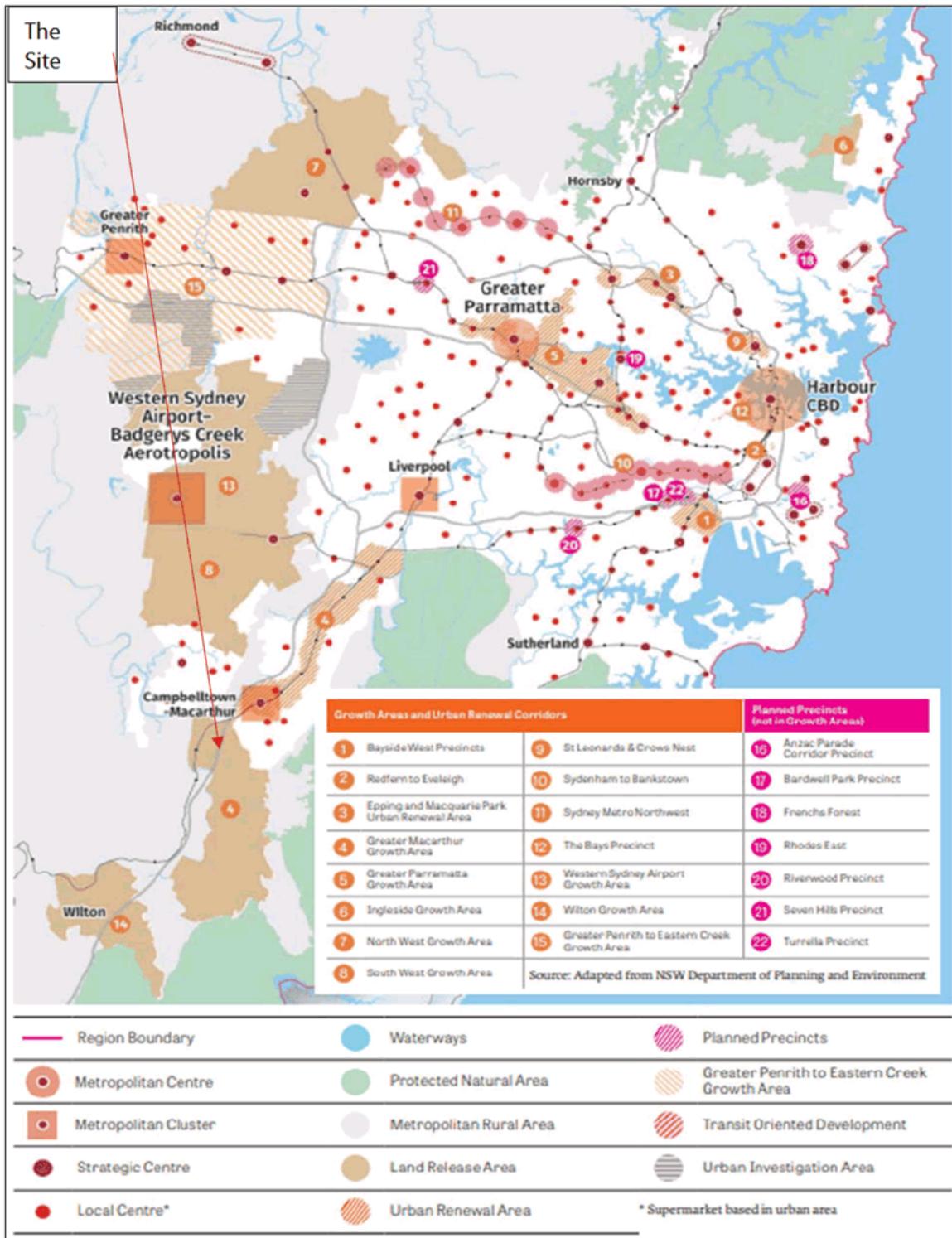


Figure 18: The Plan - Future Housing preferred locations pg.65



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5.2.1.2 Western City District Plan

The Western City District Plan (District Plan) sets out in more detail the intended housing and employment growth within the Western District of the Greater Sydney Region.

The District Plan identifies Menangle Park as a land release area within the Greater Macarthur Growth area, with the majority of new communities in the land release areas located within precincts contained in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Table 2 below provides an assessment of the Proposal against the relevant Directions and Planning Priorities of the Greater Sydney Regional Plan and the Western City District Plan.

Table 2 Assessment against Greater Sydney Regional Plan & Western City District Plan

Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
Infrastructure and Collaboration			
<i>A City supported by Infrastructure</i>			
<ul style="list-style-type: none"> • Infrastructure supports the three Cities • Infrastructure aligns with forecasted growth • Infrastructure adapts to meet future needs • Infrastructure use is optimised 	<ul style="list-style-type: none"> • Planning for a City supported by Infrastructure 	Yes	The proposal will be integrated with proposed infrastructure surrounding the Site and as part of Menangle Park.
<i>A Collaborative City</i>			
<ul style="list-style-type: none"> • Benefits of growth realised by collaboration of governments, community and business 	<ul style="list-style-type: none"> • Working through collaboration 	Yes	The proposal is required to have collaboration with various government agencies, Council and the community. Upon the issuance of Gateway Determination, public consultation will be undertaken to seek feedback associated with the Proposal.
Liveability			
<i>A City of Great Places</i>			
<ul style="list-style-type: none"> • Services and infrastructure meet communities changing needs • Communities are health, resilient and socially connected 	<ul style="list-style-type: none"> • Providing services and social infrastructure to meet peoples changing needs 	Yes	The proposal will have appropriate access to facilities whilst ensuring the delivery of open space to ensure residents are living a healthy and socially connected lifestyle.



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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> Greater Sydney's communities are culturally rich with diverse neighbourhoods Greater Sydney celebrates the arts and supports creative industries and innovation 	<ul style="list-style-type: none"> Fostering health, creative, culturally rich and socially connected communities 		
<i>Housing in the City</i>			
<ul style="list-style-type: none"> Greater housing supply Housing is more diverse and affordable 	<ul style="list-style-type: none"> Providing housing supply, choice and affordability with access to jobs, services and public transport. 	Yes	The Proposal supports additional land for residential development in a location having access to jobs, services and public transport.
<i>A City of Great Places</i>			
<ul style="list-style-type: none"> Great places that bring people together Environmental heritage is identified, conserved and enhanced 	<ul style="list-style-type: none"> Creating and renewing great places and local centres, and respecting the districts heritage 	Yes	The proposal endeavours to protect Glenlee with a significant curtilage whilst ensuring significant views and vistas to and from the heritage item are maintained. This is through limiting development to less sensitive areas of the site, coupled with reduced building height and larger lot sizes.
Productivity			
<i>A Well-Connected City</i>			
<ul style="list-style-type: none"> A metropolis of three cities – integrated land use and transport creates walkable and 30 minutes cities The Eastern GPOP and Western Economic corridors are better connected and more competitive and efficient Freight and logistics network are competitive and efficient Regional connectivity is enhanced. 	<ul style="list-style-type: none"> Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City 	Yes	Direct access to the Site is provided off Menangle Road and the strategic road network of Menangle Park which abuts the Site to the East and South. The Site will also be accessible from the Spring Farm Parkway when completed.



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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
Jobs and Skills for the City			
<ul style="list-style-type: none"> • Harbour CBD is stronger and more competitive • Greater Parramatta is stronger and better connected • Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City • Internationally competitive health, education, research and innovation precincts • Investment and business activity in centres • Industrial and urban services land is planned, protected and managed • Economic sectors targeted for success 	<ul style="list-style-type: none"> • Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis • Growing and strengthening the metropolitan city cluster • Maximising freight and logistics opportunities, planning and managing industrial urban services land • Growing investment, business opportunities and jobs in strategic centres 		The proposal does not intend to rezone the Site for employment lands, however, to ensure the Site's heritage nature is integrated within the Menangle Park precinct which endeavours to provide additional job opportunities to residents who reside there.
Sustainability			
<i>A City in its Landscape</i>			
<ul style="list-style-type: none"> • The coast and waterways are protected and healthier • A cool and green parkland city in the South Creek corridor • Biodiversity is protected, urban bushland and remnant vegetation is enhanced • Scenic and cultural landscapes are protected • Environmental, social and economic values in rural areas are protected and enhanced 	<ul style="list-style-type: none"> • Protecting and improving the health and enjoyment of the Districts waterways • Creating a Parkland City urban structure and identity with South Creek as defining spatial element • Protecting and enhancing bush land and biodiversity 	Yes	The proposal seeks to conserve a portion of the Site as open space, whilst ensuring setbacks from Glenlee House are maintained. It is proposed screen planting is proposed between the two residential areas of the Site to provide a green grid dimension and enhancing the urban design aesthetic of the Site.

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Key Directions and Planning Priorities			
Greater Sydney Region Plan	Western City District Plan	Consistent	Response
<ul style="list-style-type: none"> • Urban tree canopy cover is increased • Public open space is accessible, protected and enhanced, • The Green Grid link, parks, open spaces, bushland, walking and cycling paths 	<ul style="list-style-type: none"> • Increasing urban tree canopy cover and delivering Green Grid Connections • Protecting and enhancing scenic and cultural landscapes • Better managing rural areas • Delivering high quality open space. 		
<i>An Efficient City</i>			
<ul style="list-style-type: none"> • A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change • Energy and water flows are capture, used and reused • More waste is reused and recycled to support the development of a circular economy 	<ul style="list-style-type: none"> • Reducing carbon emissions and managing energy, water and waste efficiently. 	Yes	The proposal endeavours to integrate into the proposed water management network of Menangle Park to ensure water flows are captured, used and reused.
<i>A Resilient City</i>			
<ul style="list-style-type: none"> • People and places adapt to climate change and future shocks and stresses • Exposure to natural and urban hazards are reduced • Heatwaves and extreme heat are managed. 	<ul style="list-style-type: none"> • Adapting to the impacts of urban and natural hazards and climate change. 	Yes	The proposal will provide appropriate flood and bushfire hazard management strategies and further studies through the appropriate phased development stages.

5.2.1.3 Greater Macarthur 2040

The *Greater Macarthur Area 2040: An Interim Plan for Greater Macarthur Growth Area* (Greater Macarthur 2040) provides land use and infrastructure implementation plan for the areas within Glenfield to Macarthur urban renewal precincts along with the urban release areas located south of Campbelltown, including Menangle Park. The Site falls within the Menangle Park urban area of the Plan.

The Plan also acknowledges the significant European heritage items within the Growth Area that reflect it's pastoral history, and how these need to be protected from development. This includes Glenlee House and its outbuildings, garden and gate lodge.

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The Proposal is considered to be consistent with Greater Macarthur 2040 by proposing limited residential development sympathetic to protecting the heritage significance of Glenlee.

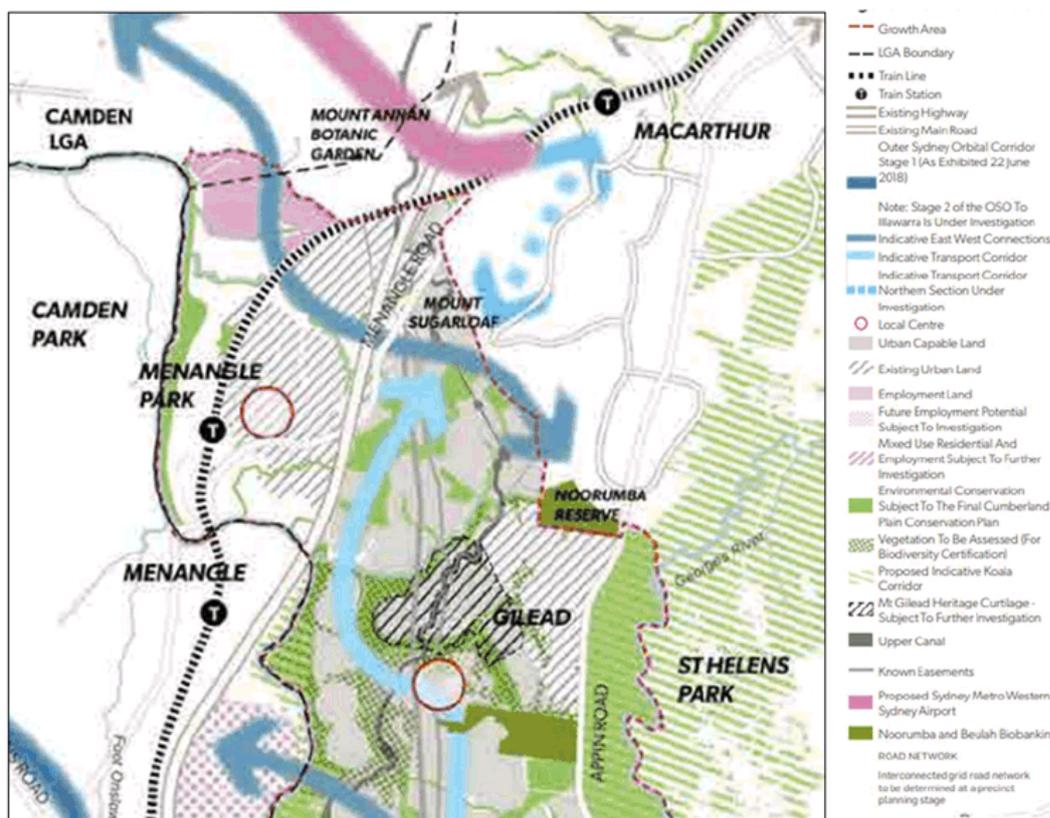


Figure 19: Greater Macarthur Structure Plan (Source: Greater Macarthur 2040 Interim Plan)

IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL PLANS?

5.2.1.4 Local Strategic Planning Statement

The Campbelltown Local Strategic Planning Statement ('LSPS') came into effect on the 31st March 2020. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area. The LSPS is a response to the District and Regional plan, establishing planning priorities to ensure the LGA thrives and remains prosperous through the development of local centres.

The LSPS has a range of objectives to achieve specific outcomes for the area. The primary objective is:

To ensure consistent, holistic and balanced outcomes that are consistent with achieving the community shared vision.

Supplementary objectives are:

- Facilitate achievement of the Campbelltown 2025 Vision and in doing so realise the objectives of the Campbelltown Community Strategic Plan 2012-2022.
- Provide long-term direction for future sustainable land use planning decisions.
- Ensure land use planning decisions are consistent with the NSW 2021, Metropolitan Plan 2036 and Draft South West Sub Regional Strategy.

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- Provide a proactive "Growth Management Strategy" that addresses population and employment growth rates and determines appropriate boundaries for growth.
- Provide a sound foundation for a comprehensive *Campbelltown Local Environmental Plan* and a revised *Campbelltown Sustainable City DCP*.

The LSPS identifies the Site as part of greenfield release areas, in response to the objective of providing long-term direction for sustainable land use planning. The Proposal endeavours to provide a holistic and balanced outcome to the Site, by facilitating long term, sustainable conservation of *Glenlee House* and significant local landscape elements of the Site whilst ensuring potential development does not overshadow its heritage significance.

The Proposal provides a land use which is consistent with the strategic direction of key documents such as the Plan and District Plan along with responding to the overall objective of the LSPS.

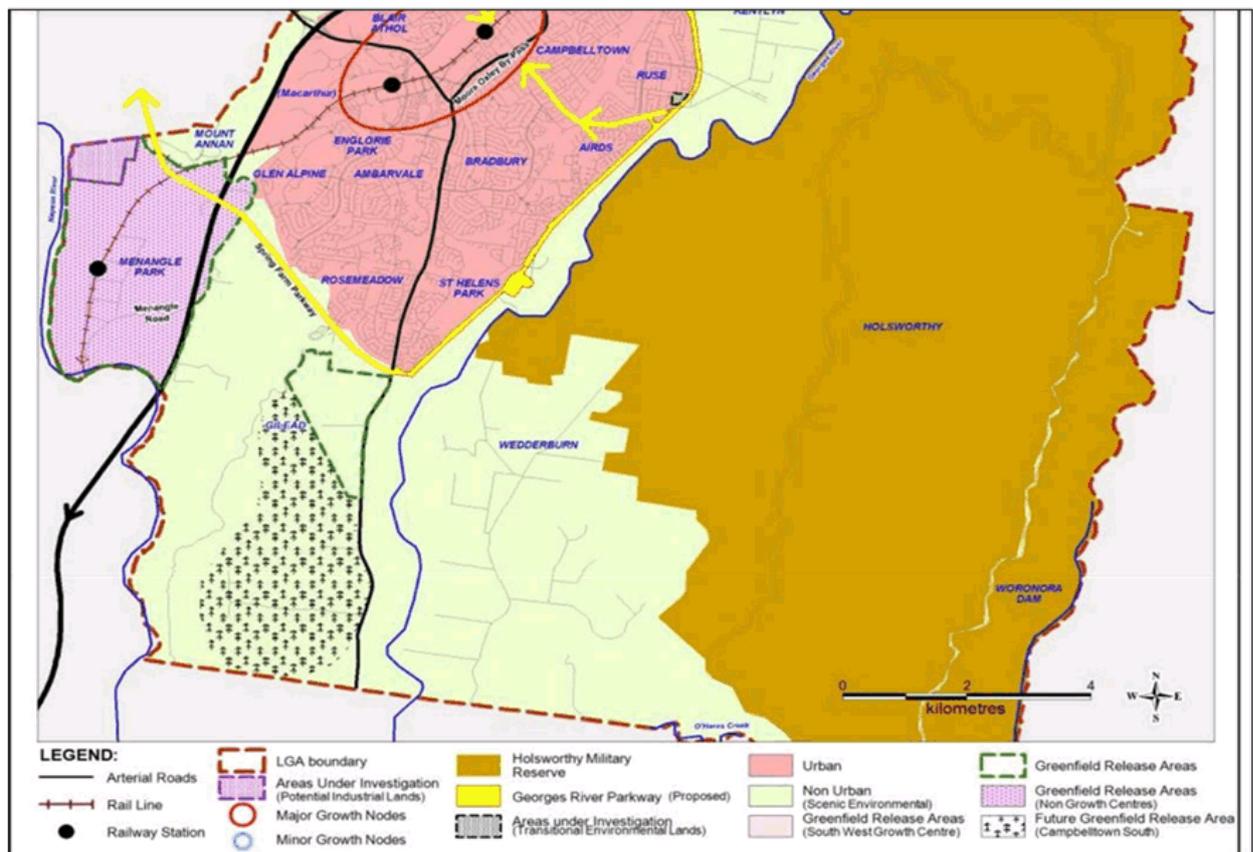


Figure 20: Campbelltown Strategic Outline Plan

5.2.1.5 Campbelltown Community Strategic Plan – Campbelltown 2027

The Campbelltown City Community Strategic Plan ('CSP') is a ten (10) year vision which identifies the main priorities and aspirations for the future of the Campbelltown LGA. The CSP acknowledges the provision of housing diversity and the affordability whilst preserving important natural attributes within the LGA.

An assessment of the Proposal against the CSP outcomes is demonstrated in **Table 3** below.



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Table 3 Assessment against CSP Outcomes

CSP Outcomes	Statement of Consistency
Outcome 1: A vibrant, liveable city	<ul style="list-style-type: none"> ○ Provision of greater housing choice and diversity through the provision of a diverse range of lot sizes ○ Integration of heritage items to create a sympatric urban design in response to the urban development surrounding the Site. ○ Provision of open space network
Outcome 2: A respected and protected natural environment	<ul style="list-style-type: none"> ○ The proposal maintains significant curtilage to Heritage Items whilst providing a dedication of open space to maintain a significant quantity of the natural environment on the Site.
Outcome 3: A thriving, attractive city	<ul style="list-style-type: none"> ○ Provides for residential growth which is serviced by appropriate infrastructure.
Outcome 4: A successful city	<ul style="list-style-type: none"> ○ The Proposal would continue to respect and continue to manage heritage items in respect to residential development. ○ Proposal assist in the alignment of surrounding land uses and intended outcomes for the Site under GMURA, MPURA and associated District Plans.

5.2.1.6 Re-Imagining Campbelltown CBD – Sydney’s Southern Gateway (July 2018) Adopted in July 2018

Re-imagining Campbelltown CBD sets out the foundations of revitalisation for the CBD through acknowledging key strategic centre’s as a metropolitan city, servicing the Macarthur Region and providing existing connections to major rail, road and community infrastructure.

A key metric for the re-imagining is to provide the ‘30-minute city’ identified in the District Plan to reduce the need for residence to commute to work through the establishment as the CBD as a new precinct which provides health, education, retail and entertainment services, generating employment for the communities of Campbelltown and wider Macarthur Region.

In response to this, the Proposal endeavours to respond to the creation the ‘30-minute City’ through the delivery of additional residential dwellings within a 10minute journey from Campbelltown CBD, and coincide with the redevelopment of Menangle Park which endeavours to assist in realising this vision which supports the region’s metropolitan CBD, via improved road linkages within the broader area.

Whilst the Proposal does not propose any commercial development, the redevelopment of Menangle Park will provide and cater to residents daily and weekly shopping requirements, with the need to travel to Campbelltown for high level shopping requirements. Through this, the Proposal will add to the viability of Campbelltown’s CBD District as the increased population will seek additional demand on services and increase economic activity.

DRAFT CAMPBELLTOWN LOCAL HOUSING STRATEGY

The Draft Campbelltown Local Housing Strategy (‘Housing Strategy’) was adopted by Campbelltown City Council on the 29th of September 2020. The Housing Strategy is in response to the *Reimagining Campbelltown City Centre Master Plan* (RCCCMP), LSPS and Campbelltown Community Strategic Plan 2027 to meet the lifestyle and needs of the community.



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The Housing Strategy aims to align Council’s vision for housing outcomes and targets set by the State Government under the Western City District Plan. It is projected that the Campbelltown LGA residential population is set to increase by 41% by 2036 which sees the demand for residential accommodation as significant.

Furthermore, the Housing Strategy identifies Menangle Park precinct within the Strategy as potentially providing 4,000 new dwellings, new town centre, primacy school, bioretention (wetlands), open space, playing fields and community centres. Additionally, it identifies the need for the provision of affordable housing through the redevelopment of the area.

An assessment of the Proposal against the Housing Strategy goals is demonstrated in **Table 4** below.

Table 4 Assessment against Draft Housing Strategy

Housing Strategy Goals	Statement of Consistency
Goal One: Establish a clear framework for planning for housing	<ul style="list-style-type: none"> Relevantly, the Proposal is consistent with encouraging housing diversity in greenfield release areas. The Proposal would offer an alternative product to that being offered in the remainder of the MPURA.
Goal Two: Plan for housing development in defined precincts in urban renewal and greenfield areas	<ul style="list-style-type: none"> The Proposal is consistent with this goal as it proposes limited housing development in a defined greenfield precinct, the MPURA.
Goal Three: Manage Housing Growth	<ul style="list-style-type: none"> The Proposal is consistent with this goal as it proposes limited housing development in a defined greenfield precinct, the MPURA.
Goal Four: Increase housing diversity and choice	<ul style="list-style-type: none"> The Proposal is consistent with this goal as it proposes additional housing that offers lifestyle choice, i.e. some larger lot housing .
Goal Five: Increase the supply of affordable housing	<ul style="list-style-type: none"> The Proposal would offer alternative rather than affordable housing supply due to the need to protect the heritage conservation of <i>Glenlee House</i> and its surrounds. Whilst not consistent with the goal, the inconsistency is justified.

IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

State Environmental Planning Policies (SEPP’s) considered relevant to the Proposal along with an assessment against them is provided in **Table 5** below.

Table 5 Assessment against current SEPPS

Name of SEPP	Comment	Consistency
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<i>SEPP (Aboriginal Land) 2019</i>	<p>The policy aims to provide development delivery for land owned by the Local Aboriginal Land Council (LALC).</p> <p>The Site is not owned by the LALC.</p>	N/A
<i>SEPP (Activation Precincts) 2020</i>	<p>The aims of the policy is to promote economic development in identified activation precincts.</p> <p>The Site is not located within an Activation Precincts.</p>	N/A
<i>SEPP (Affordable Rental Housing) 2009</i>	<p>The Aims of the Policy are to provide planning and delivery of affordable rental housing.</p> <p>Any future development would be required to adhere to the requirements under this SEPP.</p>	Consistent.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	<p>The proposal would not be inconsistent with future development meeting the requirements under this SEPP.</p>	Consistent.
<i>SEPP (Coastal Management) 2018</i>	<p>The aims of the policy is to promote an integrated and coordinate approach to land use planning in costal zones.</p> <p>The Site is not located within a Coastal Management Zone.</p>	N/A
<i>SEPP (Concurrences and Consents) 2018</i>	<p>The policy allows Planning Secretary to elect to be the concurrence authority for certain development under the nominated SEPP such as Infrastructure SEPP.</p> <p>The proposal would not interfere with the application of this SEPP.</p>	Consistent.
<i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>	<p>The Policy aims to facilitate the delivery of education establishments and early education and care facilities.</p> <p>The proposal does not include the provision of Education or child care facilities. Any future development would be required to adhere to the requirements under this SEPP.</p>	Consistent.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	<p>The policy aims to provide development which complies with specified standards, in particular Part 5 Commercial and Industrial Alterations Code.</p> <p>The proposal would not prevent future development under this SEPP, where applicable.</p>	Consistent.
<i>SEPP (Gosford City Centre) 2018</i>	<p>The policy aims to promote economic and social revitalisation of Gosford City Centre.</p> <p>The Site is not located within Gosford City Centre, therefore this policy does not apply.</p>	N/A
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	<p>The policy aims to encourage the provision of housing for senior or people with a disability.</p> <p>The proposal does not include provisions for housing for seniors or people with a disability.</p>	N/A
<i>SEPP (Infrastructure) 2007</i>	<p>The policy aims to facilitate the delivery of infrastructure across the State.</p>	N/A

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	The proposal does not include or would result in development that is subject to the SEPP.	
<i>SEPP (Koala Habitat Protection) 2020</i>	<p>This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline—</p> <p>(a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and</p> <p>(b) by encouraging the identification of areas of core koala habitat, and</p> <p>(c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.</p> <p>The site does not contain core koala habitat.</p>	N/A
<i>SEPP (Kosciusko National Park – Alpine Resorts) 2007</i>	<p>The policy aims to protect and enhance the natural environment of the alpine resorts in the context of Kosciusko National Park.</p> <p>The Site is not located within the Kosciusko National Park.</p>	N/A
<i>SEPP (Kurnell Peninsula) 1989</i>	<p>The policy aims to conserve the natural environment of the Kurnell Peninsula.</p> <p>The Site is not located within the Kurnell Peninsula.</p>	N/A
<i>SEPP (Major Infrastructure Corridors) 2020</i>	<p>The policy aims to identify land intended to be use in the future as an infrastructure corridor.</p> <p>The site does not include major infrastructure corridors.</p>	N/A
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	<p>The policy aims to recognise the importance of mining, petroleum production and extractive industries.</p> <p>The proposal does not intend to facilitate the provision of mining, petroleum production or extractive industries.</p>	N/A
<i>SEPP 19 – Bushland in Urban Areas</i>	The Site does not contain bushland.	N/A
<i>SEPP 21 – Caravan Parks</i>	The proposal does not pertain to a Caravan Park.	N/A
<i>SEPP 33 – Hazardous and Offensive Development</i>	<p>The policy aims to amend the definitions of hazardous and offensive industries whilst require consent for the development to be carried out in the Western Division.</p> <p>The proposal does not intend to construct a Hazardous or Offensive Development.</p>	N/A
<i>SEPP 36 – Manufactured Home Estates</i>	<p>The policy aims to facilitate the establishment of manufactured homes estate.</p> <p>The proposal does not intend to develop a manufacture homes estate.</p>	N/A.
<i>SEPP 47 – Moore Park Showground</i>	The policy aims to enable redevelopment of the Moor Park Showground.	N/A.

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	The Site is not located within Moore Park Showground.	
<i>SEPP 50 – Canal Estate Development</i>	The policy aims to prohibit canal estate development.	N/A
	The Site is not located within a Canal Estate.	
<i>SEPP 55 – Remediation of Land</i>	The policy aims to promote the remediation of contaminated land for the purpose of reducing risk to harm to human health. A Preliminary Site Investigation was undertaken by Douglas Partners. A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site. Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of future a development application/s. The investigation concluded that the site can be made suitable for the proposed uses.	Consistent.
<i>SEPP 64 – Advertising and Signage</i>	The policy aims to ensure signage is compatible with desired amenity and visual character of the area. The proposal does not include signage.	N/A
<i>SEPP 65 – Design Quality of Residential Apartment Development</i>	The policy aims to improve the design quality of residential apartments. The proposal does not intend to construct a residential flat building.	N/A
<i>SEPP 70 – Affordable Housing (Revised Scheme)</i>	The aims of the policy is to identify the need for affordable housing across the State. The proposal does not intend to development housing for affordable housing.	N/A
<i>SEPP (Penrith Lakes Scheme) 1989</i>	The policy aims to provide development control process to ensure environmental and technical matters are considered in the Penrith Lakes Scheme. The Site is not located within the Penrith Lakes Scheme.	N/A
<i>SEPP (Primary Production and Rural Development) 2019</i>	The policy aims to facility the orderly economic use and development of lands for primary production. The Site is currently zoned Rural but is located within the MPURA. Whilst the proposal would be inconsistent with this SEPP, inconsistency is considered justified.	Inconsistent but justified.
<i>SEPP (state and regional development) 2011</i>	The policy aims to identify development which is of State significance. The Site is not identified as being State Significant Development.	N/A
<i>SEPP (State Significant Precincts) 2005</i>	The policy aims to facilitate the development and redevelopment or protection of important urban, coastal and regional sites.	N/A



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	The Site is not identified as being within a State Significant Precinct.	
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	The policy aims to provide health water catchments. The Site is not identified as being within a water catchment.	N/A
<i>SEPP (Sydney Region Growth Centres) 2006</i>	The policy aims to coordinate the release of land for residential, employment and urban development. The Site does not reside within a growth centre covered by the SEPP..	N/A
<i>SEPP (Three Ports) 2013</i>	The policy aims to provide consistent planning for development of infrastructure in Port Botany, Port Kembla and Port of Newcastle. The Site does not reside in one of the above listed ports.	N/A
<i>SEPP (Urban Renewal) 2010</i>	The policy aims to establish a process for assessing and identifying sites as urban renewal precincts. The Site is not identified as an Urban Renewal Precinct.	N/A
<i>SEPP (Vegetation in Non-Rural Areas) 2017</i>	The policy aims to protect biodiversity values of trees and other vegetation. The Site in its current form does not contain vegetation or trees of significant value.	N/A
<i>SEPP (Western Sydney Aerotropolis) 2020</i>	The policy aims to facilitate the development of the Western Sydney Aerotropolis. The Site does not reside within the Aerotropolis.	N/A
<i>SEPP (Western Sydney Employment Area) 2009</i>	The policy aims to protect and enhance land which reside in the Western Sydney Employment Area. The Site is not identified to reside within the Western Sydney Employment Area.	N/A
<i>SEPP (Western Sydney Parklands) 2009</i>	The policy aims to place planning controls to enable Western Sydney Parklands Trust to develop the Parklands in a multi-use urban parkland. The Site does not reside within the Western Sydney Parklands.	N/A

IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS?

The current Ministerial Directions along with an assessment against them is provided in **Table 6** below:

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Table 6 Assessment against current Ministerial Directions

Ministerial Direction	Statement of Consistency	Commentary
1. Employment and Resources		
1.1 Business and Industrial Zones	N/A	N/A
1.2 Rural Zones	The Site is zoned RU2 Rural Landscape under the CLEP2015. The Planning Proposal would result in the land being zoned part residential. The Planning Proposal relates to land within the MPURA and its rezoning for residential purposes is considered to be consistent with Macarthur 2040, Council's Local Strategic Planning Statement and its adopted draft Local Housing Strategy.	Inconsistent but justified.
1.3 Mining, Petroleum Production and Extractive Industries	This direction does not apply to the Planning Proposal does not propose any modification to the permissibility or operational restrictions relating to extractive industries.	N/A
1.4 Oyster Aquaculture	This Ministerial Direction is not relevant to the proposal.	N/A
1.5 Rural Lands	This Ministerial Direction excludes land within Campbelltown City Council.	N/A
2. Environmental and Heritage		
2.1 Environment Protection Zones	This Planning Proposal does not apply to land within an environment protection zone or land otherwise identified for environment protection.	N/A
2.2 Coastal Protection	This Ministerial Direction is not relevant to the proposal.	N/A
2.3 Heritage Conservation	The Planning Proposal, supported by the accompanying CMP, Heritage Impact Assessment and Aboriginal Heritage Assessment, takes into account and will provide appropriate protection for the State listed heritage item <i>Glenlee</i> and Aboriginal Heritage.	Consistent
2.4 Recreation Vehicle Areas	This Ministerial Direction is not relevant to the proposal.	N/A
2.6 Remediation of Contaminated Land	A Preliminary Site Investigation was undertaken by Douglas Partners. A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site. Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of future a development application/s. The investigation concluded that the site can be made suitable for the proposed uses.	Consistent
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	The Planning Proposal will add to the diversity of housing choice in the MPURA, support the efficient use of infrastructure being provided to the MPURA and be of a design responding to and protecting the heritage conservation significance of the Site. CLEP 2015 contains provisions relating to satisfactory arrangements for supporting infrastructure. Whilst the Planning Proposal does not contain provisions which will reduce the permissible residential density of the land, this will be restricted in order to protect and conserve the Site's heritage significance.	Consistent
3.2 Caravan Parks and Manufactured Home states	The Ministerial Direction is not relevant to the proposal.	N/A
3.3 Home Occupations	The Ministerial Direction was revoked on 9 November 2020.	N/A

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3.4 Integrated Land Use and Transport	The proposal would not be inconsistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	Consistent
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3.5 Development Near License Aerodromes	The Ministerial Direction is not relevant to the proposal.	N/A
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3.6 Shooting Ranges	The Ministerial Direction is not relevant to the proposal.	N/A
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3.7 Reduction in non-hosted short term rental accommodation period	The Ministerial Direction is not relevant to the proposal.	N/A
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4. Hazard and Risk

4.1 Acid Sulphate Soils	The Ministerial Direction is not relevant to the proposal.	N/A
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4.2 Mine Subsidence and Unstable Land	A portion of the Site falls within the South Campbelltown Mine Subsidence District. Whilst referral to the Subsidence Advisory Board is required, the relevant mine subsidence considerations underpinned the zoning of the adjoining Menangle Park area for urban purposes in 2017. In this regard in 2006 the then Department of Planning advised that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This was because of Menangle Park’s contribution to land supply in the Sydney Metropolitan Region.	Consistent
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4.3 Flood Prone Land	The Ministerial Direction is not relevant to the proposal.	N/A.
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4.4 Planning for Bushfire Protection	The subject land contains Bush Fire Prone Land (Vegetation Category 3 and Vegetation Buffer). Future development resulting from the Planning Proposal would be capable of meeting the requirements of <i>Planning for Bushfire Protection 2019</i> .	Consistent.
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5. Regional Planning

5.2 Sydney Drinking Water Catchments	The Site is not within a Sydney Drinking water catchment listed in this Ministerial Direction.	N/A
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5.3 Farmland of State and Regional Significant on the NSW Far North Coast	The Ministerial Direction is not relevant to the proposal.	N/A
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5.4 Commercial and Retail Development along the Pacific Highway, North Coast	The Ministerial Direction is not relevant to the proposal.	N/A
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5.9 North West Rail Link Corridor Strategy	The Ministerial Direction is not relevant to the proposal.	N/A
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5.10 Implementation of Regional Plans	Refer Table 2 of this report for an assessment of the Planning Proposal against the key actions and strategies of the Greater Sydney Region Plan.	Consistent
5.11 Development of Aboriginal Land Council Land	The Ministerial Direction is not relevant to the proposal.	N/A
6. Local Plan Making		
6.1 Approval and Referral Requirements	The Planning Proposal is consistent with this direction as it does not alter any approval or referral requirements or identify development as designated development.	Consistent
6.2 Reserving Land for Public Purposes	As part of the conservation strategy for <i>Glenlee</i> , the Planning Proposal includes a proposed RE1 Public Recreation zone for the eastern ridgeline of the Site.	Approval of Campbelltown City Council and the Secretary is sought.
6.3 Site Specific Provisions	The Planning Proposal includes an additional permitted use (<i>Function</i> Room) for <i>Glenlee</i> but does impose any development standards or requirements in addition to those already contained in CLEP 2015. The planning proposal does not contain or refer to drawings that show details of a development proposal for the proposed additional permitted use.	Consistent.
7. Metropolitan Planning		
7.3 Parramatta Road Corridor Urban Transformation Strategy	The Ministerial Direction is not relevant to the proposal.	N/A
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	The Ministerial Direction is not relevant to the proposal.	N/A
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The Ministerial Direction is not relevant to the proposal.	N/A
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The Ministerial Direction is not relevant to the proposal.	N/A

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7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The Ministerial Direction is not relevant to the proposal.	N/A
7.8 Implementation of the Western Sydney Aerotropolis Plan	The Planning Proposal does not undermine the achievement of its objectives, planning principles or priorities of the Western Sydney Aerotropolis Plan.	Consistent
7.9 Implementation of Bayside West Precincts 2036 Plan	The Ministerial Direction is not relevant to the proposal.	N/A
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	The Ministerial Direction is not relevant to the proposal.	N/A
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	The Ministerial Direction is not relevant to the proposal.	N/A
7.12 Implementation of Greater Macarthur 2040	The Planning Proposal is consistent with Greater Macarthur 2040 as it applies to the MPURA	Consistent
7.13 Implementation of the Pymont Peninsula Place Strategy	The Ministerial Direction is not relevant to the proposal.	N/A

5.3 ENVIRONMENTAL, SOCIAL OR ECONOMIC IMPACT

IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATION OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

CLEP 2015 does not identify the Site as containing any areas of terrestrial biodiversity significance. The exhibited draft Cumberland Plain Conservation Plan does not identify any native vegetation of any significance, any threatened ecological communities or Koala habitat within the site. The draft Plan also does not identify any strategic conservation value attributable to the Site.

ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

This section outlines relevant environmental considerations resulting from the Proposal and how they would be addressed.

FLORA AND FAUNA

The Site is not identified as containing any areas of terrestrial biodiversity significance, including the identification of any native vegetation subject to the Cumberland Plan Conservation Plan which was recently on exhibition.

STORMWATER & DRAINAGE

A small section of the northern bowl area is subject to flooding. Future development of the site as envisaged by the development concept plan will require incorporation of flood mitigation and water cycle management measures as part of that future development. This may include potential civil design measures such as minor filling / compensatory cut to maintain flood storage capability, stormwater detention, gross pollutant traps and bio-retention to manage stormwater quantity and quality from future development. Should this Planning Proposal

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be supported, a Water Cycle Management Strategy can be undertaken post-Gateway determination to quantify mitigation measures that could also be incorporated into a site specific DCP.

HERITAGE

A Conservation Management Plan ('CMP') has been prepared by Tropman and Tropman and accompanies the Proposal. The overall aim of the CMP is to review and update existing documentation of the property, investigate and analyse the physical evidence available to review the existing statement of heritage and cultural significance, and to provide management guidelines to enable this significance to be retained into the future.

The CMP includes consideration of Aboriginal Heritage. The Aboriginal Heritage Assessment by AMBS Ecology (Appendix B of the CMP) identifies two Aboriginal sites recorded on the edges but within the current lot boundaries and two just outside the site. Figure 124 of the Assessment identifies Indigenous Archaeological and cultural sensitivity zones relating to the potential for finds due to the hilltop viewing point. It does prevent however building to small scale development at the base of the hill. Portions of the study area have potential to retain Aboriginal heritage objects in a disturbed context and are considered to be of moderate archaeological research potential. As such, the study area does not meet the scientific (archaeological) value for Aboriginal Heritage. Aboriginal heritage does not place a restriction on development to north and south east as proposed. The recommendations in Section 7 of the AMBS report would be implemented in full as part of future development of the Site.

Sections 6.7 and 6.8 of the CMP identify opportunities for future use of the Site. A summary of these opportunities is provided below:

- Continue the historic use of Glenlee homestead, outbuildings and grounds as a family residence as part of the remnant core of a Colonial farm estate. This would be the most desirable use of the site and buildings. Opportunities for use of grounds (paddocks) for grazing would be desirable however given the small size of the site, and the lack of fertility of the remaining lands, this option may not be feasible or financially viable enough to sustain the property.
- Subject to careful planning, utilise the Glenlee homestead, outbuildings and grounds as a community centre or club house for housing located around the estate.
- Utilise the Glenlee homestead, outbuildings and grounds as a compatible commercial enterprise.
- New small scale buildings to the rear (north/east) of the house/in the farm/outbuilding complex that are screened from the Glenlee homestead.
- The potential for residential development beyond the visual setting of the homestead, provided the significance of the place is retained by screening.

The Development Concept

In response to the identified opportunity for residential development referred to above, a concept for the future development of the site – and on which the proposed amendments to CLEP 2015 are based – has been prepared by Architectural Projects Pty Limited. Key elements of the concept are:

- The dedication of public land which forms part of this proposal will ensure the retention of open space around the house into perpetuity. This will enable the public to have access to the site surrounds. This is identified as Area 2 on the Concept Plan.
- Retention of the access road to the homestead group. Retention of the fully restored family residence. and outbuildings.
- Restoration of the Gate Lodge.
- Retention of the visual setting for Glenlee House and Outbuilding by definition of the parish line and sensitive location of variable planting to screen existing, approved and future sensitive development.
- Definition of a curtilage to Glenlee House, outbuilding and Gate lodge and paddocks based on the historic archaeological and visual setting identified in the CMP.

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- Primary visual setting (south of parish line) – forming the curtilage. (The Proposed Curtilage)
- Secondary visual setting (north of parish line) – lying beyond the curtilage
- New development is proposed to the northern bowl and south east foot slopes.
- New development to the northern bowl (600sqm lots) is located within the secondary visual setting and is to be well screened from the house and outbuildings by a hedge on the parish line. Significant views to Mount Annan and Camden Park from Glenlee House and the primary visual setting are retained. Screening to the parish line interprets the historic lot and provides screening to higher view to Mt Annan. New access roads are screened by the tree line and the hedge along the parish line. Critical to the success of all buildings is their single storey scale (5m height limit) with no dormers or window opening above 2100mm and recessive materials which allow them to be suitably screened by vegetation. The gaps in the rows is intended for permeability and paths not planting as the formal planting would achieve the landscape dominance.
- Limited new development (2,000sqm lots) on the south east lower slopes is located within the primary visual setting. The scale of development is equivalent to scale of vernacular outbuildings within defined building envelopes and screened by cluster planting.

A Heritage Impact Statement ('HIS') has been prepared to consider the impact of the development concept for the northern bowl and south-east foot slopes. The HIS accompanies this Proposal and in summary finds the following:

- Retention of the house and outbuilding within a defined visual setting that interprets the 1832 lot boundary and grant holding will allow an interpretation of the significance of the site.
- The impact of new development on the heritage significance of the item is minimised by restricting new development to the northern bowl and south-east foot slopes, screened from the heritage item and incorporating built form control measures that ensure future development is subservient to the heritage item and retains a sense of the pastoral setting.

Development of site specific DCP provisions based on the above key elements that are incorporated into the Menangle Park DCP will supplement the proposed LEP amendments in allowing future development to proceed. This will ensure the heritage significance of the Site is maintained and adheres to the principles of the CMP.

CONTAMINATION

A Preliminary Site Investigation (PSI) were undertaken by Douglas and Partner's which was to identify any area of contamination which may prohibit the proposed rezoning to progress. The PSI, which accompanies this Proposal, identifies a total of ten (10) Areas of Environmental Concern (AEC) the Site. The AEC are a results of previous land use and management across the Site including utilisation of the Site as an orchard for the cultivation of olives.

Any future development of the site will be subject to further detailed environmental investigations and these matters addressed as part of future a development application/s. The site can be made suitable for the proposed uses.

BUSHFIRE RISK

As outlined earlier in this report, the Site is identified as bushfire prone land, being predominantly *Vegetation Category 3* with *Vegetation Buffer* surrounding the *Glenlee* Homestead Precinct.

In respect to bushfire risk:

- The existing bushfire hazard within 140m of the existing *Glenlee* Homestead and outbuildings consists of *grassland* in accordance with *Planning for Bushfire Protection 2019* ('PBP 2019'). Low density residential development within the proposed E4 zoned Northern Bowl and Large Lot Residential development in the South East Foot Slopes would partly remove the bushfire risk to this building group, leaving the proposed

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RE1 open space area to be dedicated to the east (Area 2 on the development concept plan) and the visual curtilage to be retained to the south west (Area 3 on the development concept plan) as *grassland*.

- The bushfire hazard within 140m of the proposed E4 zoned Northern Bowl (Area 4 on the development concept plan) consists of *grassland* to its south-east and north-east. Land to the south-east largely comprises the proposed RE1 open space area to be dedicated (Area 2 on the development concept plan) with the remainder forming part of visual curtilage being retained in private ownership. Land to the north-east of the Northern Bowl, zoned part RE1 Public Recreation and part R5 Large Lot Residential, will ultimately be developed by others and reduce bushfire risk.
- The bushfire hazard within 140m of the proposed E4 zoned Large Lot Residential development in the South East Foot Slopes (Area 5 on the development concept plan) consists of *grassland* to its north-east and west. Land to the north-east comprises the proposed RE1 Open Space area to be dedicated (Area 2 on the development concept plan). Land to the west comprises the the visual curtilage to be retained (Area 3 on the development concept plan).
- Asset Protection Zones are capable of being provided in the interim and long term to protect proposed low density development in the Northern Bowl (Area 4) and large lot development in the South East Foot Slopes (Area 5) to meet the requirements of PBP 2019.
- Future construction standards, access and utilities are capable of being provided at the development stage to meet the requirements of PBP 2019.

ACOUSTIC / VIBRATION IMPACTS

The Site adjoins the Main Southern Railway corridor, with the proposed Spring Farm Parkway nearby to the south.

The future residential development of the Northern Bowl as intended by this Planning Proposal would be nearby to the Main Southern Railway Line. The trains that use this section of the railway corridor are passenger trains on the Southern Highlands line, XPT Regional trains and freight trains. It is noted that this section of the corridor is in cut, assisting in noise mitigation from passing trains.

The future residential development of the South-East Lower Slopes as intended by this Planning Proposal would see a small number of dwellings nearby to the future Spring Farm Parkway.

Section 3.5 of the NSW Department of Planning's *Development near Rail Corridors and Busy Roads (Interim Guideline)* states:

"The following provides an overall summary of the assessment procedures to meet the requirements of clauses 87 and 102 of the Infrastructure SEPP. The procedure covers noise at developments for both Road and Rail.

- *If development is for the purpose of a building for residential use, the consent authority must be satisfied that appropriate measures will be taken to ensure that the following L_{Aeq} levels are not exceeded:*
 - *In any bedroom in the building: 35dB(A) at any time 10pm-7am*
 - *Anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40dB(A) at any time."*

It is understood typical residential building elements for a bedroom and living space in a residential dwelling will produce an approximate 20dBA reduction on noise measured/predicted at the façade intruding into a bedroom or living space. On this basis to meet the above noise criterion with typical residential building elements a maximum level of 55dBA during the night time and 60dBA during the day time at the façade for bedrooms and living spaces would be required. Typical measures, if required, that are capable of attenuating noise to meet this criterion include thicker laminated glass to window facades facing the noise source and door seals. Specific and detailed assessment of road and rail noise impacts can be dealt with either as post-gateway requirements or (preferably) at development application stage when detailed lot layout and finished surface levels are available to more accurately determine noise levels and any required noise attenuation measures.

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Trains induce ground borne vibration that is transmitted through the subsoil. These vibrations can be perceptible close to railways, meaning that residential development in the Northern Bowl may, in part, be subject to rail vibration impacts from passing trains.

The aforementioned *Development near Rail Corridors and Busy Roads (Interim Guideline)* references the DECCW *Assessing Vibration – A technical guideline* which recommends that habitable rooms should comply with the criteria therein which is in line with the requirements of British Standard BS 6472:1992 "Evaluation of Human Exposure to Vibration in Buildings (1Hz to 80Hz)". As with rail noise, specific and detailed assessment of rail vibration impact can be dealt with either as post-gateway requirements or (preferably) at development application stage when detailed lot layout and finished surface levels are available to more accurately determine any required attenuation measures.

SERVICES AND UTILITIES

Sewer

Currently there is no sewage system that services Menangle Park. The existing Menangle Park village is serviced by on-site sewage systems. Servicing investigations as part of the current planning proposal under consideration for Menangle Park, i.e. PP_2020_CAMPB_003_00 state that:

- Sydney Water has current plans for two stages of wastewater services infrastructure delivery to Menangle Park. The first stage of wastewater infrastructure has recently been completed with a pumping station built that can service up to 700 dwellings (SP1185). A rising main from this pumping station runs along the western boundary of the Site the subject of this proposal and ultimately connects to the Glenfield Sewer Treatment Plant. This pumping station has the capacity to be upgraded (by adding additional pumps) as required by demand as additional development occurs.
- The second stage of development will come on-line with the development of the southern catchment of the 'zoned' area of Menangle Park. This package will include:
 - Sewage Pumping Station (SP1186) – south of Menangle Road; and
 - 1.9km rising main between SP1186 to the recently constructed SP1185.
- The existing rising main and pumping station SP1185 have been sized based on the 'zoned' lot yield of approx. 3400 lots for Menangle Park.
- An increase in lot yield as intended by the Planning Proposal will require investigation by Sydney Water to confirm the extent of any additional infrastructure required, which may include a duplication of the rising main to Glenfield Sewer Treatment Plant.

Sydney Water's *Growth Servicing Plan 2019 – 2024* identifies the MPRA is under options planning for wastewater services to identify the preferred high-level servicing option and location, route, staging and size, with progress to Concept Design when land is rezoned. Sydney Water would also consider additional potential wastewater demand such as that generated by this Proposal as part of post-Gateway investigations, should this Proposal be supported.

Potable Water

The Macarthur Water Filtration Plant currently services Menangle Park. Servicing investigations as part of the current planning proposal under consideration for Menangle Park, i.e. PP_2020_CAMPB_003_00 state that:

- The Plant has current capacity to service approximately 700 additional lots within the Menangle Park Release Area (MPRA).
- To service additional demand beyond 700 lots Sydney, the Campbelltown South Water System will be extended to service the MPRA, with capacity in the wider system to cater for an increased lot yield of 6000 dwellings. Sydney Water are currently updating their planning and sizing to service the MPRA. I



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Sydney Water's *Growth Servicing Plan 2019 – 2024* identifies the MPRA is under options planning for potable water services to identify the preferred high-level servicing option and location, route, staging and size, with progress to Concept Design when land is rezoned. Sydney Water would also consider additional potential potable water demand such as that generated by this Proposal as part of post-Gateway investigations, should this Proposal be supported.

Electrical Reticulation

A 330kv transmission line traverses the northeast corner of the MPRA from Menangle Road to north of the M31. Two 66kv lines traverse the northeast corner of the MPRA from Menangle Road to the TransGrid site. The existing Menangle Park village is supplied power from overhead power lines on Menangle Road.

Servicing investigations as part of the current planning proposal under consideration for Menangle Park, i.e. PP_2020_CAMPB_003_00 state that:

- The existing overhead power lines on Menangle Road have the capacity to service an additional 600 lots.
- Endeavour Energy is undertaking a 66 kV feeder (located in the same services corridor as the Sydney Water wastewater rising main along the western boundary of the Site) to service a zone substation located adjacent to the Sydney Water Pump Station SP1185. The completed zone substation (to be completed 2020) will service the balance of the Menangle Park precinct.

On this basis it is therefore understood that sufficient 'bulk' power will be available to service a future development resulting from this Planning Proposal. This can be confirmed as part of investigations post-Gateway determination.

Telecommunications

Existing telecommunication reticulation in the locality, including NBN, can be extended to service a future development resulting from this Planning Proposal. This can be confirmed as part of investigations post-Gateway determination.

Gas

Gas is a non-essential service and is currently not available to the existing Menangle Park village. Dependent on the construction of lead-in gas main infrastructure along Menangle Road and the surrounding 'zoned' Menangle Park area, it may be possible to extend this infrastructure to service future development resulting from this Planning Proposal.

TRAFFIC

The Site currently has access to Menangle Road and the wider connecting road network from Glenlee Road. Glenlee Road is connected at its western end to a public road 10.06 wide under the care and control of Council Road but maintained by the Wilsons with the knowledge of Council.

Future development of the Site as a result of this Planning Proposal would ultimately connect into the future surrounding road network as envisaged by the existing *Indicative Street Layout Plan* contained in the Menangle Park DCP (Figure 1.3 of the DCP) or as amended as a result of the planning proposal for the adjoining land currently under consideration, i.e. PP_2020_CAMPB_003_00. See **Figures 21 & 22** below.

Figure 14: Existing Indicative Street Layout Plan



Figure 15: Proposed street layout under PP_2020_CAMPB_003_00



The Site

The future development of the Site as a result of this Planning Proposal, in the context of the overall MPURA development yield and traffic implications is relatively minor. Further traffic considerations to confirm the capacity of the road network to cater for the Proposal can be undertaken either post-Gateway determination or at development stage.

HOW HAS THE PLANNING PROPOSAL ADEQUATLY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?

The Proposal will contribute to the social and economic benefit of the wider precinct. The provision of additional housing responds to the Plan, District Plan and local strategic documents which identified the Site as an urban release area.

Through the amendments of the CLEP2015 they key social and economic impacts the proposal would provide are:

- Access to additional dwellings which would add to the diversity in format and size of housing options. The delivery of large lot residential and larger than 'standard' low density lot sizes will attract a diverse range of buyers.
- The additional households, through construction and increased local population, would contribute to and support, in a minor way, the economic activity throughout the broader community whilst contributing to the creation of a '30-minute city'.
- The Proposal would provide the benefit of passive open space & recreation amenity well beyond the demand it would create and to the benefit to the wider community.

5.4 STATE AND COMMONWEALTH INTEREST

IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL

The future development of the Site as a result of this Planning Proposal would marginally increase the demand for public infrastructure. Services infrastructure demand has been addressed previously in this report (see Services and

PLANNING PROPOSAL
GLENLEE ESTATE



Utilities discussion). Other public infrastructure considerations would be managed through local developer contributions, proposed State Infrastructure Contributions or under possible VPA arrangements.

WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?

No consultation with Commonwealth authorities have been carried out to date. The NSW Heritage Office has been consulted extensively in the preparation of the Conservation Management Plan accompanying this submission. Heritage Council endorsement is currently being sought for the Conservation Management Plan.

It is anticipated that the following public authorities / state agencies following a Gateway determination to proceed:

- NSW Heritage Office
- Transport NSW
- NSW Education
- Subsidence Advisory Board NSW
- Sydney Water
- Endeavour Energy

PLANNING PROPOSAL
GLENLEE ESTATE



6. COMMUNITY CONSULTATION

In accordance with Section 3.34 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated the Proposal will be required to be publicly exhibited for a minimum of 28 days in accordance with the requirements of the Department of Planning and Environment guidelines '*A guide to preparing local environmental plans*'. It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on Campbelltown Council website.
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination, Proposal and any further specialist studies required and draft DCP controls would be publicly exhibited by Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

PLANNING PROPOSAL
GLENLEE ESTATE



7. CONCLUSION AND RECOMMENDATIONS

The proposed amendments to CLEP2015 would enable greater opportunity for positive outcomes resulting from the future development of the Glenlee Estate. They are consistent with surrounding land use context and character, with the limited residential development aligning with the key strategic directions for the locality.

In summary, the proposed amendments to the CLEP2015, is considered appropriate for the following reasons:

- It enables the retention and ongoing conservation of the house and outbuilding within a defined visual setting that interprets the 1832 lot boundary and grant holding will allow an interpretation of the significance of the site.
- The impact of new development on the heritage significance of the item is minimised by restricting new development to the northern bowl and south-east foot slopes, screened from the heritage item and incorporating built form control measures that ensure future development is subservient to the heritage item and retains a sense of the pastoral setting. Development of site specific DCP provisions based on the above key elements and incorporated into the Menangle Park DCP will supplement the proposed LEP amendments in ensuring the heritage significance of the Site is maintained and adheres to the principles of the CMP
- The Proposal is consistent with the State, Regional and Local strategic planning framework. As described through this report, the proposed development is consistent with the priorities and directions of Greater Sydney Region Plan, the Western City District Plan and Greater Macarthur 2040.
- The Proposal would contribute to diversity in the local housing market to accommodate population growth and improve housing supply, choice and affordability.
- The existing and future planned infrastructure and services for Menangle Park have the capacity to effectively service demand from development under this Proposal; and
- Overall, there are no anticipated adverse social or economic impacts that would arise from the proposal. Rather, the proposed development would contribute to the creation of a vibrant, integrated precinct, defined by public domain, high quality design and the integration of an array of land uses.

Overall, the Proposal will result will in desirable urban development and conservation management outcomes. The Proposal therefore warrants the support of Council to proceed to Gateway Determination by the Department of Planning & Environment.

William David Wilson and
Patricia Maree Wilson
Glenlee House
60 Glenlee Road
MENANGLE PARK NSW 2563

General Manager
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

20 May 2021

Dear Ms Deitz,

RE: Offer to enter into a Planning Agreement under s7.4 of the Environmental Planning and Assessment Act 1979 (NSW) – Glenlee Estate, Menangle Park

1 Background

- 1.1 We are the owners of the land known as 60 Menangle Road, Menangle Park (Glenlee), being Lots 1-3 in DP713646 (**Land**).
- 1.2 Council is presently considering a Planning Proposal with respect to the Land and the purpose of this letter is to provide Council with the terms of our offer to enter into a Voluntary Planning Agreement (**VPA**) in connection with the Planning Proposal.
- 1.3 In that regard, by this letter we make an irrevocable offer to Council to enter into a Planning Agreement on the terms set out in this letter which will operate if *Campbelltown Local Environmental Plan 2015 (CLEP 2015)* is amended in accordance with the Planning Proposal.
- 1.4 The Planning Proposal seeks to amend *Campbelltown Local Environmental Plan 2015 (CLEP 2015)* to permit limited residential development of the Land that is responsive to, and protective of, the land's heritage significance.
- 1.5 The Planning Proposal proposes to change the current *RU2 Rural Landscape* zone applying to the Land under CLEP 2015 to part *E4 Environment Living*, part *E3 Environmental Management*, part *E2 Environmental Conservation* and part *RE1 Public Recreation*. It also proposes amendments to the Lot Size, Lot Size for Dual Occupancy Development and Height of Buildings Maps of CLEP 2015.
- 1.6 The residential development of the Land will be restricted to the *E4 Environment Living* zoned areas and be subject to detailed development controls to be added to the *Campbelltown (Sustainable City) Development Control Plan 2015*.
- 1.7 The proposed *RE1 Public Recreation* zoned area (**Designated Land**) is intended to be dedicated at no cost to Council to enable protection of the visual curtilage of Glenlee in perpetuity and afford the community the opportunity for access to a very strategic open space location.
- 1.8 This limited development of the Land enables the retention and ongoing conservation and maintenance of Glenlee's heritage significant buildings and elements as recommended by the Conservation Management Plan, *Glenlee Estate, Lots 1, 2 & 3 DP 713646, Glenlee Road, Menangle Park Conservation Management Plan*, by Tropman and Tropman Architects (August 2020) (**CMP**).

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1.9 The offer outlined in this letter has been prepared in accordance with s7.4 of the *Environmental Planning and Assessment Act 1979 (NSW) (Act)*.

2 Parties

The parties to the VPA will be:

- (1) William David Wilson and Patricia Maree Wilson; and
- (2) Council.

3 Land

The VPA will apply to the Land.

4 Development

The VPA will apply to:

- (1) the Planning Proposal; and
- (2) the residential development of the Land that will be permitted if CLEP 2015 is amended in accordance with the Planning Proposal (**Development**).

5 Contributions

The following contributions will be made to Council under the VPA by the times specified below:

Contribution	Estimated Timing for Completion
<p>Dedication of Open Space The landowner will dedicate the Designated Land to Council at no cost to Council.</p>	<p>Prior to the release of the first subdivision certificate for the creation of a residential lot as part of the Development.</p>
<p>Restoration of Gatehouse The "Gatehouse" situated on the Land will be restored to the standard identified in the CMP.</p>	<p>Prior to the release of the first subdivision certificate for the creation of a residential lot as part of the Development.</p>
<p>Ongoing Maintenance Work The existing main residence (Glenlee House) and the Gatehouse will be maintained in accordance with the CMP.</p>	<p>Ongoing obligation with maintenance works to be carried out in accordance with the CMP.</p>

6 Menangle Park Contribution Plan

6.1 Development of the Land is subject to the *Menangle Park Contributions Plan 2020 (the MPCP)*.

6.2 As mentioned above, the proposed *RE1 Public Recreation* zoned area is intended to be dedicated to Council.

6.3 This area is not identified as a contributions item in the MPCP and the proponent does not seek an offset against developer contributions under the MPCP as a result of its dedication.

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7 Application of s7.11 and s7.12 of the Act

- 7.1 The VPA will not exclude the operation of s7.11 and s7.12 of the Act with respect to the Development.
- 7.2 Section 7.11(6) will not apply to the contributions provided under the VPA.

8 Dispute Resolution

- 8.1 The VPA will contain appropriate dispute resolution provisions as set out below.
- 8.2 In the event of a dispute, the first party must give to the second party notice in writing of the dispute which adequately identifies and provides details of the dispute and stipulates what the first party believes will resolve the dispute (**Notice**).
- 8.3 The parties must then, within five (5) business days of the Notice, commence negotiations to resolve the dispute.
- 8.4 If the parties are unable to resolve the dispute, the parties must then agree to refer the matter to:
- (1) mediation; or
 - (2) expert determination,
- as agreed by the parties.
- 8.5 If the dispute is referred to expert determination, the parties will agree that the final expert determination is binding.

9 Enforcement & SecurityRegistration on title

- 9.1 The VPA will be registered on the Land in accordance with s7.6 of the Act.
- 9.2 Upon the development of the Land being undertaken, the VPA will be released from the new residential lots created as part of that development, however will remain on the title of the lots on which Glenlee House and the Gatehouse are located.

Bank Guarantee

- 9.3 Prior to the issue of the first subdivision certificate for the creation of a residential lot as part of the Development, a bank guarantee will be provided to Council in an amount equal to the estimated value of the cost of the Ongoing Maintenance Works for the subsequent two (2) year period.
- 9.4 During the term of the VPA, Council will be entitled to require the owner of the Land to 'top up' this Bank Guarantee such that Council always has security equal to the estimated cost of the then subsequent two (2) years Ongoing Maintenance Works.
- 9.5 Council will have a right to inspect Glenlee House and the Gatehouse from time to time to ensure the Heritage Works are being undertaken in accordance with the CMP.
- 9.6 If the Heritage Works are not being undertaken in accordance with the VPA, Council will be entitled to issue a notice to the landowner requiring the outstanding Heritage Works to be carried out. If the landowner fails to adhere to

the terms of any such notice, Council may exercise step-in rights to undertake the required maintenance work itself (with the costs met from the Bank Guarantee).

- 9.7 If that occurs, the Landowner will be required to provide replacement security to Council for the future ongoing Heritage Works obligations to the amount set out above.

Council may withhold Subdivision Certificates

- 9.8 Council will be entitled to withhold the issue of a subdivision certificate for the Development if any contribution required to be provided before the issue of that subdivision certificate is not provided.

Acquisition of the Designated Land

- 9.9 With respect to the dedication of the Designated Land to Council, Council will have the right to acquire that land in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for \$1 in the event that we do not dedicate that land to Council in accordance with the VPA.

10 Concluding Comments

Should Council have any questions or comments with respect to this Offer, please do not hesitate to contact us.

Signed by William David Wilson and Patricia Maree Wilson in the p

Witness (Signature)	<i>William David Wilson</i> (Signature)
Name of Witness (Print Name)	<i>Patricia Maree Wilson</i> (Signature)

8.7 Re-appointment of Local Planning Panel Members

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

1. That the Campbelltown City Council Local Planning Panel be extended for another term from 1 July 2021 until 1 July 2024 to determine development applications and to provide advice on planning proposals in accordance with the relevant referral criteria, operational procedures and code of conduct as published by the Minister for Planning and Public Spaces.
2. That Council notes the appointment by the Minister of Planning and Public Spaces, The Hon. Robert Stokes of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years.
3. That Council notes the appointment of the following expert and community representatives by the General Manager for a period of 3 years as follows:
 - a. Mr Lindsay Fletcher and Mrs Glennys James PSM as the expert members and Mr Scott Lee, Ms Mary-Lynne Taylor and Ms Helena Miller as the alternate expert members.
 - b. Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Florencio Cuaresma as the alternate community members.
4. That Council advise the Department of Planning and Environment of the nominated members and alternates for the Campbelltown Local Planning Panel for a period of 3 years.
5. That Council write to the previous Chair, Mr Ian Reynolds and alternate Chair, Mr Keith Dedden and community member Mr Edward Saulig to acknowledge their service to Council and the community.
6. That Council inform all persons who lodged an expression of interest of Council's decision and thank them for their interest in the matter.

Purpose

The purpose of this report is to inform Council of changes to membership of the Campbelltown City Council Local Planning Panel (LPP) in relation to the appointment of the Chair and alternates, 2 expert and one community representative and their alternates so that Council may renew its Panel membership by 1 July 2021.

History

Council considered a report at its Ordinary Meeting on 13 February 2018 on the appointment of Community and Expert Nominations to Council's Local Planning Panel and resolved in part:

That Council notes the appointment of the following members and alternatives by the General Manager for the Campbelltown Independent Hearing and Assessment Panel for a period of 3 years as follows:

- c. Mr Ian Reynolds as Chair and Mr Stuart McDonald and Mr Keith Dedden as alternate Chairs.
- d. Ms Mary-Lynne Taylor and Ms Jenny Rudolph as the expert members and Mr Scott Lee and Ms Helena Miller as the alternate expert members.
- e. Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Edward Saulig as the alternate community members.

Since this time, the Panel has met on 30 occasions, determined 52 development applications (capital investment value of \$166 million) and provided advice on 30 planning proposal requests at a total cost of \$185,284. In this same period, 3,076 development applications were determined under delegation or by the Sydney West Regional Planning Panel (capital investment value of \$1.75 billion).

On 2 December 2020, advice was issued by the Planning Panels Secretariat that the Minister for Planning and Public Spaces has requested the Department of Planning, Industry and Environment conduct an expression of interest during early 2021 to refresh the chair and expert pools from which councils make appointments to their local planning panels.

On 13 May 2021, the Minister for Planning and Public Spaces advised that he approved the appointment of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs of the Campbelltown City Council Local Planning Panel for 3 years.

On 14 May 2021, Council was provided with an updated list of approved experts, from which Council is required to select at least four members for appointment to the Panel.

An invitation for expressions of interest for the local community member position on the LPP was advertised in the local paper, Council's website and social media from 6 April 2021 to 7 May 2021.

Report

This report outlines the selection and nomination process for the Community member and Expert members on the Panel.

1. Selection of community members

The Guidelines for the Recruitment and Appointment of LPP Community Representatives issued by the Department of Planning, Industry and Environment (DPIE) provide that the General Manager appoint the community representative and alternates to the LPP on behalf of council and notify the Department and nominees of the outcomes.

All LPPs are required to follow a standard model comprising a chair, 2 other expert members and a community representative.

The selection criteria of community members include:

- Be current residents within the local government area
- Have knowledge and awareness of the LGA and issues of concern to the local community
- Be able to represent and communicate the interests of the local community
- Have an understanding of the planning process and assessment issues (but not expected to be experts)
- Commit to attending the LPP meetings and contributing constructively to the determination of applications
- Be willing to adhere to the LPP code of conduct and operational procedures.

It is considered that the appointment of one community member and 2 alternates would provide sufficient depth and opportunity for rotation.

In response to the advertisement of the local community member positions, seven submissions were received, including 2 from existing community representatives. Each person that lodged an expression of interest demonstrated that they satisfy the selection criteria. Further consideration was given to those nominations that best demonstrated their knowledge and understanding of Council and the local area.

At the completion of the interview process, it was considered that Ms Cecilia Cox remain as community member and Mr Phil Hayward remain as the alternative. Mr Florencio Cuaresma was also selected as the second alternative member as he demonstrated the selection criteria for a community member with a sound understanding of local issues the planning framework.

2. Selection of expert members

Each expert was approved by the Minister for Planning and Public Spaces based on their professional standing, experience, technical ability and broad understanding of the development assessment process. Each expert has met one or more of the following expertise requirements set out in the *Environmental Planning and Assessment Act 1979*:

- Planning
- Architecture
- Heritage
- The environment
- Urban design
- Economics
- Traffic
- Transport
- Law

- Engineering
- Tourism
- Government and Public Relations

The approved list is comprised of 214 persons, of whom 118 have indicated their preference for membership on the Campbelltown City Council LPP.

Priority has been given to those who indicated a preference for the Campbelltown Panel, hold qualifications in planning, law or administration and have knowledge and understanding of Council and the local area.

Having regard to the above, it is recommended that Mr Lindsay Fletcher and Ms Glennys James PSM be appointed by the General Manager as Council's expert members on the following grounds:

- Mr Lindsay Fletcher has previously been appointed as alternate Chair of Blacktown and Randwick Local Planning Panels and Expert Member of the Local Planning Panels for Blacktown, Burwood, Cumberland, Liverpool and Parramatta and is a State Member of all Sydney Planning Panels as an alternate. Lindsay has extensive expertise in the field of town planning and has an excellent understanding of local and metropolitan planning framework and has high professional standing.
- Ms Glennys James recently retired from the position of Director Planning at Blacktown Council where she held the position of Assistant Chief Executive Officer and Director Planning and Development since 2005 and Director of Development Services since 1990. Glennys was awarded the Public Service Medal in 2019 for her "outstanding public service to local government administration, and town planning, in New South Wales".

It is recommended that Mr Scott Lee, Ms Mary-Lynne Taylor and Ms Helena Miller remain appointed alternate expert members for a second term.

Each member has indicated their availability to attend Panel meetings and have undergone a probity and political donations check.

Conclusion

Local Planning Panels have been established under State Government planning legislation to determine development applications of high value, corruption risk, sensitivity or strategic importance. Council is required to notify the DPIE of its nominated expert and community members by 1 July 2021.

Pursuant to the Guidelines issued by the DPIE, it is the role of the General Manager to appoint the community representative and alternates to the LPP on behalf of Council and notify the Department and nominees of the outcomes.

Council has undertaken an expression of interest process to select a suitable community member and 2 alternative members for the Panel. Seven submissions were received, with each person who lodged an expression of interest demonstrating that they satisfy the selection criteria. Following an interview process, one community member and 2 alternatives have been nominated for appointment by the General Manager for a period of 3 years.

As the *Environmental Planning and Assessment Act 1979* requires that the Minister endorse the Chair, Council has received advice from the Minister for Planning and Public Spaces that he has approved the appointment of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years.

In relation to the expert members, the Minister for Planning has endorsed a list based on their professional standing, experience, technical ability and broad understanding of the development assessment process. From the endorsed list, the General Manager has selected 2 expert member and retained 3 existing alternative experts for a period of 3 years.

Attachments

Nil

8.8 Stormwater and Grey Water re-use

Reporting Officer

Director City Delivery
City Delivery

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.3 - Promote and educate our community on sustainable practices and encourage practicable take up of more sustainable life-choices

Officer's Recommendation

That Council advocate for water re-use schemes to supplement the use of potable water.

Purpose

To provide Council with an update on the Stormwater and Grey Water initiatives.

History

Council at its meetings held 12 November 2019 and 10 December 2019 requested the following 2 reports be presented. These matters were briefed to Council on the 2 March 2021.

1. That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.
2. That a report be presented on the feasibility of the re-use of grey water within the community.

Report

Potable water (drinking water) is a scarce and precious commodity. Quality standards are set in legislation and aim to protect public health. Sydney Water supplies Sydney with water from a number of sources including the main supply at Warragamba Dam and Cataract, Cordeaux, Avon and Nepean Dams to the south of Campbelltown.

The current cost of potable water supplied by Sydney Water is \$2.35/KL (2020-21). Recent recommendations from IPART were for Sydney Water to adopt a lower service charge along with higher consumption charges, hence it is likely that these charges will increase in the future.

Sydney has a growing population and a limited supply of drinking water. Residents are able to water their gardens, flush their toilets and wash their clothes in water that is of a much higher quality than is required for these purposes.

This report will look at what other options for water sources are available and consider the issues relating to each. It will also consider where some of these alternate sources of water could be used.

Each year Campbelltown residents and businesses use nearly 16 million kilolitres (KL) of water (2018-19 figures). This is enough water to fill over 6,000 olympic swimming pools. Of this volume 75 per cent is residential consumption, and of that volume, garden watering, toilet flushing and washing machine use represent uses that do not need drinking water quality. These uses comprise about 55 per cent of household consumption. Similarly, Council's highest water uses are sporting ovals, pools and sport and recreation centres. Of the uses for which Council uses water, sporting ovals and toilet flushing are uses for which drinking water is not required. It is not possible to determine the exact percentage for which alternate sources could be used, but it is likely in the order of 50 per cent.

Total replacement of water supply, even where possible, is not always feasible. This is due to existing plumbing, high cost to retrofit in existing development, land requirements, legislative barriers, and a multitude of other considerations. There are, however, some real opportunities which should be further considered to allow Campbelltown to contribute to potable water consumption reductions. Most of these options will require development or redevelopment to provide the catalyst for change.

In a similar manner to the considerations in this report, Sydney Water is currently investigating water source approaches to address water supply and waste water management (particularly) within Western Sydney to ensure supply is available to service the growth in the region. Many of the approaches being considered are non-traditional approaches. At this time, the work is preliminary and no additional information is available at this point.

1. Stormwater usage

Private

In a domestic situation, this type of water collection is usually described as rainwater rather than stormwater. At a household (private) level rainwater tanks are already required to satisfy the requirements of BASIX. There are current plans to revise a number of existing guidelines to create a Design and Place SEPP. This review (currently under way) includes consideration of BASIX. At this time it is not known what these changes may entail.

Use of up-sized rainwater tanks to supplement potable water supply is well understood and firmly embedded in our current planning controls. There are opportunities though, to make these systems bigger, so that more rainwater is captured.

The average single lot household uses 623 l/day as per Sydney Water information and therefore to completely remove a need for potable water each single lot dwelling would need to hold enough water in tanks to cater periods of no rain. This figure of course will vary from dwelling to dwelling and is dependent on a number of factors but typical in rural living areas surrounding Campbelltown tank size are typically in the order of 120KL a minimum and in time of drought

these for larger person household would empty. A typical house under BASIX requirements are required to have between a 2-5 KL tank.

If the use of rainwater was limited to the toilet, gardens and washing machines that is 55 per cent of the typical household usage then the tank size may be able to be reduced to around a 70 KL tank. A tank of this size would be a significant issue in most standard residential lots in terms of the land take and if buried though the land take would be less the cost of installation would be much higher.

Tank size	Cost
2KL	\$800
5KL	\$1,600
10KL	\$3,200
70KL	\$7500 (above ground, steel)

Costs are based on typical plastic slim line tanks. These do not appear to be available in 10 KL size so dual tanks were assumed.

Benefits

- reduced potable water usage
- cleanest of the alternate sources available
- can be retrofitted in some circumstances for use in washing machines, toilet flushing and outdoors usage.

Constraints

- large rainwater tanks on small lots will have a large footprint
- difficult to capture the full roof area
- potable water supply required to top up tanks
- tanks may be significantly empty much of the time
- difficult to get big tanks onto some existing properties
- while it can be retrofitted, this may incur significant cost.

Public

Stormwater is water that runs off roads, properties and other surfaces into the stormwater drainage system during and after rain. The water that can be captured as stormwater (known as stormwater harvesting) varies widely in both quantity and quality. Capturing stormwater from Council’s stormwater roads and stormwater systems would require treatment, but to a lesser extent than other alternative water supplies such as grey water and sewage.

Stormwater treatment could be achieved using a combination of water sensitive urban design elements, such as gross pollutant traps, bio-retention basins, man-made devices and constructed wetlands. Large storages would be required as rainfall is unreliable, seasonal and variable. In times of drought you get nothing and in times of flood, you need nothing.

In terms of required storage volumes, if we consider Councils playing field. One field requires approximately 100KL per watering. If each field is watered once a week and if we were to experience just one dry year we would need to store 5,200KL of water. We would need 2 olympic sized swimming pool for each playing field but would need to allow more than an

additional metre of depth to account for evaporation (1,150mm evaporation per annum). Council has over 120 playing fields.

This large footprint and land availability is a severe limitation for stormwater harvesting. The treatment measures also require regular maintenance. Open water bodies attract birdlife and other wildlife, people feed the animals and the stored water can become contaminated. For some uses this would then require additional treatment to be fit for purpose. The land required to supply an open water body of this size would remove open space from other passive uses and therefore significantly reduce the open space available. Another factor to consider is the location of some playing field relative to large enough stormwater systems making it may be very difficult to get stormwater to the site.

To collect water for other off site purposes would require even larger storage areas, significant pumping, and pipe systems to convey the water to the other locations.

Benefits

- reduce use of potable water
- requires less treatment than other non-potable water supplies
- can be incorporated as a feature to increase amenity
- good supply when regular rainfall is occurring.

Constraints

- requires a large footprint for storage and treatment
- contamination of water from wildlife
- during periods of drought, little to no water will be stored
- potable water would still be required in times of drought
- only efficient for onsite use only due to size of storage required.

2. Greywater Usage

Greywater is the water generated by household washing machines, showers, bathtubs and sinks. This water can be treated and reused, it may also be able to be used untreated at a household scale for sub-surface irrigation and toilet flushing. This would require a separate collection system within the dwelling to ensure the separation with sewage water. The grey water would need to be stored in a tank similar to stormwater then piped back to the irrigation system and toilet via a separate pipe to the potable water. This of course would be more cost effective if installed at the time of construction and in most case, particularly for slab on ground house near impossible to retrofit.

From a storage point of view, the tank required would be significantly less in size than that to hold stormwater. If you envisage 44 per cent of current water usage is in the shower, bath and washing machine (grey water supply) and you use 43 per cent of the current water usage for outdoors and toilets (grey water use). These two functions balance each other out therefore requiring a tank, with a large contingency factor, of no more than 1500L, smaller than the BASIX requirement. This size tank would easily fit on most blocks of land. In this scenario both the supply and usage of the water is constant and guaranteed all year round and this would reuse of potable water would result in a 43 per cent reduction in potable water or 43KL of water a year per household.

There are of course a number of health regulation that would have to be considered, though for minimal cost a treatment system could be installed at the house.

To date there is limited information on large scale greywater reuse operations. There is a potential opportunity for a local greywater system to provide water for open space watering (public and private), toilet flushing and other passive uses in select areas. Similar to the household system a separate grey water line from the households would be required to a large storage and treatment plant and then a return grey water line, similar to the current potable water line, would be required to deliver the water back to the properties. Such systems would require a separation of the greywater from the black water at each residence.

Greywater costs

- can be treated at house scale with devices starting from \$500 to \$1,000
- once treated can be used in gardens, other outdoor use and toilet flushing.

Benefits

- relatively constant supply volume
- minimises storage size required
- excess water could be sold to other users or returned to the creek as environmental flows

Constraints

- still requires treatment
- someone needs to be responsible for ensuring water quality
- extra cost for duplicated plumbing
- difficult/impossible to retrofit

Local Sewer Mining

Sewer mining is another way of extracting grey water and by tapping into existing large sewer mains and extracting sewage. It requires approval from Sydney Water and there are strict water quality guidelines which must be met. The sewer mining operation will only be approved if Sydney Water is satisfied that there are sufficient liquids left in the sewer to allow the network to continue functioning properly. The sewer mining operation must also not impact the productivity of any existing water recycling operations.

The sewage is treated by a technology called membrane bioreactor (MBR), which is energy intensive, but can be incorporated with cogeneration opportunities (harvesting heat generated and using this energy for other uses).

Local sewer mining costs

The system can achieve a high level of water quality and be used for non-potable uses, although it does have high capital and maintenance costs. These systems become more cost efficient as the plant scale increases. City of Sydney completed case studies of various sewer mining options:

- Johnstons Creek Sewer Mining could produce 0.4 GL (gigalitre)/yr, had a footprint of 3,200 m² and levelised cost of \$11.7/KL.
- Darling Harbour Sewer Mining could produce 3.1 GL/yr, with a footprint of 8,600 m² and a levelised cost of \$7.9/KL
- a levelised cost considers operation, maintenance and waste discharge fees as well as cost to building owners to retrofit supply systems for existing buildings.

Changes to the pricing structure have prevented the completion of many feasibility studies and construction of new sewer mining operations. This is a result of the change in pricing structure, as Sydney Water will now negotiate a waste fee for discharge back into the sewer at application stage. This makes it impossible to complete an accurate business case or case study.

Benefits

- constant supply volume
- relatively constant supply volume
- minimises storage size required
- excess water could be sold to other users or returned to the creek as environmental flows
- products of sewer mining, stormwater harvesting and water recycling can all be used in gardens, general outdoor use.
- can also be retrofitted for use in washing machines, toilet flushing however, this may incur significant cost.

Constraints

- still requires treatment
- extra cost for duplicated plumbing
- difficult/impossible to retrofit
- would involve construction of infrastructure to get harvested stormwater to properties.
- involves a skill set that Council does not have
- generally a Sydney Water remit.

Recycled Sewerage Water

Recycled sewerage water (recycled water), which is the supplying of grey water back to the properties, is currently managed by Sydney Water at facilities such as the Glenfield Sewage Treatment Plant. This plant treats the sewage generated by Campbelltown and produces a non-potable water supply (treated grey water). This water is provided to communities through a separate purple pipe for uses such as washing machines, watering gardens and other general outdoor uses. Areas in Campbelltown such as Bardia, Edmondson Park, Ingleburn Gardens and the Panorama Estate in Glenfield are receiving recycled water from the Glenfield Sewage Treatment Plant. This is in addition to a number of suburbs outside of Campbelltown. There may be future opportunities in greenfield areas, if an additional sewage treatment plant is required.

Benefits

- constant supply volume
- relatively constant supply volume
- minimises storage size required

Constraints

- still requires treatment
- extra cost for duplicated plumbing
- difficult/impossible to retrofit
- extra cost for duplicated plumbing
- difficult/impossible to retrofit.

Conclusion

As highlighted throughout the report, there are a number of options available to reduce the use of potable water, however they primarily involve the capture of stormwater and its use rather than the use of potable water from tap as supplied in Sydney by Sydney Water.

The second method is the reuse of potable water, is basically using the potable water from the tap more than once prior to it going down the sewer or into the ground. Both methods have a number of advantages and disadvantages and never should be ultimately dismissed.

In both methods it requires a separate plumbing system to be installed that separates the potable water from the non potable water as well as a separate collection system for capturing the water. In short both methods are more expensive to retro fit to existing dwelling or precinct and the most economical way is to install these systems from day one. Both methods can be installed at the individual household level or at a wider precinct level.

The reuse of grey water has the more reliable supply of water and from an individual household perspective does require a smaller shortage tank. When a water reuse system is put in place for example at the greenfield stage of a development, infrastructure can be installed in a far more cost effective manner and the supply of water can be better balanced across the whole community and allow public infrastructure to obtain access to this water.

Public infrastructure such as playing fields, parks and garden can use significant quantities of water, however have very limited sources of generating the initial supply, where at the household level they generate the supply of the water but have limited opportunity on the reuse of the water.

At a precinct scale, Council is not in the business of running or constructing these types of systems and typically it is a state government driven function, Sydney Water.

Council seeks to have planning instruments in place that will ensure that new developments of all scales have plumbing as part of this process that allows for a dual water systems to be put in place within the property.

Attachments

Nil

8.9 Asbestos Policy

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

1. That the Asbestos Policy as attached to this report be adopted.
2. That the Asbestos Policy review date be set at 30 June 2024.

Purpose

To seek Council's endorsement of the Asbestos Policy.

History

The Model Asbestos Policy was developed by the Local Government and Shires Associations of NSW (LGSA) on behalf of the Heads of Asbestos Coordination Authorities Working Group. The Heads of Asbestos Coordination Authorities Working Group comprises a number of State Government agencies that provided valuable input into the policy. A Local Government Reference Group and members of staff from councils across NSW also contributed advice regarding the Model Asbestos Policy.

The Asbestos Policy having been developed with regard to the model policy includes relevant information for Council workers dealing and managing asbestos as well as information for the local community in regard to asbestos and asbestos related materials.

Report

Asbestos poses a serious health risk to Council workers and the community. The Asbestos Policy has been developed to outline the objectives and responsibility of Council in managing asbestos related risks both in the workplace and the wider community.

The Office of Local Government have issued the Model Asbestos Policy as a guideline under section 23a of the *Local Government Act 1993* (section 23a). Council is required, by the virtue of section 23a, to consider the model policy when developing, adopting and implementing an asbestos policy for the Local Government Area (LGA).

Council's policy has been developed with regard to the model policy. However, adjustments have been made based on the circumstances of Council, particularly around the removal of sections relating to the occurrence of natural asbestos and the ownership of a waste disposal facilities.

The policy is broken into 2 major parts; part one is information for the community; part 2 details the management of asbestos within Council.

The policy broadly covers the following areas:

Part 1

- Roles and responsibilities of Council
- Asbestos in the LGA – Information for the community
- Responding to emergencies and incidents
- Land use and development assessment
- Managing asbestos as a waste
- Complaints and investigations.

Part 2

- Management of asbestos risks within Council
- Identifying and recording asbestos hazards in the workplace
- Accidental disturbance of asbestos by workers
- Council's role in the disposal of asbestos waste.

The policy also contains a number of appendices containing further information regarding the management of asbestos related risks.

Attachments

1. Asbestos Policy June 2021(contained within this report)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Asbestos Policy	
Related Documentation	Policy - Work Health & Safety Authorised Statement - Work Health and Safety Management System Form - Work Health and Safety (WHS) Definitions Master List	
Relevant Legislation/ Corporate Plan	Legislation, Standards and Codes of Practices - Reference Table Refer to Appendix G	
Responsible Officer	General Manager	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

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1 Objectives

This policy aims to outline:

- The role of Council and other organisations in managing asbestos
- Council's relevant regulatory powers
- Council's approach to dealing with sites contaminated by asbestos and emergencies or incidents
- General advice for residents on renovating homes that may contain asbestos
- Council's development approval process for developments that may involve asbestos and conditions of consent
- Waste management and regulation procedures for asbestos waste in the LGA
- Council's approach to managing asbestos containing materials in council workplaces
- Sources of further information.

2 Policy Statement

Campbelltown City Council acknowledges the serious health hazard of exposure to asbestos.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos.

Where material containing asbestos is in a non-friable form (that is, cannot be crushed by hand into a powder), undisturbed and painted or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions. Further information about asbestos and the health impacts of asbestos can be found in Appendix A and website links to additional information are provided in Appendix B.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- residents and the public within the Local Government Area (LGA)
- workers (employees and other persons) in council workplaces.

Council's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- as a responsible employer
- contaminated land management
- council land, building and asset management
- emergency response
- land use planning (including development approvals and demolition)
- regulation of activities (non-work sites)
- waste management and regulation.

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3 Scope

This policy applies to all of the Campbelltown City Council (LGA) within council's jurisdiction.

The policy provides information for council workers, the local community and wider public. Part 1 of the policy includes the sections that are likely to be of most interest to the local community and wider public. Part 2 is information that applies to workers associated with council including employees, contractors, consultants, and volunteers (as defined by the NSW Work Health and Safety Regulation 2017). Definitions for key terms used in the policy are provided in Appendix C and acronyms are listed in Appendix D.

The policy applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the LGA.

The policy outlines council's commitment and responsibilities in relation to safely managing asbestos and contains general advice. For specific advice, individuals are encouraged to contact council or the appropriate organisation (contact details are listed in Appendix E).

The policy does not provide detail on specific procedures. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found in the:

- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW.
- Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW.
- Additional guidance material listed in Appendix B.
- Detailed information on council's procedures and plans may be found in other documents, which are referenced in part 2 under section 18.1.

4 Roles and Responsibilities of Council

4.1 Educating residents

Council shall assist residents to access appropriate information and advice on the:

- prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos containing materials
- safe removal and disposal of minor quantities of asbestos containing materials.

Educational information and website links for educational materials can be found in Appendices A and B.

4.2 Managing land

Council is responsible for managing public land.

4.3 Managing waste

Where council is the appropriate regulatory authority, council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the Protection of the Environment Operations Act 1997).
- Issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the Protection of the Environment Operations Act 1997).
- Issuing penalty infringement notices for improper transport of asbestos (under the Protection of the Environment Operations Act 1997).

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- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 10.7 certificates) where on-site disposal is permitted.

Waste facilities that are licensed to accept asbestos waste are listed in Appendix F.

4.4 Regulatory responsibilities

Council has regulatory responsibilities under the following legislation, policies and standards in situations where council is the appropriate regulatory authority or planning authority:

- Contaminated Land Management Act 1997 (NSW)
- Environmental Planning and Assessment Act 1979 (NSW)
- Environmental Planning and Assessment Regulation 2000 (NSW)
- Local Government Act 1993 (NSW)
- Protection of the Environment Operations Act 1997 (NSW)
- Protection of the Environment Operations (General) Regulation 2009 (NSW)
- Protection of the Environment Operations (Waste) Regulation 2014 (NSW)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land
- Demolition work code of practice 2015 (catalogue no. WC03841).

Additional legislation, policies and standards relating to the safe management of asbestos are listed in Appendix G.

The situations in which council has a regulatory role in the safe management of asbestos are listed in Table 1.

Table 1: Situations in which council has a regulatory role in managing asbestos

Issue	Council's role
Contaminated land	<ul style="list-style-type: none"> • Record known asbestos site contamination on a section 10.7 Planning Certificate where practicable and for council workplaces, record on council's asbestos register. • Notify stakeholders of land use planning policy requirements relating to contamination. • Manage residential asbestos contaminated land that is not declared 'significantly contaminated' under the Contaminated Land Management Act 1997 (excluding oversight of removal or remediation work which is the role of SafeWork NSW).
Development assessment	<ul style="list-style-type: none"> • Assess development applications for approval under the Environmental Planning and Assessment Act 1979. • Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials. • Ensure compliance with development conditions. • Apply conditions relating to development involving friable and non-friable asbestos material under the relevant legislation and planning codes and as outlined in section 9.
Demolition	<ul style="list-style-type: none"> • Approve demolition under the Environmental Planning and Assessment Act 1979. • Council certifiers approve development as complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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Emergencies and incidents	<ul style="list-style-type: none"> Regulate the clean-up of asbestos waste following emergencies where sites are handed over to the council or a local resident by an emergency service organisation (excluding oversight of licensed removal or remediation work which is the role of SafeWork NSW). Council may consider the need to issue a clean-up notice, prevention notice or cost compliance notice under the Protection of the Environment Operations Act 1997.
Naturally occurring asbestos	<ul style="list-style-type: none"> Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos. Prepare an asbestos management plan for council workplaces or road works which occur on land containing naturally occurring asbestos.
Residential premises	<ul style="list-style-type: none"> Respond to any public health risks (risks to council workers and wider public) relating to the removal of asbestos containing materials or asbestos work at residential properties that does not involve a business or undertaking. Respond to complaints about unsafe work at a residential property that is undertaken by a resident (not a worker, which is the role of SafeWork NSW). Respond to public health risks posed by derelict properties or asbestos materials in residential settings.
Waste	<ul style="list-style-type: none"> Manage waste facilities in accordance with environmental protection legislation. Respond to illegal storage, illegal dumping and orphan waste. Regulate non-complying transport of asbestos containing materials.

4.5 Responsibilities to workers

Council is committed to fulfilling its responsibilities to workers under the *NSW Work Health and Safety Act 2011* and *NSW Work Health and Safety Regulation 2017* and maintaining a safe work environment through council's:

- general responsibilities
- education, training and information for workers
- health monitoring for workers
- procedures for identifying and managing asbestos containing materials in council premises.

These responsibilities are outlined in part 2.

5 Other stakeholders involved in managing asbestos

Council is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

Appendix E notes useful contacts and Appendix H notes agencies involved in managing asbestos. Various asbestos scenarios requiring stakeholders to work together are outlined in Appendix I.

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6 Part 1 – Asbestos in the Local Government Area: Information for the community

6.1 Contamination of land with asbestos

Background information on contamination of land with asbestos and potential disturbance of asbestos contaminated sites can be found in Appendix A under sections 2 and 3. The nature of asbestos contamination of land can vary significantly and there can be a number of different mechanisms available to address this contamination depending upon its source and extent.

6.2 Responsibilities for contaminated land

Responsibility for cleaning up contaminated land lies with the person responsible for contaminating the land or the relevant landowner.

Council may issue a clean-up notice to the occupier of premises at or from which council reasonably suspects that a pollution incident has occurred, or is occurring, requiring asbestos waste to be removed (under part 4.2 of the Protection of the Environment Operations Act 1997).

Council may also issue prevention notices (under part 4.3 of the Protection of the Environment Operations Act 1997) to ensure good environmental practice. If a person does not comply with a prevention notice given to the person, council employees, agents or contractors may take action to cause compliance with the notice.

Any reasonable costs incurred by council in monitoring or enforcing clean up and prevention notices may be recovered through a compliance cost notice (under part 4.5 of the Protection of the Environment Operations Act 1997). Council shall keep records of: tasks undertaken; the hour's council employees have spent undertaking those tasks; and expenses incurred.

During site redevelopment council will consider contamination with asbestos containing materials in the same way as other forms of contamination as stipulated by the Environmental Planning and Assessment Act 1979. That is, council will apply the general requirements of State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land and the Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land.

Council provides information about land contamination on planning certificates (issued under section 10.7 of the Environmental Planning and Assessment Act 1979).

For sites that are 'significantly contaminated' and require a major remediation program independent of any rezoning or development applications, the EPA and SafeWork NSW are the lead regulatory authorities as outlined in Appendix A.

The management of council workplaces contaminated with asbestos is outlined in section 14.3.

6.3 Finding out if land is contaminated

A person may request from council a planning certificate containing advice on matters including whether council has a policy to restrict the use of land due to risks from contamination. Certificates are issued under section 10.7(2) of the Environmental Planning and Assessment Act 1979.

Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. When council receives a request for a certificate under section 10.7(2), it may also inform applicants of any further information available under section 10.7(5). Council may also use section 10.7(5) certificates to record other information, particularly anything else of a factual nature about contamination which council deems appropriate (such as details of land history, assessment, testing and remediation).

Council records can only indicate known contaminated sites. Any site may potentially be contaminated.

Council may issue notices to land owners or occupiers requiring information about land it has reason to believe may be contaminated by asbestos using section 192 and section 193 of the Protection of the Environment Operations Act 1997.

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6.4 Duty to report contaminated land

A person whose activities have contaminated land or a landowner whose land has been contaminated is required to notify the EPA when they become aware of the contamination (under section 60 of the Contaminated Land Management Act 1997). Situations where this is required are explained in the document: Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997.

The EPA will inform council of contaminated land matters relating to the LGA as required under section 59 of the Contaminated Land Management Act 1997.

6.5 Derelict buildings

Concerns regarding potential health risks from derelict properties may be directed to council. Derelict properties include abandoned buildings, fire damaged buildings and otherwise dilapidated buildings. Where derelict properties contain friable asbestos and asbestos is exposed, either from human activities or weathering, this poses a potential risk to public health.

Council may respond to derelict properties that pose a demonstrable public health risk using a range of regulatory tools according to the particular circumstances.

Council may issue a clean-up notice or prevention notice and compliance cost notice as noted in section 6.2.

Council may also order a person to demolish or remove a building if the building is so dilapidated as to present harm to its occupants or to persons or property in the neighbourhood (under section 121B 2(c) of the Environmental Planning and Assessment Act 1979). An order may require immediate compliance with its terms in circumstances which the person who gives the order believes constitute a serious risk to health or safety or an emergency (under Schedule 5, clause 27 of the Environmental Planning and Assessment Act 1979). If a person fails to comply with the terms of an order, council may act under Schedule 5, clauses 33 and 34 of the Environmental Planning and Assessment Act 1979 to give effect to the terms of the order, including the carrying out of any work required by the order.

If the derelict building is on a site that is a workplace then SafeWork NSW is the lead agency responsible for ensuring that asbestos is removed by appropriately licensed removalists.

7 Responding to emergencies and incidents

Emergencies and incidents such as major collapses, cyclones, explosions, fires, storms, or vandalism can cause damage to buildings or land that contain asbestos. This may include working with state agencies in accordance with the NSW Asbestos Emergency Plan and the Disaster Assistance Guidelines. This can create site contamination issues and potentially expose emergency service workers and the wider public to asbestos. Emergencies or incidents can arise from natural hazards, or from accidental or deliberate human activities including criminal activity.

7.1 Responsibilities in the clean up after an emergency or incident

Council may play a role in ensuring that asbestos containing materials are cleaned up after an emergency or incident. If the emergency or incident occurs at a workplace, SafeWork NSW is the lead agency.

Council may issue a clean-up, prevention, cost compliance or penalty infringement notice as outlined in section 6.2.

Alternatively, council may act under the Environmental Planning and Assessment Act 1979 as outlined in section 6.5 of this policy.

Council will determine an appropriate response depending on the nature of the situation.

This may include to:

- Seek advice from an occupational hygienist on the likely level of risk and appropriate controls required.
- Liaise with or consult the appropriate agencies.

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- Inform emergency personnel of any hazards known to council as soon as practicable.
- Follow the Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW.
- Ensure that any council workers attending the site have appropriate training and are wearing appropriate personal protective equipment.
- Exclude the public from the site.
- Inform the public of the potential sources of exposure to asbestos, health risks and emergency management response.
- Minimise the risks posed by any remaining structures (see section 6.5).
- Address the risks posed by disturbed asbestos containing materials by engaging a licensed removalist (as outlined in section 14.5.1) or issuing a clean-up or prevention notice ensure asbestos containing materials are removed for disposal.
- Ensure that the site is kept damp, at all times or sprayed with PVA glue, particularly where friable asbestos is present, if considered appropriate (noting that in some instances this may not be appropriate, for example if there are live electrical conductors or if major electrical equipment could be permanently damaged or made dangerous by contact with water).
- Ensure that asbestos containing materials are disposed of at a facility licensed to accept asbestos waste and sight proof of appropriate disposal through weighbridge dockets or similar documentation.

7.2 Advice to the public regarding clean up after an emergency or incident

During a clean up after an emergency or incident, the possibility of neighbours being exposed to asbestos fibres may be very low if precautions are taken to minimise the release and inhalation of asbestos dust and fibres.

As a precautionary measure, where council is involved in a clean-up, council may consider advising those in neighbouring properties to:

- avoid unnecessary outdoor activity and do not put any laundry outside during the clean up
- close all external doors and windows and stay indoors during the clean up
- consider avoiding using air conditioners that introduce air from outside into the home during the clean up
- dispose of any laundry that may have been contaminated with asbestos as asbestos waste after the clean-up (advice on disposing of asbestos waste is provided in section 10)
- use a low pressure hose on a spray configuration to remove visible dust from pathways after the clean up
- wipe dusty surfaces with a damp cloth and bag and dispose of the cloth as asbestos waste after the clean-up (advice on disposing of asbestos waste is provided in section 10)
- any other measures recommended by an occupational hygienist following assessment of the situation.

8 Council’s process for changing land use

Council recognises the need to exercise care when changing zoning for land uses, approving development or excavating land due to the potential to uncover known or unknown asbestos material from previous land uses (for example, where a site has been previously been used as a landfill or for on-site burial of asbestos waste).

State Environmental Planning Policy No. 55 – Remediation of Land states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

Managing sites contaminated with asbestos material is addressed in section 6.

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9 Council's process for assessing development

This section applies to development applications assessed under the Environmental Planning and Assessment Act 1979 and complying development applications assessed under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or council's complying codes (see section 9.5.2). This includes alterations and additions to residential development, which may include internal work as well as extensions to the existing main structure, or changes to outbuildings, sheds or garages.

This section also covers renovations that do not require development consent or a complying development certificate. Development consent is not required to maintain an existing structure. For example, the replacement of windows, doors and ceilings may involve the removal of asbestos but is categorised as exempt development under the Environmental Planning and Assessment Act 1979 and does not require development consent. In these instances, council has an educative role in providing owners and occupiers with advice and information about the identification and safe management of asbestos.

9.1 Responsibilities for approving development

Council is the consent authority for the majority of development applications in the LGA. The Local Planning Panel (LPP) and Joint Regional Planning Panel (JRPP) are also consent authority for certain local or regional development.

Council, the LPP or the JRPP may impose conditions of consent and a waste disposal policy to a development consent to ensure the safe removal of asbestos, where asbestos has been identified or may be reasonably assumed to be present.

Either council or a private certifier may assess a complying development certificate. Where a private certifier is engaged to assess a complying development certificate, the private certifier is responsible for ensuring that the proposed development activities include adequate plans for the safe removal and disposal of asbestos.

This also applies to the demolition of buildings. Certifiers are able to issue a complying development certificate under the Demolition Code of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Further information on demolition is provided in section 9.4.

When a private certifier issues a complying development certificate and is appointed as the Principal Certifying Authority for the development it is the certifier's responsibility to follow up to ensure that works including asbestos handling, removal and disposal if present, are carried out appropriately in accordance with the Environmental Planning and Assessment Regulation 2000 (clause 136E). Compliance is covered in section 9.7.

9.2 Providing advice to home owners, renovators and developers

Council is committed to providing information to minimise the risks from asbestos in the LGA. Information is provided below and in Appendix A. Appendix B lists additional sources of information on how to deal safely with the risks of asbestos and Appendix J lists asbestos containing products that may be found around the home.

The key points are:

- Before any renovation, maintenance or demolition work is carried out, any asbestos or asbestos containing materials should be identified (refer to section 9.3).
- Where a material cannot be identified or it is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.
- If asbestos containing materials can be maintained in good condition it is recommended that they be safely contained, left alone and periodically checked to monitor their condition, until demolition or redevelopment.
- If asbestos materials cannot be safely contained, they should be removed as outlined in section 9.4.
- For demolition or redevelopment, any asbestos containing materials should be safely removed and disposed of prior to the work commencing.

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Anyone who is undertaking renovations themselves without a contractor is encouraged to refer to Appendices A and B for more information and contact council where they require further advice or clarification. Anyone engaging an asbestos removal contractor may contact SafeWork NSW with any queries as SafeWork NSW regulates asbestos removal by workers (as explained in section 9.4). Contact details for council and SafeWork NSW are provided in Appendix E.

9.3 Identifying asbestos

Information on common places where asbestos is likely to be found in residential, commercial and industrial premises with materials from prior to 2004 on the premises is provided in Appendix A.

A person may apply to council for a planning certificate (called a section 10.7 certificate) for the relevant land. Council may provide information on a planning certificate including whether council has a policy to restrict the use of land due to risks from asbestos contamination.

Council aims to ensure that records are, as far as possible, accurate. In some instances, council may not have up-to-date information about asbestos for a property. Council may be able to provide general advice on the likelihood of asbestos being present on the land based on the age of the buildings or structures on the land. A general guide to the likelihood of asbestos presence based on building age is provided in Appendix A under section 2.2.

The most accurate way to find out if a building or structure contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos, such as an occupational hygienist (a competent person is defined by the NSW Work Health and Safety Regulation 2017). This is highly advisable before undertaking major renovations to buildings constructed, or containing materials from prior to 2004.

Property owners and agents are encouraged to inform any tenants or occupiers of the presence of asbestos and to address any potential asbestos hazards where appropriate.

Property owners who let their properties out are required to identify any asbestos within those properties before any work is carried out (this includes residential properties).

The Work Health and Safety Regulation 2017 states that the person conducting a business or undertaking in any building constructed before 31 December 2003 must identify if there is any asbestos in the building.

All commercial properties that contain asbestos must have and maintain a current asbestos register and asbestos management plan.

9.4 Removing asbestos, refurbishments and demolitions

9.4.1 Removing asbestos at domestic premises

If development is undertaken by contractors, as is the case with a lot of home renovations, then the work is considered to be at a workplace and is regulated by SafeWork NSW under the NSW Work Health and Safety Regulation 2017. This requires that a person conducting a business or undertaking who is to carry out refurbishment or demolition of residential premises must ensure that all asbestos that is likely to be disturbed by the refurbishment or demolition is identified and, so far as reasonably practicable, is removed before the refurbishment or demolition is commenced.

Depending on the nature and quantity of asbestos to be removed, a licence may be required to remove the asbestos. The requirements for licenses are outlined below and summarised in the table in Appendix K. SafeWork NSW is responsible for issuing asbestos licences.

Friable asbestos must only be removed by a licensed removalist with a friable (Class A) asbestos removal licence. Except in the case of the removal of:

- asbestos containing dust associated with the removal of non-friable asbestos, or
- asbestos containing dust that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination (which is when the asbestos contamination is incidental and can be cleaned up in less than one hour).

The removal of more than 10 square metres of non-friable asbestos or asbestos containing material must be carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist.

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The removal of asbestos containing dust associated with the removal of more than 10 square metres of non-friable asbestos or asbestos containing material requires a non-friable (Class B) asbestos removal licence or a friable (Class A) asbestos removal licence.

Removal of 10 square metres or less of non-friable asbestos may be undertaken without a licence. However, given the risks involved, council encourages residents to consider engaging a licensed asbestos removal contractor. The cost of asbestos removal by a licensed professional is comparable in price to most licensed tradespeople including electricians, plumbers and tilers.

All asbestos removal should be undertaken in accordance with the Code of practice on how to safely remove asbestos (catalogue no. WC03561).

If a residential premise is a workplace, the licensed asbestos removalist must inform the following persons before licensed asbestos removal work is carried out:

- the person who commissioned the work
- a person conducting a business or undertaking at the workplace
- the owner and occupier of the residential premises
- anyone occupying premises in the immediate vicinity of the workplace (as described in section 467 of the NSW Work Health and Safety Regulation 2017).

In certain circumstances, a premise may be used for both residential and commercial purposes and is therefore classified as a workplace.

All licensed asbestos removal must be:

- supervised by a supervisor named to SafeWork NSW
- notified to SafeWork NSW at least five days prior to the work commencing.

Requirements for the transport and disposal of asbestos waste are covered in section 10.

9.4.2 Removing asbestos at workplaces

The NSW Work Health and Safety Regulation 2017 specifies requirements for demolition and refurbishment at a workplace with structures or plants constructed or installed before 31 December 2003. SafeWork NSW is the lead agency for regulating the safe management of asbestos at workplaces.

9.4.3 Obtaining approval for demolition

Demolition work is classified as high risk construction work in the NSW Work Health and Safety Regulation 2017 and demolition licenses are required for some demolition work. The Demolition work code of practice 2015 provides practical guidance on how to manage the risks associated with the demolition of buildings and structures. In most circumstances demolition of a structure requires development consent or a complying development certificate. Applicants need to enquire to council as to whether and what type of approval is required. Where a development application is required council's standard conditions need to be applied to ensure that asbestos is safely managed. Council's conditions for development consent are referred to in section 9.6.

A wide range of development, including residential, industrial and commercial development, can be approved for demolition as complying development under the Demolition Code of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and the Environmental Planning and Assessment Regulation 2000 provides mandatory conditions for complying development certificate applications.

Demolition of development that would be exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is also exempt development and does not require consent. This includes minor structures such as carports, fences, sheds and the like.

9.5 Exempt or complying development

9.5.1 Exempt development

Exempt development does not require any planning or construction approval if it meets the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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This means that there is no ability for council or a private certifier to impose safeguards for the handling of asbestos through conditions of development consent. However, council advises that all asbestos removal work should be carried out in accordance with the Code of practice on how to safely remove asbestos (catalogue no. WC03561).

9.5.2 Complying development

The Environmental Planning and Assessment Regulation 2000 (clause 136E) outlines conditions under which a complying development certificate can be issued for development that involves building work or demolition work and friable or non-friable asbestos.

Applications for complying development certificates must include details of the estimated area (if any) in square metres of friable and/or non-friable asbestos material that will be disturbed, repaired or removed in carrying out the development (under Schedule 1 part 2 of the Environmental Planning and Assessment Regulation 2000).

Where more than 10 square metres of non-friable asbestos is to be removed, a contract evidencing the engagement of a licensed asbestos removal contractor is to be provided to the principal certifying authority. The contract must specify the landfill site lawfully able to accept asbestos to which the removed asbestos will be delivered.

If the contract indicates that asbestos will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

If the work involves less than 10 square metres of non-friable asbestos and is not undertaken by a licensed contractor, it should still be undertaken in a manner that minimises risks as detailed in the Code of practice on how to safely remove asbestos (catalogue no. WC03561). In instances where asbestos removal is less than 10 square metres of non-friable asbestos and not from a place of work, then SafeWork NSW would not be the agency responsible for regulating this activity. Concerns or complaints may be directed to council as outlined in section 11.

The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 outlines the requirements for the applicant to notify their neighbours that works may include asbestos removal.

Further requirements to inform other persons of licensed asbestos removal are described in section 467 of the NSW Work Health and Safety Regulation 2017 as noted in section 9.4.1 of this policy.

9.6 Development applications

If a proposed building does not meet the requirements of exempt or complying development then the alternative planning approval pathway is a development application (DA). A DA can only be approved by a local council, the LPP and JRPP or, for very large, State-significant development proposals, the State Government. A development application needs to be prepared and it will be assessed in accordance with the requirements of relevant environmental planning instruments and the development standards established by council. Council may undertake a site inspection as part of the DA assessment.

9.6.1 Pre-development application advice regarding asbestos

Council's pre-DA service enables proponents to discuss asbestos-related issues with council prior to lodging a DA, if the issue is raised. Council may inform applicants of this policy, fact sheets or websites. Generally this may be most relevant to structures erected or modified before the 1980s and any other structure that could be reasonably suspected to contain asbestos including those with building materials from prior to 2004.

9.6.2 Conditions of consent

The following are standard consent condition which Council may apply to a DA if it involving work regarding asbestos:

Demolition Works

Demolition works shall be carried out in accordance with the following:

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- a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b) Prior to commencement of any works on the land, the demolition contractor(s) licence details must be provided to Council.
- c) The handling or removal of any asbestos product from the building/site must be carried out by a SafeWork NSW licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with SafeWork NSW requirements.
- d) An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e) Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and SafeWork NSW prior to the commencement of any works.

Demolition Work/Plan

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of Australian Standard A52601-2001 The Demolition of Structures.

9.7 Compliance and enforcement

9.7.1 Responsibilities for compliance and enforcement

The controls rely on information being provided and checked by the principal certifying authority which may be either the local council or a private certifier. A private certifier has powers under the Environmental Planning and Assessment Act 1979 to issue construction certificates, compliance certificates, complying development certificates, occupation certificates and to carry out mandatory inspections. Councils will not always be the principal certifying authority. When a council is not nominated as the principal certifying authority for a complying development certificate or development application, the council may not have any knowledge of the asbestos matter. Accordingly, coordination of compliance and/or enforcement actions between the council and the private certifier will be required.

Council may take action on any development for which council has issued the development consent, even when not appointed as the principal certifying authority to ensure enforcement. Where council receives a complaint about a development for which council is not the principal certifying authority, council should consider whether council is the appropriate authority to resolve the matter. Complaints that warrant action by councils because of their greater enforcement powers include:

- urgent matters, for example, a danger to the public or a significant breach of the development consent or legislation
- matters that are not preconditions to the issue of the occupation/subdivision certificate.

In relation to naturally occurring asbestos, council is to verify compliance with environmental planning and assessment legislation and together with the EPA and SafeWork NSW is to coordinate enforcement where non-compliance is suspected.

9.7.2 Compliance strategies

Illegal works include:

- works that are undertaken without a required development consent or complying development certificate

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- works that are undertaken that do not comply with the conditions of the development consent or complying development certificate.

Where council becomes aware of illegal work involving asbestos or asbestos containing materials, council will notify SafeWork NSW if the site is a workplace.

The Environmental Planning and Assessment Act 1979 empowers council to issue orders to direct specific work be undertaken to comply with a development consent.

Council may need to issue an order under the Local Government Act 1993 (section 124) to direct a person to 'do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.'

Council may also issue a clean-up notice or prevention notice under the Protection of the Environment Operations Act 1997.

Council may audit asbestos-related demolition works which council has recently approved by using a legal notice under section 192 of the Protection of the Environment Operations Act 1997 to require developers to provide information and records regarding disposal of their asbestos waste.

10 Managing asbestos as a waste

It is illegal to dispose of asbestos waste in domestic garbage bins or to recycle, reuse, bury or illegally dump asbestos waste. Asbestos must not be placed in general waste skip bins, yet there have been instances where asbestos has been illegally placed in skip bins by third parties. Members of the public need to be aware of this hazard and may need to secure their skip bins to prevent a third party from illegally disposing of asbestos in the skip bin.

Asbestos waste (in any form) must only be disposed of at a landfill site that may lawfully receive asbestos waste.

10.1 Responsibilities for asbestos waste management

The handling and, where appropriate, temporary storage of asbestos waste at worksites is regulated by SafeWork NSW.

The EPA regulates premises that have or require an environment protection licence in accordance with the Protection of the Environment Operations Act 1997. A licence is required where more than 5 tonnes of asbestos waste, brought from off-site, is stored at any time. All other sites where asbestos waste is stored, typically those that are non-work sites, are regulated by local councils.

10.2 Handling asbestos waste for disposal

The Code of practice on how to safely remove asbestos provides details on waste containment and disposal and controls applicable to all types of asbestos removal.

10.3 Transporting asbestos waste

The following requirements apply to the transport of asbestos waste and non-compliance with these requirements is an offence under clause 78 of the Protection of the Environment Operations (Waste) Regulation 2014:

- (a) any part of any vehicle in which the person transports the waste is covered, and leak-proof, during the transportation, and
- (b) if the waste consists of bonded asbestos material-it is securely packaged during the transportation, and
- (c) if the waste consists of friable asbestos material-it is kept in a sealed container during transportation, and
- (d) if the waste consists of asbestos-contaminated soils-it is wetted down.

Asbestos waste that is transported interstate must be tracked in accordance with the Protection of the Environment Operations (Waste) Regulation 2014. The transport of asbestos waste in NSW must be recorded from the place of generation to its final destination. The waste tracking system is administered by the EPA. Operators that use the EPA's WasteLocate system will be in compliance

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with these requirements. Information about EPA's WasteLocate system can be found at: <https://wastelocate.epa.nsw.gov.au/faq>

An environment protection licence issued by the EPA is required to transport asbestos waste interstate where any load contains more than 200 kilograms of asbestos waste.

It is an offence to transport waste to a place that cannot lawfully receive that waste, or cause or permit waste to be so transported (under section 143 of the Protection of the Environment Operations Act 1997). Penalty notices may be issued for \$7,500 (to individuals) and \$15,000 (to corporations). NSW courts may impose penalties up to \$250,000 (for individuals) and \$1,000,000 (for corporations) found guilty of committing this offence.

10.4 Disposing of asbestos waste at waste facilities

Persons delivering waste to a landfill site must comply with the following requirements:

- a person delivering waste that contains asbestos to a landfill site must inform the landfill occupier of the presence of asbestos when delivering the waste.
- when unloading and disposing of asbestos waste at a landfill site, the waste must be unloaded and disposed of in such a manner as to prevent the generation of dust or the stirring up of dust.

Non-compliance with these requirements is an offence under the Protection of the Environment Operations (Waste) Regulation 2014 and these offences attract strong penalties.

10.4.1 Situations in which asbestos waste may be rejected from waste facilities

Asbestos waste may be rejected from a waste facility if the waste is:

- not correctly packaged for delivery and disposal (as per sections 10.2 and 10.3)
- not disclosed by the transporter as being asbestos or asbestos containing materials, or
- taken to a waste facility that does not accept asbestos waste.

Where waste is rejected, the waste facility must inform the transporter of the waste of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the Protection of the Environment Operations (Waste) Regulation 2014).

Individuals may be fined \$7,500 and corporations may be fined \$15,000 under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 2014 for transporting asbestos waste to a facility that cannot lawfully receive asbestos waste.

10.5 Illegal dumping of asbestos waste

Illegal dumping is the unlawful deposit of waste onto land. That is waste materials dumped, tipped or otherwise deposited onto private or public land where no licence or approval exists to accept such waste. Illegal landfilling, which is waste used as fill material, with or without the consent of the owner or occupier of the land and without the necessary council or EPA approvals, is also considered to be illegal dumping and pollution of land.

Illegal dumping of asbestos waste in public places such as parks, streets or nature strips can attract regulatory action including:

- on the spot fines of up to \$15,000
- prosecution for pollution of land of up to \$1 million for a corporation and \$120,000 for each day the offence continues (under section 142A of the Protection of the Environment Operations Act 1997), or
- up to \$1 million, or seven years imprisonment, or both for an individual (under section 119 of the Protection of the Environment Operations Act 1997).

The responsibility for cleaning up illegally dumped waste lies with the person or company that deposited the waste. If they cannot be identified the relevant occupier or landowner becomes the responsible party.

Local councils are the appropriate regulatory authority for illegal dumping unless:

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- the activity was part of the carrying on of an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
- the activity was carried out by a public authority or the state, or
- the site is regulated by a different authority such as the Minister for Planning.

A handbook to assist Aboriginal communities to prevent and arrange the clean up of illegal dumping (published by the EPA) is noted in Appendix B.

10.6 Asbestos remaining on-site

The disposal of asbestos on site is not encouraged as it requires an effective ongoing system of long term management to ensure the material does not pose unacceptable risks to future site activities and occupants. For on-site burial of asbestos waste, council will seek advice from the EPA. Council will confirm if on-site disposal is permitted under planning controls whether or not consent is required and will require recording of on-site disposal on the zoning certificate (section 10.7 certificate).

11 Complaints and investigations

Complaints and inquiries may be directed to council about incidents in public places and private properties. Complaints and inquiries regarding a workplace should be directed to SafeWork NSW. Complaints and inquiries regarding licensed premises under the *Protection of the Environment Operations Act 1997* should be directed to the EPA.

Council will respond to complaints and inquiries regarding:

- council’s requirements in relation to development, land management and waste management
- derelict properties
- general asbestos safety issues
- illegal dumping
- safe removal and disposal of minor quantities of asbestos materials
- unsafe work at a residential property conducted by a homeowner or tenant.

Complaints about council in relation to asbestos may be directed to the NSW Ombudsman.

12 Part 2 – Management of asbestos risks within council

12.1 Duties of council workers at the council workplace

12.1.1 The General Manager

The General Manager has a duty to exercise due diligence to ensure that council complies with the *NSW Work Health and Safety Act 2011* and the *NSW Work Health and Safety Regulation 2017*. This includes taking reasonable steps to ensure that council has and uses appropriate resources and processes to eliminate or minimise risks associated with asbestos.

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12.1.2 Workers

Workers have a duty to take reasonable care for their own health and safety and that they do not adversely affect the health and safety of other persons. Accordingly workers:

- must comply with this policy and any reasonable instruction or procedure relating to health and safety at the workplace
- must use any personal protective equipment provided, in accordance with information, training and reasonable instruction provided so far as the worker is reasonably able
- may cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose them, or other persons, to a serious health or safety risk, emanating from an immediate or imminent exposure to a hazard
- should ensure they are using the latest version of all relevant procedures, plans, guidelines and legislation (refer to Appendix G).

Managers are responsible for ensuring workers who report to them have access to this policy and appropriate information, documentation and training.

12.1.3 Prohibited work activities

Council will not permit any worker to carry out asbestos handling or removal work. All work involving asbestos is to be carried out by an appropriate licensed contractor.

Council will not permit the use of the following on asbestos or asbestos containing material:

- high pressured water spray (unless for fire fighting or fire protection purposes), or
- compressed air.

Council will not permit the following equipment to be used on asbestos or asbestos containing material unless the use of the equipment is controlled in accordance with the NSW Work Health and Safety Regulation 2017:

- power tools
- brooms (note brooms are allowed for use on vinyl floor tiles), or
- any other implements that cause the release of airborne asbestos into the atmosphere.

12.2 Responsibilities of council to council workers

12.2.1 Council's general responsibilities

Council has general responsibilities under the *NSW Work Health and Safety Act 2011* and the *NSW Work Health and Safety Regulation 2017*. Accordingly council will:

- not use any asbestos containing materials (unless in accordance with part 8.1 (419) of the *NSW Work Health and Safety Regulation 2017*) and will not cause or permit asbestos waste in any form to be reused or recycled
- ensure that exposure of a person at the workplace to airborne asbestos is eliminated so far as is reasonably practicable
- ensure that the exposure standard for asbestos (defined in Appendix C) is not exceeded in the workplace
- notify SafeWork NSW immediately if persons are likely to be affected by asbestos fibres or if an air monitoring process records respirable asbestos fibre levels above 0.02 fibres/ml of air
- ensure that any contractors engaged to undertake the removal of asbestos for council are appropriately licensed
- consult with workers as required by the *Work Health and Safety Act 2011*.

Council will not import asbestos or asbestos containing material into Australia as prohibited under the *Customs (Prohibited Imports) Regulations 1956*. If plant or other materials are imported from countries where asbestos is not yet prohibited, council shall ensure the plant or materials do not contain asbestos prior to supply or use in the workplace.

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12.2.2 Education, training and information for workers

As required by the NSW *Work Health and Safety Act 2011* and *NSW Work Health and Safety Regulation 2017*, council will:

- provide any information, training, instruction or supervision that is necessary to protect all persons at the workplace from risks to their health and safety arising from work carried out as part of the conduct of council business
- ensure workers who council reasonably believes may be involved in asbestos removal work or the carrying out of asbestos-related work in the workplace are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.

Topics training may cover are outlined in the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

Education and training will only be provided by appropriately accredited individuals. A record of asbestos training undertaken by each worker will be kept until five years after the day the worker ceases to work for council. A list of workers who have received the appropriate training to respond to asbestos hazards is available.

12.2.3 Health monitoring for workers

Council will ensure health monitoring is provided to a worker if they are carrying out licensed asbestos removal work, other ongoing asbestos removal work or asbestos-related work at the workplace for council and are at risk of exposure to asbestos when carrying out the work.

The health monitoring will be consistent with the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) and meet the requirements of the NSW Work Health and Safety Regulation 2017 (part 8.5 Division 1).

Health counselling may be appropriate where a heightened sense of concern exists for individuals possibly exposed to elevated levels of airborne asbestos fibres.

Employees who were exposed to asbestos in the past and if there is a risk to the health of the employee as a result of that exposure, are covered by the NSW Work Health and Safety Regulation 2017 (clauses 435-444). Council will ensure these employees are kept on the health monitoring program.

13 Identifying and recording asbestos hazards in the council workplace

This section outlines how council will identify and record asbestos hazards in the workplace.

13.1 Identifying asbestos

Council will ensure, so far as is reasonably practicable, that all asbestos or asbestos containing material at the workplace is identified by a competent person (as defined by the NSW *Work Health and Safety Regulation 2017*). If a material cannot be identified or accessed, it will be assumed to be asbestos. This does not apply if council has reasonable grounds to believe that asbestos or asbestos containing material is not present.

13.1.1 Material sampling

Council may choose to identify asbestos or asbestos containing material by arranging for a sample to be analysed. Where council arranges sampling of asbestos containing material, this will be undertaken by an appropriately trained and competent council worker or a competent person will be contracted to undertake this task. Analysis of the sample must only be carried out by a National Association of Testing Authorities (NATA) accredited laboratory (refer to Appendix E) or a laboratory approved or operated by the regulator.

13.2 Indicating the presence and location of asbestos

Council will clearly indicate the presence and location of any asbestos or asbestos containing material identified or assumed at the workplace. Where it is reasonably practicable to do so, council will indicate the presence and location of the asbestos or asbestos containing material by a label.

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13.3 Asbestos register

Council's asbestos register will be maintained to ensure the register lists all identified (or assumed) asbestos in the workplace and information in the register is up to date. The asbestos register will be accessible, reviewed, revised and otherwise managed as mandated by the NSW *Work Health and Safety Regulation 2017*.

Council will ensure that any worker carrying out or intending to carry out work at a council workplace that involves a risk of exposure to airborne asbestos, is given a copy of the asbestos register.

13.4 Suspected asbestos

If a worker suspects there is asbestos in a council workplace, they should inform their manager or supervisor. A competent worker should check the asbestos register for existing asbestos locations and control measures and may need to arrange for an inspection and sampling of the material (refer to section 13.1.1). If it is likely that asbestos or suspected asbestos is present, the asbestos register will be updated and workers will be notified of any newly identified asbestos locations.

Council may need to manage the suspected asbestos as outlined in section 14. If the suspected asbestos has been disturbed and has, or could, become airborne, council may need to respond immediately as outlined in section 15.

14 Managing asbestos-related risks in the council workplace

14.1 Asbestos management plan

Council has an asbestos management plan for asbestos in the council workplace.

The asbestos management plan will be accessible, reviewed, revised and otherwise managed as mandated by the NSW *Work Health and Safety Regulation 2017*.

14.2 Management options for asbestos-related risks in the council workplace

Council's asbestos management plan includes decisions and reasons for decisions about the management of asbestos at the workplace.

Options for managing asbestos-related risks include:

- removal of asbestos or asbestos containing materials (preferred wherever reasonably practicable)
- interim control measures: enclosure (only for non-friable asbestos), encapsulation (when the original asbestos bond is still intact) or sealing (where the sealed material is unlikely to be subject to mechanical damage) asbestos containing material, to be implemented along with regular inspections by a competent person
- leaving asbestos containing material in situ (deferring action).

Council may undertake an asbestos risk assessment, in consultation with workers and/or their representatives, in order to inform decision-making. Only competent persons will perform risk assessments or any subsequent reviews or revisions of risk assessments.

For all asbestos work or asbestos-related work, safe work practices will be in place and suitable personal protective equipment will be used.

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14.3 Sites contaminated with asbestos that are council workplaces

Where asbestos is identified as contaminating a workplace, the site will be included in council's asbestos register and asbestos management plan.

Council may need to ensure that an exposure assessment is undertaken and that appropriate risk management options are determined and implemented.

For asbestos in soil or aggregate, a suitably qualified occupational hygienist must carry out an assessment if the material in the soil and aggregate is unknown or classified as friable.

Council should engage specialists, who may include asbestos removalists, for all cases except in the case of minor, non-friable contaminations.

Further details on managing land contaminated with asbestos may be found in section 6.

14.4 Demolition or refurbishment of council buildings and assets

Council will ensure that before any demolition or refurbishment of a council structure or plant constructed or installed before 31 December 2003 is undertaken, the asbestos register is reviewed and a copy provided to the business undertaking the demolition or refurbishment. Council will ensure that any asbestos that is likely to be disturbed is identified and, so far as is reasonably practicable removed.

14.5 Removal of asbestos in the council workplace

Removal of asbestos or asbestos containing materials in the council workplace will be undertaken in accordance with the:

- NSW *Work Health and Safety Act 2011*
- NSW *Work Health and Safety Regulation 2017*.

Council may also refer to the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

For licensed asbestos removal work, a licensed asbestos removalist must meet the requirements of the NSW *Work Health and Safety Regulation 2017* including the requirements to:

- notify SafeWork NSW at least five days prior to the asbestos removal work commencing. However, in the case of emergency work, such as burst pipes, fires and illegally dumped asbestos, council may request to SafeWork NSW that this five days period be waived
- prepare, supply and keep an asbestos removal control plan
- obtain a copy of the asbestos register for the workplace before carrying out asbestos removal work at the workplace (this does not apply if the asbestos removal work is to be carried out at residential premises, for example cleaning up asbestos that has been illegally dumped at a residential premises)
- inform the person with management or control of the workplace that the licensed asbestos removal work is to be carried out at the workplace
- erect signs and barricades
- limit access to the asbestos removal area
- properly dispose of asbestos waste and dispose of, or treat, contaminated personal protective equipment
- arrange a clearance inspection and clearance certificate.

Where council is informed that asbestos removal work is to be carried out at the workplace, council will inform workers and those in the immediate vicinity of the workplace and limit access to the asbestos removal area as per the NSW *Work Health and Safety Regulation 2017*.

14.5.1 Removal by contractors

Where council commissions the removal of asbestos at the workplace, council will ensure asbestos removal work is carried out only by a licensed asbestos removalist who is appropriately licensed to carry out the work, unless specified in the NSW *Work Health and Safety Regulation 2017* that a licence is not required.

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Where council requires the services of asbestos removalists, council will require the licence details of asbestos removalists prior to engaging their services and will verify the licence details with SafeWork NSW's Certification Unit prior to entering a contract or agreement with the licensed asbestos removalists.

Council is required to ensure that the work is carried out by a competent person who has been trained in the identification and safe handling of, and suitable control measures for, asbestos and asbestos containing material. Council will therefore require a statement in a written contract or agreement with the licensed asbestos removalist that the licensed asbestos removalist who will undertake the work has been adequately trained and is provided with appropriate health monitoring by their employer.

The licensed asbestos removalist is to provide the following documentation prior to carrying out asbestos removal work:

- Asbestos removal control plan
- Public liability certificate of currency
- Workers compensation certificate of currency
- SafeWork NSW confirmation details to carry out the removal work

Council will provide a copy of the asbestos register to the licensed asbestos removalist.

Where council becomes aware of any breaches by licensed asbestos removalists, council will report this to SafeWork NSW.

14.5.2 Clearance inspections and certificates

Where council commissions any licensed asbestos removal work, council will ensure that once the licensed asbestos removal work has been completed, a clearance inspection is carried out and a clearance certificate is issued by an independent licensed asbestos assessor (for Class A asbestos removal work) or an independent competent person (in any other case) before the asbestos removal area is re-occupied.

The friable asbestos clearance certificate will require visual inspection as well as air monitoring of the asbestos removal site. Air monitoring is mandatory for all friable asbestos removal. The air monitoring must be conducted before and during Class A asbestos removal work by an independent licensed asbestos assessor.

The friable asbestos clearance certificate is to state that there was no visible asbestos residue in the area or vicinity of the area where the work was carried out and that the airborne asbestos fibre level was less than 0.01 asbestos fibres/ml.

15 Accidental disturbance of asbestos by workers

In situations where asbestos is accidentally disturbed by council work and has, or could, become airborne, council will act to minimise exposure of workers and the wider public to airborne asbestos.

Any worker who believes that asbestos has been disturbed:

- stop works in the vicinity of the asbestos immediately
- inform the site supervisor immediately, inform necessary workers and record the incident
- evacuate the area
- provide personal protective equipment and briefing to appropriately trained workers who will respond to the incident
- restrict access to the area and ensure only appropriately trained and equipped council workers contractors attend the site
- exclude the public from the site and provide information to the public if in a public area
- wet surfaces to reduce the dust levels
- complete an incident report

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- contractors should implement an air monitoring program to assess asbestos exposure levels and specific risk control measures.
- seek advice from an occupational hygienist
- ensure that asbestos materials are disposed of by qualified asbestos removal contractors at a facility licensed to accept asbestos materials
- update the asbestos register and notify workers of any newly identified asbestos locations.

16 Council’s role in the disposal of asbestos waste

16.1 Responding to illegal dumping

Dumping of waste materials on Council premises may occur resulting in a number of workers becoming involved in the cleaning up process. Where dumped material is suspected of comprising asbestos, it will be assumed to be asbestos and will be managed by the following process:

- Initial call or other notification received by Customer Services or Council employee.
- Immediately Notify the Coordinator Workshop and Waste Operational Services and after hours call (02) 4645 4000.
- Coordinator Workshop and Waste Operational Services or A/H Duty Officer to organize an assessment by a trained person of the dumped material and associated risks for exposure to Council and the public taking into account the proximity to public access.
- Following the initial assessment, the dumped hazardous material site is to be isolated so as to control the risks identified by the initial assessment. Isolation controls may involve covering the waste materials or otherwise placing tape or secured barriers around the dumped materials and monitoring the site until authorised removal.
- If the above steps are taken by the relevant staff, the Coordinator Workshop and Waste Operational Services is to be notified immediately on commencement of duty the following business day. (NOTE: If the following business day is more than 24 hours from the time of the dumping was reported, the A/H Duty Officer is to arrange removal by a contractor with the appropriate licence to perform hazardous waste materials).
- Coordinator Workshop and Waste Operational Services to organize removal and disposal by a contractor with the appropriate license to perform hazardous waste removal of the identified waste materials.
- Notify and inform employees involved in the cleanup and members of the public as required.
- Complete an incident report form.

Where council becomes aware of illegally dumped asbestos material outside of council’s jurisdiction, council will promptly notify the relevant authority.

16.2 Transporting and disposing of asbestos waste

Council will transport and dispose of waste in accordance with the legislation and as outlined in section 10.

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17 Advice to tenants and prospective buyers of council owned property

Council may provide advisory notes to tenants and prospective buyers of council owned property that is likely to contain asbestos.

Council may request that tenants in council property:

- advise council of any hazards relating to asbestos
- minimise damage to asbestos containing material
- co-operate with council in facilitating any risk management work arranged by council
- act on advice from council to minimise risks from asbestos.

18 Implementing council's asbestos policy

18.1 Supporting documents

The implementation of this policy is supported by council's:

- asbestos consent conditions
- asbestos FAQ: <https://www.campbelltown.nsw.gov.au/YourHome/Asbestos/AsbestosFAQs>

Council also has several internal documents that support this policy:

- asbestos management plan
- asbestos register
- Council's existing risk assessments
- incident reporting procedure
- maintenance and inspection schedules for council owned assets
- training registers/ records

18.2 Communicating the policy

This is a publicly available policy. The policy is to be made available via:

- Council's website: <https://www.campbelltown.nsw.gov.au/home>
- Council's intranet site: <https://www.campbelltown.nsw.gov.au/intranet/FRED>

Any workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public) who are involved in any activity or activities listed in Appendix A under section 3 on behalf of, or for, council shall be provided with access to a copy of this policy and relevant supporting documents. This includes any workers involved in commencing, arranging, undertaking, regulating, inspecting or supervising a potentially hazardous activity or activities.

In the case of any substantive revisions to the policy, the revisions will be approved by the General Manager and the General Manager will notify all persons who may have cause to undertake, arrange or supervise any activities listed in Appendix A under section 3 on behalf of, or for, council.

18.3 Non-compliance with the policy

Failure by workers to adhere to the policy and failure by managers to adequately inform relevant workers of this policy shall be considered non-compliance with this policy.

The appropriate supervisor, manager, director, or the General Manager, shall take action in the case on non-compliance with the policy and this may include providing education and training, issuing a verbal or written warning, altering the worker's duties, or in the case of serious breaches, terminating the worker's services. Each case shall be assessed on its merits with the aim of achieving a satisfactory outcome for all parties.

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Workers should approach their supervisor or manager if they are experiencing difficulties in understanding or implementing the policy or if they are concerned that other workers are not complying with the policy.

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Appendices

Appendix A – General information and guidance

1. What is asbestos?

Asbestos is the generic term for a number of naturally occurring, fibrous silicate materials. If asbestos is disturbed it can release dangerous fine particles of dust containing asbestos fibres. Breathing in dust containing elevated levels of asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

There are two major groups of asbestos:

- the serpentine group contains chrysotile, commonly known as white asbestos
- the amphibole group contains amosite (brown asbestos) and crocidolite (blue asbestos) as well as some other less common types (such as tremolite, actinolite and anthophyllite).

Further information about the different types of asbestos can be found in: Environmental Health Standing Committee (enHealth), *Asbestos: A guide for householders and the general public*, Australian Health Protection Principal Committee, Canberra, 2013 (available at: <https://www1.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about>).

In Australia, in the past asbestos was mined and widely used in the manufacture of a variety of materials. Asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited in Australia since 31 December 2003.

Asbestos legacy materials still exist in many homes, buildings and other assets. It is estimated that 1 in 3 Australian homes contains building materials with asbestos. Where the material containing asbestos is in a non-friable form (or bonded), undisturbed, and painted or otherwise sealed, it may remain safely in place. However, where the asbestos containing material is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos unsafely can create a health hazard.

It is often difficult to identify the presence of asbestos by sight. If you are in doubt, it is best to assume that you are dealing with asbestos and take every precaution. The most accurate way to find out whether a material contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos such as an occupational hygienist. It can be unsafe for an unqualified person to take a sample of asbestos. Licensed asbestos removalists can be found by using the telephone directory. Council encourages residents to ask the contractor for a copy of their licence prior to engaging them. Residents can then check with SafeWork NSW (phone 13 10 50) to confirm the contractor has the appropriate class of licence for the asbestos removal job.

2. Where is asbestos found?

Asbestos can be found where it occurs naturally and in a variety of materials (from prior to 2004) in residential, commercial and industrial premises and on public and private land

2.1 Naturally occurring asbestos

Naturally occurring asbestos refers to the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

Asbestos is found as a naturally occurring mineral in many areas of NSW. Asbestos may occur in veins within rock formations. [The map provided in Appendix L](#) gives an indication of areas in NSW known to have naturally occurring asbestos.

Work processes that have the potential to inadvertently release naturally occurring asbestos into the air include:

- agriculture
- forestry
- landscaping
- mining

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- other excavation or construction activities
- pipe works and telecommunications works
- road construction and road works.

Further information can be found in this policy under section 5 and in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW, which provides a photograph of naturally occurring asbestos. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

2.2 Residential premises

As a general rule, a house built:

- Before the mid 1980s – is highly likely to contain asbestos containing products.
- Between the mid 1980s and 1990 – is likely to contain asbestos containing products.
- After 1990 – is unlikely to contain asbestos containing products. However, some houses built in the 1990s and early 2000s may have still used asbestos cement materials until the total ban on any activity involving asbestos products became effective from December 2003.

Pipelines installed prior to 1992, particularly black surface coated and grey surface pipes, may contain asbestos.

It is important to note, the most accurate way to find out whether a material contains asbestos is by engaging a licensed asbestos removalist or occupational hygienist to inspect and arrange testing where necessary.

Fibre cement sheeting, commonly known as 'fibro', 'asbestos sheeting' or 'AC sheeting' (asbestos containing sheeting) is the most commonly found legacy asbestos material in residential premises. Other asbestos containing materials were used in 'fibro' houses but also found in brick and timber housing stock from that period. Asbestos materials were sold under a range of commercial names. Some asbestos containing materials found in New South Wales domestic settings are listed in Appendix J.

Common places where asbestos is likely to be found in and around homes include:

Outside

- backyard garden sheds, carports, garages and dog kennels
- electrical meter boards
- imitation brick cladding
- lining under eaves
- wall and roof materials (flat, patterned or corrugated asbestos sheeting).

Inside

- insulation materials in heaters and stoves
- interior walls and sheeting
- sheet materials in wet areas (bathroom, toilet and laundry walls, ceilings and floors)
- vinyl floor tiles, the backing to cushion vinyl flooring and underlay sheeting for ceramic tiles including kitchen splashback.

Asbestos can also be found in:

- angle mouldings (internal and external)
- board around windows and fireplaces
- brake pads and clutch pads to vehicles
- buried and dumped waste materials
- carpet underlay

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- ceilings (ceiling tiles or sprayed coatings or loose in the ceiling cavity and may have moved to wall cavities, cornices and sub-floor areas)
- cement flooring
- external toilets
- fencing
- guttering, downpipes and vent pipes
- inside appliances eg irons, whitegoods
- gable ends
- outbuildings
- ridge capping
- swimming pools – reinforcing marble swimming pools
- ventilators – internal and external.

Other places asbestos can be found are listed in Appendix J.

2.3 Commercial and industrial premises

In commercial and industrial premises, asbestos may be found in the abovementioned places and also:

- asbestos rope or fabric in expansion joints (for example exhaust flues) and insulation
- bituminous waterproof membrane on flat roofs
- brake disc pads and brake linings
- cloth, tapes, ropes and gaskets for packing
- electrical switchboards and duct heater units
- fillers and filters
- fire doors
- lagging on pipes such as heater flues
- lift motor rooms
- pipes, casing for water and electrical/ telecommunication services
- rubber, plastics, thermosetting resins, adhesives, paints, coatings, caulking compounds and sealants for thermal, electrical and insulation applications
- structural beams of buildings
- yarns and textiles eg fire blankets.

Other places asbestos can be found are listed in Appendix J.

2.4 Sites contaminated with asbestos

Contamination of soils from asbestos or asbestos containing materials can present a risk in urban and rural environments if the asbestos can give rise to elevated levels of airborne fibres that people can breathe. Whilst buried material may not give rise to airborne asbestos fibres if securely contained, inappropriate disturbance of this waste could give rise to harmful levels of asbestos fibres in air. Activities such as those listed in section 3 of this Appendix have the potential to encounter and disturb asbestos waste or contamination, particularly where the contamination is not known to be present at the site or has not been appropriately considered.

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2.4.1 Situations where asbestos contamination may occur

Situations where asbestos contamination may occur include:

- industrial land, eg, asbestos-cement manufacturing facilities, former power stations, and rail and ship yards, especially workshops and depots
- waste disposal or dumping sites, including sites of illegal dumping eg, building waste
- sites with infill or burial of asbestos waste from former asbestos mining or manufacture processes
- buildings or structures damaged by fire or storm (particularly likely for those with pre-1980s building materials but also possible for those with materials from prior to 2004)
- land with fill or foundation material of unknown composition
- sites where buildings or structures have been constructed from asbestos containing material or where asbestos may have been used as insulation material, eg, asbestos roofing, sheds, garages, reservoir roofs, water tanks, boilers and demolition waste has been buried onsite
- sites where buildings or structures have been improperly demolished or renovated, or where relevant documentation is lacking (particularly likely for those with pre-1980s building materials but also those with materials from prior to 2004)
- disused services with asbestos containing piping such as water pipes (including sewage systems, water services and irrigation systems), underground electrical and telephone wires and telecommunications trenches or pits (usually within 1 metre of the surface).

2.4.2 Significantly contaminated land

For sites that are significantly contaminated, the EPA and SafeWork NSW are the lead regulatory authorities. The *Contaminated Land Management Act 1997* applies to significantly contaminated land. In general, significant contamination is usually associated with former asbestos processing facilities or where large quantities of buried friable asbestos waste has been uncovered and is giving rise to measureable levels of asbestos fibres in air. Such sites require regulatory intervention to protect community health where the source of the contamination is not being addressed by the responsible person. The Environment Protection Authority has details of sites that have been nominated as significantly contaminated on its Public Register at: <https://www.epa.nsw.gov.au/your-environment/contaminated-land/notified-and-regulated-contaminated-land/list-of-notified-sites>

If land is contaminated but not determined to be 'significant enough to warrant regulation' then the *Contaminated Land Management Act 1997* does not apply. In such cases the provisions within the planning legislation and/or the *Protection of the Environment Operations Act 1997* may be the appropriate mechanism for management of such contamination.

Guidance on assessing land can be found in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

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3. Potentially hazardous activities

A number of activities could cause asbestos to be inadvertently disturbed and consequently create a health risk.

Before undertaking any of the activities listed below, it should be considered whether asbestos containing materials may be present. If asbestos is present, these activities may be illegal or certain precautions may be required, or an appropriately licensed person may be required to undertake the activity.

Members of the public could inadvertently disturb asbestos through activities including:

- renovations, refurbishments or repairs particularly those involving power tools, boring, breaking, cutting, drilling, grinding, sanding or smashing asbestos containing materials
- sealing, painting, brushing and cleaning asbestos cement products
- demolitions of homes or other structures (dismantling or destruction)
- relocating a house, building or structure
- using compressed air on asbestos containing materials
- water blasting asbestos containing materials
- cleaning gutters on asbestos cement roofs
- handling asbestos cement conduits or boxes
- maintenance work such as plumbing and electrical work on or adjacent to asbestos containing materials such as working on electrical mounting boards
- maintenance or servicing of materials from vehicles, plant or equipment
- checking, removing or replacing ceiling insulation which contains asbestos.

Council could inadvertently disturb asbestos through activities such as:

- abovementioned activities
- asset and building maintenance
- certifying
- inspections of sites and premises
- transport and disposal of illegally dumped materials
- collection, transport and disposal of incorrectly disposed of materials.

Naturally occurring asbestos and contaminated sites could be inadvertently disturbed during:

- road building
- site and construction work
- other excavation activities
- vehicle movements.

Natural processes can create a risk of exposure to asbestos including:

- extensive fire or storm damage to asbestos cement roofs or building materials
- extensive weathering and etching of unsealed asbestos cement roofs.

In addition, work that intentionally disturbs asbestos, such as sampling or removal, should be conducted by a competent person and in accordance with the relevant codes of practice and legislation.

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4. Health hazards

Asbestos fibres can pose a risk to health if airborne, as inhalation is the main way that asbestos enters the body. The World Health Organisation has stated that concentrations of asbestos in drinking water from asbestos cement pipes do not present a hazard to human health.

Breathing in asbestos fibres can cause asbestosis, lung cancer and mesothelioma. The risk of contracting these diseases increases with the number of fibres inhaled and the risk of lung cancer from inhaling asbestos fibres is greatly increased if you smoke. Small fibres are the most dangerous and they are invisible to the naked eye. People who are at most risk are those who have been exposed to high levels of asbestos for a long time. The symptoms of these diseases do not usually appear for some time (about 20 to 30 years) after the first exposure to asbestos.

Asbestosis is the irreversible scarring of lung tissue that can result from the inhalation of substantial amounts of asbestos over a period of years. It results in breathlessness that may lead to disability and, in some case, death.

Lung cancer can be caused by asbestos. Lung cancer is related to the amount of fibre that is breathed in and the risk of lung cancer is greatly increased in those who also smoke tobacco.

Mesothelioma is a cancer of the pleura (outer lung lining) or the peritoneum (the lining of the abdominal cavity). Mesothelioma rarely occurs less than 15 years from first exposure, and most cases occur over 30 years after first exposure. Accordingly, the rates of malignant mesothelioma (an incurable cancer) are expected to rise from the year 2012 to 2020 and are expected to peak in this time.

If asbestos fibres are in a stable material, for example bonded in asbestos-cement sheeting (such as fibro), and these materials are in good condition they pose little health risk. However, where fibro or other non-friable asbestos sheeting is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos containing materials unsafely can create a hazard.

The occupational standard for asbestos is 0.1fibre/ml of air and the environmental standard is 0.01fibre/ml in air.

When someone has potentially been exposed to asbestos, or receives or expects they may receive a diagnosis of an asbestos-related disease, they may experience psychological distress, including anxiety and may be in need of support. Their family and those around them may also be vulnerable to psychological distress.

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Appendix B – Further information

Aboriginal communities

Illegal dumping prevention and clean-up. Handbook for Aboriginal communities, 2008 (EPA)
<https://www.epa.nsw.gov.au/your-environment/litter-and-illegal-dumping/illegal-dumping-dumpers>

Asbestos contractors

You can find a SafeWork licensed asbestos removalist or a licensed assessor in your area.

A licensed assessor can undertake air monitoring, clearance inspections or the issuing of clearance certificates for removal of friable asbestos: <https://www.safework.nsw.gov.au/asbestos-and-demolition-licence-holders>

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages or by contacting the Asbestos Removal Contractors Association NSW (ARCA) www.arcansw.asn.au or by emailing: email@arcansw.asn.au. An asbestos removal contractor's licence can be verified by contacting the SafeWork NSW's Certification Unit on **13 10 50**.

Asbestos waste

Advice about safely disposing of household asbestos waste can be found at:
<https://www.epa.nsw.gov.au/your-environment/household-building-and-renovation/dealing-with-household-asbestos>

Asbestos waste disposal facility search function on the Asbestos Safety and Eradication Agency website: <https://www.asbestossafety.gov.au/who-contact/search-disposal-facilities>

Crackdown on Illegal Dumping: <https://www.epa.nsw.gov.au/your-environment/litter-and-illegal-dumping/illegal-dumping-dumpers>

Illegally Dumped Asbestos Clean Up Program (IDACUP): Council may become involved in clean up activities of illegally dumped asbestos waste. Where the responsible party is unknown, unavailable, unwilling (despite a legal obligation to do so) or unable to pay for clean up within the timeframe required to avoid or at least minimise harm to the environment or public health, Council may apply for funding under the IDACUP. Information about the IDACUP is available at <https://www.environment.nsw.gov.au/grants/IDACUP.htm>

Regional Illegal Dumping (RID) Squads: are regionally based teams that specialise in dealing with illegal dumping. The squads are funded by the EPA and the member local councils who opt to work together and pool resources to tackle illegal dumping.

RIDonline is a statewide illegal dumping database and reporting tool to assist councils and the EPA develop a comprehensive picture of the extent of illegal dumping in NSW. Members of the community can assist by reporting illegal dumping online through the RIDonline App, available for the public to download in February 2016.

For more information on illegal dumping and safely disposing of asbestos waste visit the EPA website: <https://www.epa.nsw.gov.au/>

Management of asbestos in recycled construction and demolition waste, 2010 (SafeWork NSW)
https://www.safework.nsw.gov.au/_data/assets/pdf_file/0016/51730/SW08774-Management-of-asbestos-in-recycled-construction-and-demolition-waste-guide.pdf

Contaminated land

Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997, 2015 (EPA).
<https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/clm/150164-report-land-contamination-guidelines.ashx>

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Managing land contamination: Planning guidelines SEPP 55 – Remediation of land, 1998
(Department of Planning and Environment and EPA)
https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/clm/gu_contam.ashx

Emergency management

Guidance Material: Asbestos and Fire-damaged Buildings, 2015 (EPA)
<https://www.pdenvirotech.com.au/wp-content/uploads/2014/09/09561ASB.pdf>

NSW Asbestos Emergency Plan: The NSW Asbestos Emergency sub plan details the specific arrangements for the coordinated funding and management of asbestos debris during and following a larger scale emergency, being an event that requires a significant and coordinated response, where the presence of asbestos containing material in the community poses a significant risk to public health and safety.
<https://www.emergency.nsw.gov.au/Documents/plans/sub-plans/HAZMAT-CBRN-sub-plan.pdf>

Environmental risk assessment

Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards, 2002 (Commonwealth of Australia)

Available via email by contacting the enHealth Secretariat: enHealth.Secretariat@health.gov.au

Health

Asbestos and health risks fact sheet, 2007 (NSW Health)
<https://www.health.nsw.gov.au/environment/factsheets/Pages/asbestos-and-health-risks.aspx>

Further advice concerning the health risks of asbestos can be obtained from your local public health unit.

Renovation and development

Asbestos: A guide for householders and the general public, Environmental Health Standing Committee (enHealth), Australian Health Protection Principal Committee, Canberra, 2013 (available at: <https://www1.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about>).

Asbestos Awareness website (Asbestos Education Committee)
<http://www.asbestosawareness.com.au/index.php?runonce=1>

Choosing and working with a principal certifying authority: A guide for anyone planning to build or subdivide, 2011 (Building Professionals Board)
<https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers>

Practical guidance

Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW
https://www.safework.nsw.gov.au/_data/assets/pdf_file/0014/50081/How-to-manage-and-control-asbestos-in-the-workplace-COP.pdf

Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW
https://www.safework.nsw.gov.au/_data/assets/pdf_file/0015/50082/How-to-safely-remove-asbestos-COP.pdf

Tenants

Tenants rights Fact sheet 26 Asbestos and lead, 2010 (Tenants NSW)
<https://files.tenants.org.au/factsheets/fs26.pdf>

Tenants – Housing NSW tenants

Asbestos in Community Housing (Housing NSW)
<https://www.facs.nsw.gov.au/housing/living/health-safety-savings/asbestos>

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Appendix C – Definitions

The terms used in the policy are defined as below, consistent with the definitions in the:

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008*
- *Protection of the Environment Operations Act 1997*
- *Waste classification guidelines part 1 classifying waste 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2017.*

accredited certifier in relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the *Building Professionals Act 2005* in relation to those matters.

airborne asbestos means any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.

asbestos means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- a. actinolite asbestos
- b. grunerite (or amosite) asbestos (brown)
- c. anthophyllite asbestos
- d. chrysotile asbestos (white)
- e. crocidolite asbestos (blue)
- f. tremolite asbestos
- g. a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

asbestos containing material (ACM) means any material or thing that, as part of its design, contains asbestos.

asbestos-contaminated dust or debris (ACD) means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

asbestos-related work means work involving asbestos that is permitted under the *Work Health and Safety Regulation 2017*, other than asbestos removal work.

asbestos removal licence means a Class A asbestos removal licence or a Class B asbestos removal licence.

asbestos removal work means:

- a. work involving the removal of asbestos or asbestos containing material, or
- b. Class A asbestos removal work or Class B asbestos removal work.

asbestos removalist means a person conducting a business or undertaking who carries out asbestos removal work.

asbestos waste means any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting and disposable tools.

certifying authority means a person who is authorised by or under section 85A of the *Environmental Planning and Assessment Act 1979* to issue complying development certificates, or

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is authorised by or under section 109D of the *Environmental Planning and Assessment Act 1979* to issue part 4A certificates.

Class A asbestos removal licence means a licence that authorises the carrying out of Class A asbestos removal work and Class B asbestos removal work by or on behalf of the licence holder.

Class A asbestos removal work means the removal of friable asbestos which must be licensed under clause 485 of the *Work Health and Safety Regulation 2017*. This does not include: the removal of ACD that is associated with the removal of non-friable asbestos, or ACD that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

Class B asbestos removal licence means a licence that authorises the carrying out of Class B asbestos removal work by or on behalf of the licence holder.

Class B asbestos removal work means the removal of more than 10 square metres of non-friable asbestos or asbestos containing material work that is required to be licensed under clause 487, but does not include Class A asbestos removal work.

competent person means: a person who has acquired through training or experience the knowledge and skills of relevant asbestos removal industry practice and holds:

- a. a certification in relation to the specified VET course for asbestos assessor work, or
- b. a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health.

complying development is a fast track, 10 day approval process where a building meets all of the predetermined standards established in either a state or local council planning document. A complying development certificate can be issued by either a local council or an accredited certifier.

complying development certificate

contaminant means any substance that may be harmful to health or safety.

contamination of land means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment

control measure, in relation to a risk to health and safety, means a measure to eliminate or minimise the risk.

demolition work means work to demolish or dismantle a structure, or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure, but does not include:

- a. the dismantling of formwork, falsework, or other structures designed or used to provide support, access or containment during construction work, or
- b. the removal of power, light or telecommunication poles.

development means:

- a. the use of land
- b. the subdivision of land
- c. the erection of a building
- d. the carrying out of a work
- e. the demolition of a building or work
- f. any other act, matter or thing referred to in section 26 of the *Environmental Planning and Assessment Act 1979* that is controlled by an environmental planning instrument.

development application means an application for consent under part 4 of the *Environmental Planning and Assessment Act 1979* to carry out development but does not include an application for a complying development certificate.

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emergency service organisation includes any of the following:

- a. the Ambulance Service of NSW
- b. Fire and Rescue NSW
- c. the NSW Rural Fire Service
- d. the NSW Police Force
- e. the State Emergency Service
- f. the NSW Volunteer Rescue Association Inc
- g. the NSW Mines Rescue Brigade established under the *Coal Industry Act 2001*
- h. an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

exempt development means minor development that does not require any planning or construction approval because it is exempt from planning approval.

exposure standard for asbestos is a respirable fibre level of 0.1 fibres/ml of air measured in a person's breathing zone and expressed as a time weighted average fibre concentration calculated over an eight-hour working day and measured over a minimum period of four hours in accordance with the Membrane Filter Method or a method determined by the relevant regulator.

friable asbestos means material that:

- a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry
- b. contains asbestos.

health means physical and psychological health.

health monitoring, of a person, means monitoring the person to identify changes in the person's health status because of exposure to certain substances.

independent, in relation to clearance inspections and air monitoring means:

- a. not involved in the removal of the asbestos
- b. not involved in a business or undertaking involved in the removal of the asbestos, in relation to which the inspection or monitoring is conducted.

in situ asbestos means asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.

licence holder means: in the case of an asbestos assessor licence – the person who is licensed:

- a. to carry out air monitoring during Class A asbestos removal work
- b. to carry out clearance inspections of Class A asbestos removal work
- c. to issue clearance certificates in relation to Class A asbestos removal work, or
 - in the case of an asbestos removal licence – the person conducting the business or undertaking to whom the licence is granted, or
 - in the case of a major hazard facility licence – the operator of the major hazard facility to whom the licence is granted or transferred.

licensed asbestos assessor means a person who holds an asbestos assessor licence.

licensed asbestos removalist means a person conducting a business or undertaking who is licensed under the *Work Health and Safety Regulation 2017* to carry out Class A asbestos removal work or Class B asbestos removal work.

licensed asbestos removal work means asbestos removal work for which a Class A asbestos removal licence or Class B asbestos removal licence is required.

NATA means the National Association of Testing Authorities, Australia.

NATA-accredited laboratory means a testing laboratory accredited by NATA, or recognised by NATA either solely or with someone else.

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naturally occurring asbestos means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

non-friable asbestos means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.

Note. Non-friable asbestos may become friable asbestos through deterioration (see definition of friable asbestos).

occupational hygienist means a person with relevant qualifications and experience in asbestos management who is a full member of the Australian Institute of Occupational Hygienists (AIOH).

occupier includes a tenant or other lawful occupant of premises, not being the owner.

officer means an officer as defined in the NSW *Work Health and Safety Act 2011*.

orphan waste means materials that have been placed or disposed of on a premises unlawfully that may have the potential to pose a risk to the environment or public health.

person conducting a business or undertaking a 'person' is defined in laws dealing with interpretation of legislation to include a body corporate (company), unincorporated body or association and a partnership.

personal protective equipment means anything used or worn by a person to minimise risk to the person's health and safety, including air supplied respiratory equipment.

respirable asbestos fibre means an asbestos fibre that:

- a. is less than three micrometres wide
- b. more than five micrometres long
- c. has a length to width ratio of more than 3:1.

specified VET course means:

- a. in relation to Class A asbestos removal work – the following VET courses:
 - remove non-friable asbestos
 - remove friable asbestos, or
- b. in relation to Class B asbestos removal work – the VET course Remove non-friable asbestos, or
- c. in relation to the supervision of asbestos removal work – the VET course Supervise asbestos removal, or
- d. in relation to asbestos assessor work – the VET course Conduct asbestos assessment associated with removal.

structure means anything that is constructed, whether fixed or moveable, temporary or permanent, and includes:

- a. buildings, masts, towers, framework, pipelines, transport infrastructure and underground works (shafts or tunnels)
- b. any component of a structure
- c. part of a structure
- d. volunteer means a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).

waste includes:

- any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- any discarded, rejected, unwanted, surplus or abandoned substance, or
- any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or

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- any process, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or
- any substance prescribed by the regulations made under the *Protection of the Environment Operations Act 1997* to be waste.

waste facility means any premises used for the storage, treatment, processing, sorting or disposal of waste (except as provided by the regulations).

worker a person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- a. an employee, or
- b. a contractor or subcontractor, or
- c. an employee of a contractor or subcontractor, or
- d. an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or
- e. an outworker, or
- f. an apprentice or trainee, or
- g. a student gaining work experience, or
- h. a volunteer, or
- i. a person of a prescribed class.

workplace a workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. Place includes: a vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters.

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Appendix D – Acronyms

ACD	Asbestos Containing Dust (an acronym used in the legislation)
ACM	Asbestos Containing Material (an acronym used in the legislation)
ARA	Appropriate Regulatory Authority (an acronym used in the legislation)
DA	Development Application
EPA	Environment Protection Authority
JRPP	Joint Regional Planning Panel
LGA	Local Government Area
NATA	National Association of Testing Authorities
NSW	New South Wales
SEPP	State Environmental Planning Policy
VET	Vocational Education and Training

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Appendix E – Relevant contacts

For further information on Council policies regarding asbestos, residents can obtain information from the following:

- Council's website: <https://www.campbelltown.nsw.gov.au>
- By visiting our Civic Centre - 91 Queen St (Cnr Queen & Broughton St), Campbelltown 2560 or by calling (02) 4645 4000
- Asbestos.com - <https://www.asbestos.com/exposure/home/>
- South Western Sydney Public Health Unit: SWSLHD-LiverpoolPHU@health.nsw.gov.au
- Suez Lucas Heights Resource Recovery Park – 13 13 35

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Asbestos-related disease organisations (non-exhaustive)**Asbestos Diseases Foundation Australia Inc**

Phone: (02) 9637 8759
Helpline: 1800 006 196
Email: info@adfa.org.au
Website: www.adfa.org.au

Asbestos Diseases Research Institute

Phone: (02) 9767 9800
Email: info@adri.org.au
Website: www.adri.org.au

Australian Institute of Occupational Hygienists Inc.

Phone: (03) 9338 1635
Email: admin@aioh.org.au
Website: www.aioh.org.au

Dust Diseases Authority

Phone: (02) 8223 6600
Toll Free: 1800 550 027
Email: DDAenquiries@icare.nsw.gov.au
Website: www.icare.nsw.gov.au

Environment Protection Authority (EPA)

Phone: (02) 9995 5000
Environment line: 13 15 55
Email: info@epa.nsw.gov.au
Website: www.epa.nsw.gov.au/epa

Licensed Asbestos Contractors

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages website: www.yellowpages.com.au or contact:

Asbestos Removal Contractors Association NSW

PO Box Q1882
Queen Victoria Building
NSW 1230
Email: email@arcansw.asn.au
Website: www.arcansw.asn.au

Verification of an asbestos removal contractor's licence can be checked by contacting SafeWork NSW's Certification Unit Phone: **13 10 50**

Civil Contractors Federation (CCF)

Phone: (02) 9009 4000
Email: ccfnsw@ccfnsw.com
Website: www.ccfnsw.com/

Local Government NSW

Phone: (02) 9242 4000
Email: lgnsw@lgnsw.org.au
Website: www.lgnsw.org.au

NSW Ombudsman

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Phone: (02) 9286 1000
 Toll free (outside Sydney metro): 1800 451 524
 Email: nswombo@ombo.nsw.gov.au
 Website: www.ombo.nsw.gov.au

Training providers (non-exhaustive)

TAFE NSW

Phone: 131 601
 Website: www.tafensw.edu.au

Housing Industry Association (HIA)

Phone: (02) 9978 3333
 Website: www.hia.com.au/

Local Government Training Institute

Phone: (02) 4922 2333
 Website: www.lgti.com.au

Comet Training

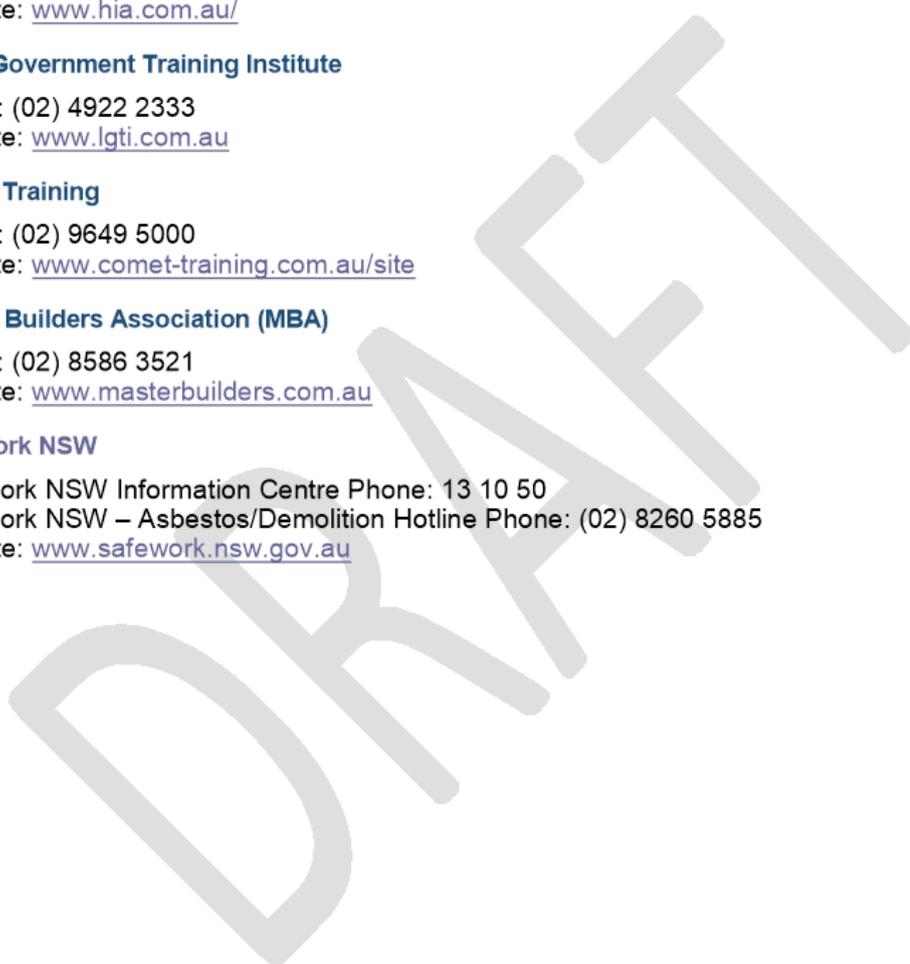
Phone: (02) 9649 5000
 Website: www.comet-training.com.au/site

Master Builders Association (MBA)

Phone: (02) 8586 3521
 Website: www.masterbuilders.com.au

SafeWork NSW

SafeWork NSW Information Centre Phone: 13 10 50
 SafeWork NSW – Asbestos/Demolition Hotline Phone: (02) 8260 5885
 Website: www.safework.nsw.gov.au



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Appendix F – Waste management facilities that accept asbestos wastes

Waste management facilities that can accept asbestos waste may be operated by council, the State Government or private enterprise. The fees charged by the facility operators for waste received are determined by the facility.

Not all waste management centres accept asbestos waste from the public. Management of asbestos waste requires special precautions such as a separate disposal location away from other general waste and controls to prevent the liberation of asbestos fibres, such as the immediate covering of such waste.

The following waste facilities within or close to the LGA may accept asbestos waste:

- Suez Lucas Heights Resource Recovery Park –
Little Forest Road, Lucas Heights NSW, pH: 13 13 35

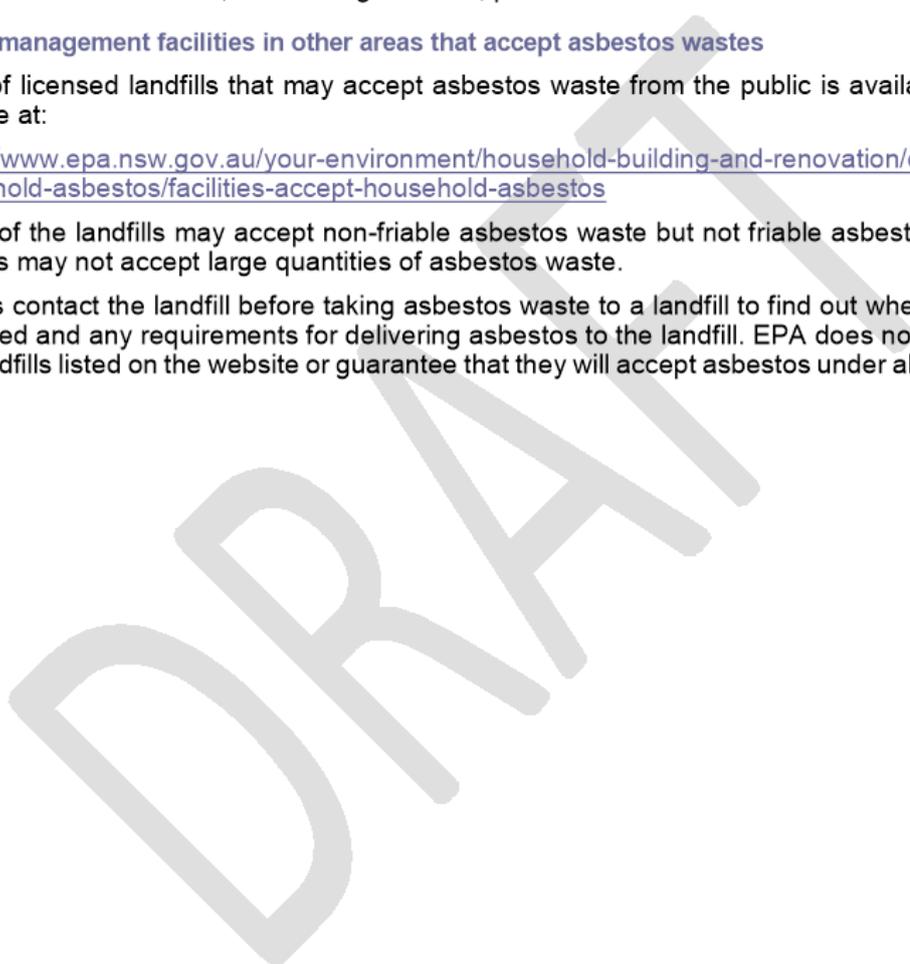
Waste management facilities in other areas that accept asbestos wastes

A list of licensed landfills that may accept asbestos waste from the public is available on the EPA website at:

<https://www.epa.nsw.gov.au/your-environment/household-building-and-renovation/dealing-with-household-asbestos/facilities-accept-household-asbestos>

Some of the landfills may accept non-friable asbestos waste but not friable asbestos waste. Some landfills may not accept large quantities of asbestos waste.

Always contact the landfill before taking asbestos waste to a landfill to find out whether asbestos is accepted and any requirements for delivering asbestos to the landfill. EPA does not endorse any of the landfills listed on the website or guarantee that they will accept asbestos under all circumstances.



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Appendix G – Asbestos-related legislation, policies and standards

- *Contaminated Land Management Act 1997*
- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Demolition work code of practice 2015*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2014*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2017*
- *Workers' Compensation (Dust Diseases) Act 1942.*

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Appendix H – Agencies roles and responsibilities**NSW organisations****Department of Planning and Environment (DPE)**

DPE's primary role in the management of asbestos relates to administration of State Environmental Planning Policies, and the *Environmental Planning and Assessment Act 1979* (and associated Regulation).

Whilst DPE does not have an operational role in the management of asbestos, it has a regulatory function and provides policy support relating to asbestos and development. In assessing proposals for development under the *Environmental Planning and Assessment Act 1979*, consent authorities are required to consider the suitability of the subject land for the proposed development. This includes consideration of the presence of asbestos and its environmental impact.

Where asbestos represents contamination of the land (ie it is present in excess of naturally occurring levels), *State Environmental Planning Policy No. 55 – Remediation of Land* imposes obligations on developers and consent authorities in relation to remediation of the land and the assessment and monitoring of its effectiveness.

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* enables exempt and complying development across the state. While this includes demolition and the removal of asbestos, the *Environmental Planning and Assessment Regulation 2000* specifies particular conditions that must be contained in a complying development certificate in relation to the handling and lawful disposal of both friable and non-friable asbestos material under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Dust Diseases Authority (DDA)

The Dust Diseases Authority provides a system of no fault compensation to people who have developed a dust disease from occupational exposure to dust as a worker in New South Wales and to their dependants. The DDA's statutory function is to administer the *Workers' Compensation (Dust Diseases) Act 1942*. Services include:

- payment of compensation benefits to eligible workers and dependants
- co-ordination and payment of medical and related health care expenses of affected
- medical examination of workers exposed to dust in the workplace
- information and education.

Environment Protection Authority (EPA)

EPA's role is to regulate the classification, storage, transport and disposal of waste in NSW, including asbestos waste. The waste regulatory framework includes the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*. Clauses 77 through to 81 of the *Protection of the Environment Operations (Waste) Regulation 2014* set out the special requirements relating to the transportation and disposal of asbestos waste.

EPA is the appropriate regulatory authority for activities that require an environment protection licence or are carried out by public authorities such as local councils, the Roads and Maritime Services and Sydney Water. Local councils are the appropriate regulatory authority for activities that are not regulated by the EPA, which typically include building demolition, construction sites, residential properties, commercial sites and small to medium sized industrial facilities.

EPA is responsible for assisting councils in fulfilling their regulatory responsibilities. EPA has developed resources to assist Local Government to regulate asbestos waste incidents and prevent illegal dumping. Website links to these resources are provided in Appendix B.

The EPA maintains the regulatory framework for the remediation of contaminated land (the *Contaminated Land Management Act 1997*) and actively regulates land that is declared to be 'significantly contaminated' under the *Contaminated Land Management Act 1997*.

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Heads of Asbestos Coordination Authorities (HACA)

The HACA is chaired by SafeWork NSW with senior officials from:

- Department of Industry
- Department of Planning and Environment
- Dust Diseases Authority
- Environment Protection Authority
- Local Government NSW
- Ministry of Health
- Office of Emergency Management
- Office of Local Government.

The HACA group will improve the management, monitoring and response to asbestos issues in NSW by developing coordinated prevention programs. These programs include a comprehensive public awareness campaign to promote the safe handling of asbestos and help prevent the risk of exposure to asbestos-related diseases in the NSW community. Further information about the HACA can be found on the SafeWork NSW website: www.safework.nsw.gov.au.

Local Government NSW (LGNSW)

Local Government NSW (LGNSW) is the peak body for councils in NSW. LGNSW represents all NSW general-purpose councils, the special-purpose county councils and the NSW Aboriginal Land Council.

LGNSW is a credible, professional organisation facilitating the development of an effective community-based system of Local Government in NSW. LGNSW represents the views of councils to NSW and Australian Governments; provides industrial relations and specialist services to councils; and promotes NSW councils to the community.

In 2012, LGNSW commenced a project funded by SafeWork NSW to assist councils to adopt and implement a model asbestos policy. The project is outlined at: www.lgnsw.org.au

NSW Department of Industry

The NSW Department of Industry, Skills and Regional Development (known as the NSW Department of Industry) leads the state government's contribution to making NSW:

- a fertile place to invest and to produce goods and services, and thereby
- create jobs and opportunities for our citizens

The NSW Department of Industry also has responsibilities for:

- skill formation and development to match industry demand
- partnering with stakeholders in stewardship and sustainable use of the state's natural resources; and
- supporting economic growth in the regions.

Within the Division of Resources & Energy in the Department, the Geological Survey of NSW teams of field geologists, geophysicists, mineral geoscientists and palaeontologists and geospatial specialists produce a range of maps. Geological mapping records the distribution of rock types and location of structures at or near the Earth's surface. The maps have applications to land use assessment, engineering construction, environmental management and natural hazard risk assessment.

The Geological Survey of NSW prepared the state-wide mapping of naturally occurring asbestos (NOA) in NSW for the Heads of Asbestos Coordination Authorities.

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NSW Ministry of Health

The NSW Ministry of Health does not have express statutory responsibilities for managing asbestos-related risks and incidents in NSW. The Ministry provides an expert advisory service to other governmental agencies on public health issues. This service may include technical information or assistance to prepare public health information bulletins.

NSW Ombudsman

The NSW Ombudsman is an independent and impartial watchdog body. The NSW Ombudsman is responsible for ensuring that public and private sector agencies and employees within its jurisdiction fulfil their functions appropriately. The NSW Ombudsman assists those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best administrative practice.

Office of Fair Trading and the Building Professionals Board (BPB)

NSW Fair Trading safeguards the rights of all consumers and advises business and traders on fair and ethical practice. NSW Fair Trading provides services directly to individuals and businesses to create a fair, safe and equitable marketplace.

NSW Fair Trading is establishing a Loose-Fill Asbestos Implementation Taskforce responsible for overseeing and implementing the NSW Government Voluntary Purchase and Demolition Program for properties containing loose-fill asbestos insulation. The Loose-Fill Asbestos Implementation Taskforce will be in place until work is completed on the purchase and demolition of all properties that choose to participate in the Program.

The Building Professionals Board (BPB) is now part of Fair Trading and oversees building and subdivision certification. The BPB's role involves providing practice advice and educational programs to assist certifying authorities (private and council) in carrying out their role. The BPB certifies and audits both private and council certifiers. Further information about the BPB may be found at: www.bpb.nsw.gov.au

Office of Local Government

The Office of Local Government is responsible for local government across NSW. The Office's organisational purpose is to 'Strengthen Local Government' and its organisational outcome is 'Fit for the future councils leading strong communities'.

The Office has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The Office strives to work collaboratively with the Local Government sector and is the key adviser to the NSW Government on Local Government matters.

SafeWork NSW

SafeWork NSW is responsible for the issuing and control of licences that are issued to all asbestos removal and demolition contractors. SafeWork NSW works with the employers, workers and community of NSW to achieve safer and more productive workplaces, and effective recovery, return to work and security for injured workers.

SafeWork NSW administers work health and safety, injury management, return to work and workers compensation laws, and manage the workers compensation system. SafeWork NSW's activities include: health and safety, injuries and claims, licensing for some types of plant operators, registration of some types of plant and factories, training and assessment, medical and healthcare, law and policy.

The SafeWork NSW website provides a wide range of asbestos resources, support networks and links at: <https://www.safework.nsw.gov.au/hazards-a-z/asbestos>

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National organisations

Asbestos Safety and Eradication Agency

The Asbestos Safety and Eradication Agency was established in 2013 to provide a national focus on asbestos issues which go beyond workplace safety to encompass environmental and public health issues. The agency's objective is to eliminate asbestos-related disease in Australia.

The agency has broad functions under its legislation, including:

- reporting on the implementation of the National Strategic Plan on Asbestos Awareness and Management (NSP); reviewing and amending the NSP as required and promoting the NSP
- providing advice to the Minister about asbestos safety
- liaising with all levels of government, agencies or bodies about the implementation of the NSP; as well as asbestos safety in general; and
- commissioning, monitoring and promoting research about asbestos safety.

The agency administers the National Asbestos Exposure Register which was created to record the details of members of the community who may have been exposed to asbestos. Registration forms are online at <https://www.asbestossafety.gov.au/national-asbestos-exposure-register>.

The agency also maintains a national database for asbestos disposal facilities, which members of the public can search to identify their nearest facility that accepts asbestos waste, available online at <https://www.asbestossafety.gov.au/search-disposal-facilities>

Councils interested in finding out more about the agency, updating information listed on the disposal database, or receiving information, flyers or brochures for distribution within the LGA should contact the agency at enquiries@asbestossafety.gov.au.

National Association of Testing Authorities (NATA)

This body has the role of providing accreditation to firms licensed to remove asbestos.

NSW (Head Office) and ACT
 Phone: (02) 9736 8222
 National Toll Free: 1800 621 666
 Website: www.nata.asn.au

Environmental Health Committee (enHealth)

The Environmental Health Committee (enHealth) is a subcommittee of the Australian Health Protection Committee (AHPC). enHealth provides health policy advice, implementation of the National Environmental Health Strategy 2007-2012, consultation with key players, and the development and coordination of research, information and practical resources on environmental health matters at a national level.

Website: www.health.gov.au/internet/main/publishing.nsf/content/ohp-environ-enhealth-committee.htm

Safe Work Australia

Safe Work Australia is an Australian Government statutory agency established in 2009, with the primary responsibility of improving work health and safety and workers' compensation arrangements across Australia.

Phone: (02) 6121 5317
 Email: info@swa.gov.au
 Website: www.safeworkaustralia.gov.au

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Appendix I – Scenarios illustrating which agencies lead a response in NSW

The tables show which agencies are responsible for regulating the following scenarios in NSW:

- emergency management
- naturally occurring asbestos
- residential settings
- site contamination
- waste
- workplaces.

Emergency management

Scenario	Lead organisation	Other regulators
Emergency response	Emergency services	Fire and Rescue (Hazmat) SafeWork NSW
Handover to Local council, owner of property or NSW Police – crime scene following a minor incident	Local council NSW Police	
Handover to State Emergency Recovery Controller	State Emergency Recovery Controller	Recovery Committee Local council EPA SafeWork NSW
Handover to Recovery Committee following a significant incident	Recovery Committee (formed by State Emergency Recovery Controller)	Local council EPA SafeWork NSW
Remediation not requiring a licensed removalist	Local council	Principal Certifying Authority SafeWork NSW (workers)
Remediation requiring licensed removal work	SafeWork NSW	Local council Principal Certifying Authority
Clearance Certificate issued by an Asbestos Assessor	SafeWork NSW	Principal Certifying Authority

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Naturally occurring asbestos

Scenario	Lead organisation	Other regulators
Naturally occurring but will be disturbed due to a work process including remediation work	SafeWork NSW	Local council EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring asbestos part of a mineral extraction process	NSW Department of Industry	Local council EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring but will remain undisturbed by any work practice	Local council	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities) SafeWork NSW (workers)
Soil contaminated with asbestos waste and going to be disturbed by a work practice	SafeWork NSW	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites)
Soil contaminated with asbestos waste but will remain undisturbed by any work practice	Local council	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites) SafeWork NSW (workers on site)
Potential for exposure on public land	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council SafeWork NSW (workers on site)
Soil contaminated with asbestos waste but at a mine site	NSW Department of Industry EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council

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Residential settings

Scenario	Lead organisation	Other regulators
Safe Management of asbestos including: <ul style="list-style-type: none"> • identification • in situ management • removal requirements • disposal requirements. 	Local council Private Certifiers	SafeWork NSW EPA
Site contaminated due to past uses	Local council	SafeWork NSW EPA
Licensed removal work required	SafeWork NSW	Local council Private Certifiers
Removal does not require a licensed removalist	Local council Private Certifiers	SafeWork NSW (workers)
Transport or waste disposal issues	Local council	EPA
Derelict property with fibro debris	Local council or Multi-agency	Multi-agency

Site contamination

Scenario	Lead organisation	Other regulators
Asbestos illegally dumped	Local council	EPA SafeWork NSW
Site contamination at commercial premises	See Workplaces	
Site contamination at residential premises	See Residential settings	

Waste

Scenario	Lead organisation	Other regulators
Waste temporarily stored on-site	SafeWork NSW (worksites) EPA and Local council (non-worksites)	
Waste transported by vehicle	EPA	SafeWork NSW
Waste disposed of onsite	Council or EPA as illegal dumping or pollution of land if no valid council development consent	Local council (consent required to dispose onsite) (section 10.7 property certificate and development assessment process)
Waste going to landfill site	EPA (advice)	Local council (if managing licensed landfill)
Waste to be transported interstate	EPA	
Waste for export	Department of Immigration and Border Protection	SafeWork NSW Department of Employment

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Workplaces

Scenario	Lead organisation	Other regulators
Asbestos installed/supplied after 2003 (illegally)	SafeWork NSW	
Risks to the health of workers	SafeWork NSW	
Asbestos management and asbestos going to be removed	SafeWork NSW NSW Department of Industry (mine sites)	
Risks to the health of the public from worksites	SafeWork NSW (Risks to workers) Local council (Risks to the wider public) Department of Planning and Infrastructure (part 3A approvals) EPA (<i>Protection of the Environment Operations Act 1997</i> licensed sites)	
Waste stored temporarily on-site at worksites	SafeWork NSW	
Transport or waste disposal issues	EPA	SafeWork NSW Local council
Asbestos contaminated clothing going to a laundry	SafeWork NSW	EPA Local council
Contaminated land not declared under the <i>Contaminated Land Management Act 1997</i>	Local council	EPA
'Significantly contaminated' land declared under the <i>Contaminated Land Management Act 1997</i>	EPA	Local council

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Appendix J – Asbestos containing materials

Some asbestos containing materials found in New South Wales domestic settings (non-exhaustive list)

Asbestos containing materials	Approximate supply dates
Cement sheets	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Cement roofing / lining slates	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Mouldings and cover strips	Available by 1920s and 1930s
Super-six (corrugated) roofing	Available by 1920s and 1930s – 1985
'Tilex' decorative wall panels	Available by 1920s and 1930s
Pipes and conduit piping	Available by 1920s and 1930s
Motor vehicle brake linings	Available by 1920s and 1930s
Striated sheeting	Available from 1957
'Asbestolux' insulation boards	Available from 1957
'Shadowline' asbestos sheeting for external walls, gable ends and fences	Available from 1958 – 1985
Vinyl floor tiles impregnated with asbestos	Available up until 1960s
Asbestos containing paper backing for linoleum	Available up until 1960s
'Durasbestos' asbestos cement products	Available up until 1960s
'Tilex' marbletone decorative wall panels	Available from early 1960s
'Tilex' weave pattern decorative wall panels	Available from early 1960s
'Hardiflex' sheeting	Available from 1960s – 1981
'Versilux' building board	Available from 1960s – 1982
'Hardiplank' and 'Hardigrain' woodgrain sheeting	Available from mid 1970s – 1981
Loose-fill, fluffy asbestos ceiling insulation	During the 1960s and 1970s, pure loose-fill asbestos was sold as ceiling insulation for residential and commercial premises. A Canberra based company known as 'Mr Fluffy' installed insulation in at least 1,000 homes in the ACT and is also understood to have installed insulation into homes in NSW.
Asbestos rope gaskets for wood heaters. Heater and stove insulation	Dates of supply availability unknown but prior to 31 December 2003
Compressed fibro-cement sheets	Available from 1960s – 1984
Villaboard	Available until 1981
Harditherm	Available until 1984
Highline	Available until 1985
Coverline	Available until 1985
Roofing accessories	Available until 1985

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Pressure pipe

Available until 1987

Sources:

NSW Government, 2011, *Asbestos Blueprint: A guide to roles and responsibilities for operational staff of state and local government.*

NSW Taskforce Report: *Loose-Fill Asbestos Insulation in NSW Homes* (2015):
<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>

Asbestos containing materials that may be found in various settings (non-exhaustive list)

A

- Air conditioning duct, in the exterior or interior acoustic and thermal insulation
- Arc shields in lift motor rooms or large electrical cabinets
- Asbestos-based plastics products as electrical insulates and acid resistant compositions or aircraft seats
- Asbestos ceiling tiles
- Asbestos cement conduit
- Asbestos cement electrical fuse boards
- Asbestos cement external roofs and walls
- Asbestos cement in the use of form work for pouring concrete
- Asbestos cement internal flues and downpipes
- Asbestos cement moulded products such as gutters, ridge capping, gas meter covers, cable troughs and covers
- Asbestos cement pieces for packing spaces between floor joists and piers
- Asbestos cement (underground) pit as used for traffic control wiring, telecommunications cabling etc
- Asbestos cement render, plaster, mortar and coursework
- Asbestos cement sheet
- Asbestos cement sheet behind ceramic tiles
- Asbestos cement sheet over exhaust canopies such as ovens and fume cupboards
- Asbestos cement sheet internal walls and ceilings
- Asbestos cement sheet underlay for vinyl
- Asbestos cement storm drain pipes
- Asbestos cement water pipes (usually underground)
- Asbestos containing laminates, (such as Formica) used where heat resistance is required
- Asbestos containing pegboard
- Asbestos felts
- Asbestos marine board, eg marinate
- Asbestos mattresses used for covering hot equipment in power stations
- Asbestos paper used variously for insulation, filtering and production of fire resistant laminates
- Asbestos roof tiles
- Asbestos textiles
- Asbestos textile gussets in air conditioning ducting systems

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Asbestos yarn

Autoclave/steriliser insulation

B

Bitumen-based water proofing such as malthoid (roofs and floors, also in brickwork)

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

C

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (uncommon)

Caulking compounds, sealant and adhesives

Ceiling insulation (which may have moved into wall cavities, cornices and sub-floor areas)

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

Compressed asbestos cement panels for flooring, typically verandas, bathrooms and steps for demountable buildings

Compressed asbestos fibres (CAF) used in brakes and gaskets for plant and automobiles

D

Door seals on ovens

E

Electric heat banks – block insulation

Electric hot water services (normally no asbestos, but some millboard could be present)

Electric light fittings, high wattage, insulation around fitting (and bituminised)

Electrical switchboards see Pitch-based

Exhausts on vehicles

F

Filler in acetylene gas cylinders

Filters: beverage wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing asbestos with mortar

Fire-resistant plaster board, typically on ships

Fire-retardant material on steel work supporting reactors on columns in refineries in the chemical industry

Flexible hoses

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Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards

G

Galbestos™ roofing materials (decorative coating on metal roof for sound proofing)

Gaskets: chemicals, refineries

Gaskets: general

Gauze mats in laboratories/chemical refineries

Gloves: asbestos

H

Hairdryers: insulation around heating elements

Header (manifold) insulation

I

Insulation blocks

Insulation in ceilings, which may have spread to wall cavities, cornices and sub-floor areas

Insulation in electric reheat units for air conditioner systems

L

Laboratory bench tops

Laboratory fume cupboard panels

Laboratory ovens: wall insulation

Lagged exhaust pipes on emergency power generators

Lagging in penetrations in fireproof walls

Lift shafts: asbestos cement panels lining the shaft at the opening of each floor and asbestos packing around penetrations

Limpet asbestos spray insulation

Locomotives: steam, lagging on boilers, steam lines, steam dome and gaskets

M

Mastik

Millboard between heating unit and wall

Millboard lining of switchboxes

Mortar

P

Packing materials for gauges, valves, etc can be square packing, rope or loose fibre

Packing material on window anchorage points in high-rise buildings

Paint, typically industrial epoxy paints

Penetrations through concrete slabs in high rise buildings

Pipe insulation including moulded sections, water-mix type, rope braid and sheet

Plaster and plaster cornice adhesives

Pipe insulation: moulded sections, water-mix type, rope braid and sheet

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Pitch-based (zelemite, ausbestos, lebah) electrical switchboard

R

Refractory linings

Refractory tiles

Rubber articles: extent of usage unknown

S

Sealant between floor slab and wall, usually in boiler rooms, risers or lift shafts

Sealant or mastik on windows

Sealants and mastik in air conditioning ducting joints

Spackle or plasterboard wall jointing compounds

Sprayed insulation: acoustic wall and ceiling

Sprayed insulation: beams and ceiling slabs

Sprayed insulation: fire retardant sprayed on nut internally, for bolts holding external building wall panels

Stoves: old domestic type, wall insulation

T

Tape and rope: lagging and jointing

Tapered ends of pipe lagging, where lagging is not necessarily asbestos

Tilux sheeting in place of ceramic tiles in bathrooms

Trailing cable under lift cabins

Trains: country – guards vans – millboard between heater and wall

Trains – Harris cars – sprayed asbestos between steel shell and laminex

V

Valve and pump insulation

W

Welding rods

Woven asbestos cable sheath

Sources:

Environmental health notes number 2 guidelines for local government on asbestos, 2005 (Victorian Department of Human Services).

www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf

NSW Taskforce Report: Loose-Fill Asbestos Insulation in NSW Homes (2015)

www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Task_force_Report.pdf (accessed October, 2015).

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Appendix K – Asbestos licences

Type of licence	What asbestos can be removed?
Class A	Can remove any amount or quantity of asbestos or asbestos containing material, including: <ul style="list-style-type: none"> • any amount of friable asbestos or asbestos containing material • any amount of asbestos containing dust • any amount of non-friable asbestos or asbestos containing material.
Class B	Can remove: <ul style="list-style-type: none"> • any amount of non-friable asbestos or asbestos containing material <p>Note: A Class B licence is required for removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove up to 10 m² of non-friable asbestos or asbestos containing material.</p> <ul style="list-style-type: none"> • asbestos containing dust associated with the removal of non-friable asbestos or asbestos containing material. <p>Note: A Class B licence is required for removal of asbestos containing dust associated with the removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove asbestos containing dust associated with removal of up to 10m² of non-friable asbestos or asbestos containing material.</p>
No licence required	Can remove: <ul style="list-style-type: none"> • up to 10 m² of non-friable asbestos or asbestos containing material • asbestos containing dust that is: <ul style="list-style-type: none"> o associated with the removal of less than 10 m² of non-friable asbestos or asbestos containing material o not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

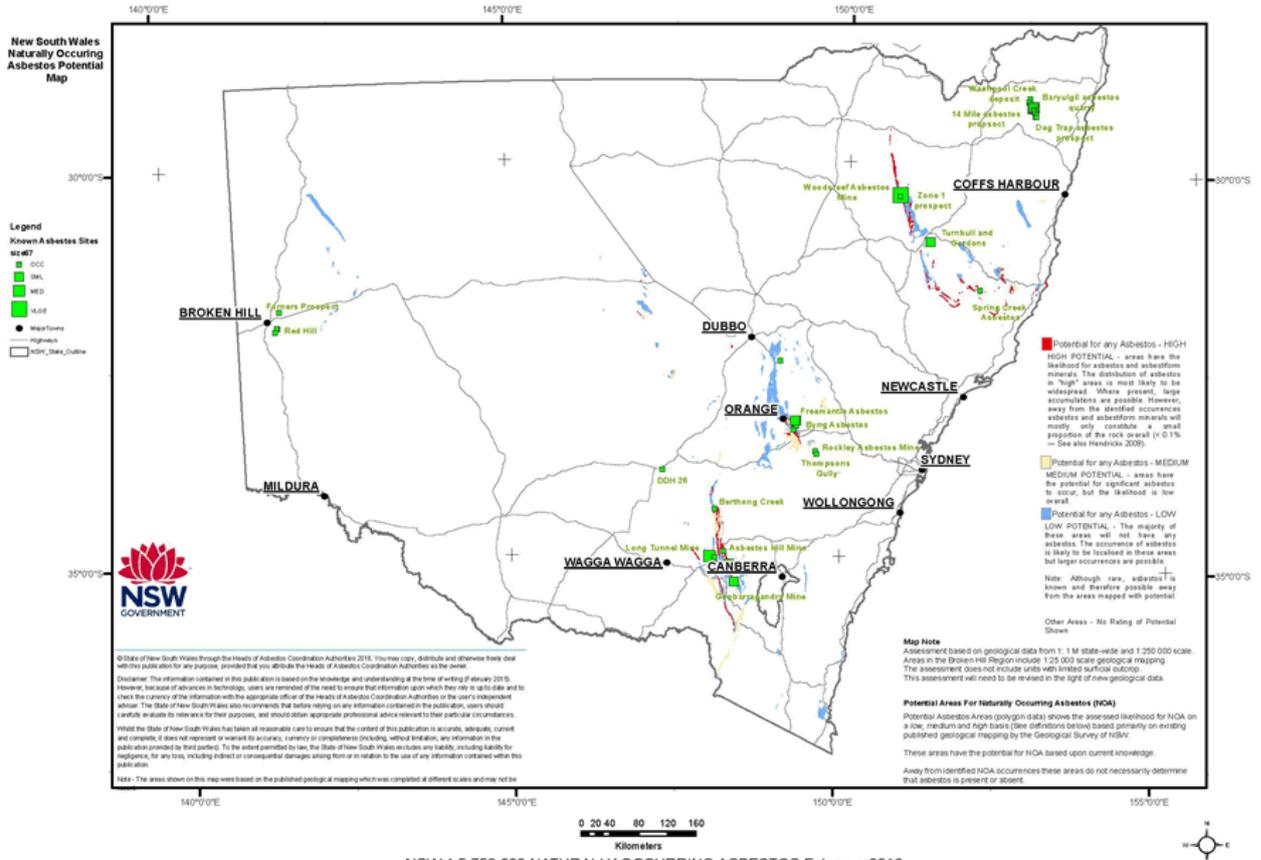
An asbestos removal contractor's licence can be verified by contacting SafeWork NSW's Certification Unit on 13 10 50.

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Appendix L – Map



END OF POLICY STATEMENT

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8.10 Investments and Revenue Report - April 2021

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of April 2021.

Report

This monthly report provides details of Council's investment and revenue portfolio.

Investments

Council's investment portfolio as at 30 April 2021 stood at approximately \$241 million. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

The return on Council's investments whilst historically has, and continues to outperform the AusBond Bank Bill Index benchmark, the interest income will not reach the estimated original budget, which is a direct result of the ongoing impact to the economy of historically low interest rates. The impact is significant and adjustments to expected revenue have been reflected in quarterly budget reviews.

For the month of April, Council's return exceeded the benchmark by some 97 basis points on an annualised basis which is a positive on an absolute basis. This return excludes funds held in at call account but includes the 30 day notice saver account and the NSW TCorp Cash Fund. The yield on the AusBond Bank Bill Index has been very low, with April's return being 0.003 per cent, and while Council's investment performance has fallen in recent times, it has however maintained an excellent return over the benchmark index and relative to comparative councils.

The portfolio is diversified with maturities ranging up to a 5 year period in accordance with Council's Investment Policy.

Council's investment advisor, Amicus Advisory have confirmed that Council's investment portfolio is being well managed and is compliant with current policy settings, with clear buffers between exposures to individual entities and credit limits.

Council's total liquidity of around \$45 million to meet short to medium term cash flow needs remains strong with \$24 million held in an at call account, \$8 million in the TCorp Cash Fund and \$3 million in a 30 day notice account and \$10 million in an at call cash accelerator account. The latter 2 accounts are effectively a hybrid of a term deposit and an at call account that attract slightly higher market interest rates.

The official cash rate is 0.10 per cent, where it has remained since the November 2020 Reserve Board of Australia Board meeting. The Board remains optimistic that in Australia, economic recovery is under way however, it is still expected to be uneven, drawn out and dependant on policy support. The ASX200 closed at 7,205.80 at the completion of April. This represents an annualised monthly performance result of positive 41.55 per cent ex dividend; the monthly change was positive 3.46 per cent.

It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

Rates

Rates and Charges levied for the period ending 30 April 2021 totalled \$124,526,513 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of April totalled \$98,434,418. In percentage terms 80.1 per cent of all rates and charges due to be paid have been collected, compared to 79.6 per cent collected in the same period last year.

The NSW Government set penalty interest charges to zero per cent on all unpaid rates and charges for the period between 1 July 2020 and 31 December 2020, this rate changed on 1 January 2021 to 7 per cent.

Debt recovery action during the month involved the issue of 175 Statements of Claim to ratepayers with 2 or more instalments outstanding and a combined balance exceeding \$1,000. Further recovery on accounts with previous action resulted in 64 Judgments and 4 Writs being served to those that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Council staff have been actively assisting ratepayers to manage any overdue quarterly instalments and advise on options available such as regular weekly payments. Council has created a dedicated 'Here for you' support page on the website including links to assistance packages provided by the Federal Government in the form of 'JobKeeper' and 'JobSeeker' along with detailed information on support packages offered in the Community.

Positive feedback continues to be received from Pensioners that can now make an application for a Pension Rebate Concession over the phone and via the internet. During the month, 51 applications were made over the phone and 19 online. Given the level of success, implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process.

Ratepayers who purchased property since the annual rates and charges notices had been issued are provided a 'Notice to new owner' letter. During the month, 22 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 30 April 2021 are \$2,395,183 reflecting a decrease of \$289,802 since March 2021. During the month 954 invoices were raised totalling \$957,299. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachment 3.

Debts exceeding 90 days of age totalled \$896,669 as at 30 April 2021. The majority of this debt relates to Government and Other Grants totalling \$611,399. Payment of this debt was received in early May 2021.

Various Sundry items total \$65,013. A major portion relates to the ongoing recovery of Road and Footpath occupancy fees of \$10,547 for a development in Broughton Street. The solicitor acting on behalf of the debtor has responded with an arrangement to pay \$5,411 at the end of April 2021 and final payment of \$5,430 by end of May 2021. The payment arrangement has been maintained to date.

Also incorporated within the sundry items group is \$11,284, which relates to a ticket sale rebate for the "Crusty Demons Event" at Campbelltown Sports Stadium in August 2019. The company involved has gone into voluntary administration and whilst Council has submitted a proof of debt to the Administrators a report to creditors was received in March 2021 advising that no dividends will be declared due to lack of available assets. The account will now be forwarded for write-off.

Debts categorised in Sports and Field Hire totalled \$60,103 the most significant portion is \$49,440 for catering sales commission for events at Campbelltown Sports Stadium. The company involved has defaulted on previous arrangements and as a result Council's debt recovery process has commenced.

Other significant debts are relating to Road and Footpath Restoration for \$30,413. An amount of \$13,531 remains unpaid with the company Jemena Gas who have identified a few discrepancies and are continuing to investigate. Other significant amounts totalling \$7,349 relate to companies that have become insolvent and gone into liquidation and are under administration, these accounts will be recommended for write-off.

Debts categorised within Healthy Lifestyles for \$10,942 consists of various amounts with the most significant amount of \$8,037 relating to bookings made in advance for the Bicycle Education Centre delivering a customer service outcome allowing bookings to be paid ahead of the relevant event.

Public hall hire fees of \$29,689 are a result of debts raised in advance and in accordance with council policy, do not need to be finalised until 2 weeks prior to function. This process also gives hirers an option to book in advance and then to make smaller regular payments leading up to their event, similar to the Bicycle Education Centre process identified above.

Debt recovery action is normally undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven-day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

Council's agents were not instructed to issue any recovery action for the month.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

Attachments

1. Summary of Council's Investment Portfolio April 2021 (contained within this report)
2. Rates and Charges Summary and Statistics April 2021 (contained within this report)
3. Debtors Summary and Ageing Report April 2021 (contained within this report)

Summary of Council's Investment Portfolio



Portfolio as at 30 April 2021

Product Type	Face Value	% of Total
At Call Deposits	34,124,656	14.2%
Notice Account	3,025,354	1.3%
Term Deposits - Fixed Rate	77,474,084	32.2%
Term Deposits - Floating Rate	76,000,000	31.5%
Fixed Rate Bond	12,500,000	5.2%
FRN	29,250,000	12.1%
Managed Funds - TCorp	8,567,303	3.6%
Grand Total	240,941,397	100.0%

Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	4.5%
AA-	106,417,284	69.3%
A+	1,000,000	0.7%
BBB+	11,137,945	7.3%
BBB	24,018,856	15.7%
Baa2	4,000,000	2.6%
Total Term Deposits	153,474,084	100.0%

Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-22	0.90% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Jun-25	0.90% Annually	\$2,500,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Summary of Council's Investment Portfolio – April 2021 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	71.5%	40%	100%	Yes
A+, A, A- and above	78.6%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	3.6%	0%	20%	Yes

Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund & Notice Saver Account) provided a weighted average return (running yield) of:

30 April 2021	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.073%	1.042%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.003%	0.068%
Performance Relative to Benchmark	0.070%	0.973%

Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2020	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,134,057.23	69,310,597.10	1,501,943.20	324,392.59	71,267,103.72	55,784,848.18	15,482,255.54	303,920.82	15,786,176.36
Business	608,426.97	20,114,849.87		39,527.84	20,762,804.68	17,154,517.53	3,608,287.15		3,608,287.15
Farmland	16,104.97	551,706.46	327.51	444.87	567,928.79	463,008.64	104,920.15	274,679.32	379,599.47
Mining	0.00	28,627.08		0.00	28,627.08	28,627.08	0.00		0.00
SR - Loan	525.47	0.00		68.75	594.22	0.00	594.22	130.92	725.14
SR - Infrastructure	368,470.21	6,822,360.65		5,367.10	7,196,197.96	5,626,709.79	1,569,488.17	57,638.75	1,627,126.92
Total	\$4,127,584.85	\$96,828,141.16	\$1,502,270.71	\$369,801.15	\$99,823,256.45	\$79,057,711.22	\$20,765,545.23	\$636,369.81	\$21,401,915.04
Garbage	956,513.47	23,099,749.56	887,936.39	21,408.15	23,189,734.79	18,180,973.70	5,008,761.09		5,008,761.09
Stormwater	70,141.68	1,443,034.23		345.69	1,513,521.60	1,195,733.45	317,788.15		317,788.15
Grand Total	\$5,154,240.00	\$121,370,924.95	\$2,390,207.10	\$391,554.99	\$124,526,512.84	\$98,434,418.37	\$26,092,094.47	\$636,369.81	\$26,728,464.28

Total from Rates Financial Transaction Summary	25,376,299.60
Overpayments	-1,352,164.68
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	604,786.28
Rate accounts greater than 12 months less than 18 months in arrears	0.00
Rate accounts greater than 18 months in arrears	101,987.00
TOTAL rates and charges under instruction with Council's agents	\$706,773.28

Rates Statistics



No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	Apr-21
Rate Notices	56,941	485		57	3								269
Electronic - DoH	4,929												
Instalment Notices				49,133			48,053			43,328			
Electronic - DoH				4,895			4,836			4,285			
Missed Instalment Notices						10,871			8,388				
- Pensioners > \$15.00						801			618				
Notice to new owner	144	133	119	107	22	44	48	36	41	22			17
7-day Letters - Council issued							674		1,151				
- Pensioners > \$500.00							13		126				
7-day Letters - Agent Issued							617		730				
Statement of Claim								227	13	175			
Judgments										64			
Writs										4			
Electronic - eRates & BPAYView	9,019	9,577	9,881	9,935	10,082	10,171	10,265	10,413	10,578	10,929			8,562
Pensioner applications	149	170	603	486	475	460	134	85	89	70			85
Arrangements	199	165	134	98	88	73	63	98	108	177			191

DEBTORS SUMMARY 1 April 2021 to 30 April 2021



DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/03/2021	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/04/2021	% DEBT RATIO
Corporate Administration	499,852	16,840	203,712	312,980	13.07%
Abandoned Items	1,949	421	0	2,370	0.10%
Education and Care Services	18,710	0	0	18,710	0.78%
Community Bus	89	0	0	89	0.00%
Sportsground and Field Hire	255,022	165,469	122,905	297,586	12.42%
Government and other Grants	1,204,519	221,740	383,468	1,042,791	43.54%
Public Hall Hire	77,741	86,222	50,974	112,990	4.72%
Health Services	350	0	0	350	0.01%
Land and Building Rentals	106,677	231,469	227,333	110,813	4.63%
Healthy Lifestyles	38,288	44,979	45,958	37,309	1.56%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	100,826	23,178	25,091	98,813	4.13%
Pool Hire	20,264	7,579	5,533	22,309	0.93%
Private Works	2,612	0	0	2,612	0.11%
Road and Footpath Restoration	57,373	24,950	18,874	63,450	2.65%
Shop and Office Rentals	46,165	69,162	66,359	48,967	2.04%
Various Sundry Items	271,769	37,626	88,229	221,166	9.23%
Waste Collection Services	21,458	27,664	8,667	40,455	1.69%
	2,684,985	957,299	1,247,102	2,395,183	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 April 2021



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	13,361	279,715	1,284	18,620	312,980	59,452
Abandoned Items	421	0	0	1,949	2,370	1,949
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	166,006	33,087	38,390	60,103	297,586	66,532
Government and other Grants	222,740	186,231	22,421	611,399	1,042,791	611,399
Public Hall Hire	69,030	12,633	1,638	29,689	112,990	28,131
Health Services	0	0	0	350	350	350
Land and Building Rentals	110,482	331	0	0	110,813	0
Healthy Lifestyles	16,302	8,478	1,588	10,942	37,309	11,134
Licence Fees	17,934	14,337	1,146	65,496	98,813	66,349
Pool Hire	4,638	16,398	0	1,273	22,309	1,273
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	30,915	0	2,122	30,413	63,450	37,009
Shop and Office Rentals	42,783	3,726	2,459	0	48,967	2,328
Various Sundry Items	43,113	14,147	98,894	65,013	221,166	77,140
Waste Collection Services	27,334	13,121	0	0	40,455	0
	746,369	582,203	169,942	896,669	2,395,183	964,469

8.11 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

That the comments and updates to the reports and letters requested be noted.

Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 1 June 2021.

Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
12.11.19 RM	<p>ORD NM 11.2 - Stormwater Usage</p> <p>That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.</p>	A report to be presented to Council at the June 2021 meeting as Item 8.8 on the agenda.	June 2021
10.12.19 WM	<p>ORD NM 11.2 - Grey Water Usage</p> <p>1. That a report be presented on the feasibility of the re-use of grey water within the community.</p>	A report to be presented to Council at the June 2021 meeting as Item 8.8 on the agenda.	June 2021
13.10.20 PL	<p>ORD NM 11.1 - Charging for parking within the Campbelltown Local Government Area</p> <p>That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.</p>	The matter is being investigated.	July 2021
City Development			
09.04.19 WM	<p>ORD 8.2 - Planning Proposal - Ingleburn CBD</p> <p>4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.</p>	Development Control Plan preparation held pending study completion. A report is anticipated to be presented to Council at the July meeting.	July 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
09.04.19 BT	<p>ORD 8.6 - Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)</p> <p>5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.</p>	To be included in the next amendment to the Campbelltown Contribution Plan 2018.	October 2021
10.09.19 KH	<p>ORD 8.1 - Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use</p> <p>5. That following an exhibition, a report on submissions be presented to Council.</p>	Extension for Gateway requested.	December 2021
10.03.20 WM	<p>ORD 8.2 - Menangle Park - Draft Planning Proposal</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>	Gateway received October 2020. Works to be carried out by proponent.	December 2021
10.03.20 MO	<p>ORD 8.6 - Mt Gilead - Draft Planning Proposal</p> <p>3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>	Gateway received October 2020. Works to be carried out by proponent.	October 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
12.05.20 BT	<p>ORD 8.3 - Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park</p> <p>3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.</p>	On public exhibition until 7/06/2021.	July 2021
10.11.20 DL	<p>ORD 8.3 - Re-establishment of South Area Alcohol Free Zones</p> <p>2. Any submissions received during the public exhibition period be reported back to Council.</p> <p>4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.</p>	<p>2. Public exhibition ended on 23/12/2020. No public submissions were received.</p> <p>4. Letters sent 23/2/2021 providing formal notice to the organisations/ groups listed in Recommendation No. 3.</p>	August 2021
8.12.20 KH	<p>ORD 8.2 - Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application</p> <p>3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.</p>	Public exhibition closed on 14/2/2021. A report is being drafted and anticipated to be presented to Council at the October 2021 meeting.	October 2021
9.3.21 MO	<p>ORD 8.2 - Request to Exhibit amendments to the Campbelltown (Sustainable City) Development Control Plan 2015</p> <p>2. That should Council receive any submissions during the public exhibition of draft Amendment No 11, that a further report be provided to Council following the completion of the public exhibition period.</p>	Public exhibition ended on 7/05/2021. Two submissions were received. Report be reported to Campbelltown Design Excellence Panel on 17/06/2021 for input and a report anticipated to be presented to Council in August 2021.	August 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
11.05.21 MO	<p>ORD 8.2 - Amendment to Campbelltown (Sustainable City) Development Control Plan Volume 2 - The Meadows, Ingleburn Gardens</p> <p>2. That where submissions are received during the public exhibition period, a further report be provided to the Council.</p>	Preparing for public exhibition in June 2021.	August 2021
11.05.21 MO	<p>ORD 8.6 - Draft Waste and Resource Recovery Education Strategy 2021-2024</p> <p>2. That where any submissions are received during the public exhibition period, a report be provided to the Council on the outcomes of the public exhibition.</p>	On public exhibition until 9/06/2021.	July 2021
City Governance			
9.06.20 GB	<p>NM 11.1 - Extension of the Sponsorship Policy</p> <p>1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:</p> <p>a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.</p> <p>b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.</p>	Consultation with the business has commenced and a report is anticipated to be presented to Council at the July 2021 meeting.	July 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Governance			
9.06.20 BG	<p>NM 11.2 - Data Capture</p> <p>That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens</p>	A report to be presented to Council at the June 2021 meeting as Item 8.12 on the agenda.	June 2021
11.05.21 BM	<p>NM 11.2 - Submissions by Council</p> <p>That a report be presented to Council concerning the establishment of a policy on submissions made by Council to government or community consultation wherein submissions are, as much as possible, reported to full meetings of Council as reports from officers to give the opportunity for community comment and feedback.</p>	Investigations have commenced.	August 2021
City Growth			
11.12.18 BM	<p>ORD 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Due to COVID-19 this project is on hold. The team is currently reviewing the feasibility for construction of a childcare.</p> <p>Investigations are being completed regarding the feasibility of progressing this project.</p>	August 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
09.07.19 KH	<p>ORD NM 11.1 - Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. Investigations have been completed with a report anticipated to be presented to Council at the July 2021 meeting.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	July 2021
10.03.20 BM	<p>ORD 8.12 - Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	This project has been redefined into stages. Stage 1 (data collection) has been completed. Stage 2 will commence in July with further investigations required.	December 2021
09.06.20 PL	<p>ORD 8.1 - Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>	This project will be included as part of a broader digital and data transformation program for Council to ensure alignment and increase the potential capability and value of a 3D visualisation and planning tool/model. A report is anticipated to be presented to Council at the July 2021 meeting.	July 2021
27.04.21 BG	<p>EXORD 4.2 Draft Delivery Program and Operational Plan 2021-22, Budget, Fees and Charges - Public Exhibition</p> <p>2. That Council receives a further report at the June 2021 Council meeting after a review of the public submissions prior to consideration of the formal adoption of these documents.</p>	Documents on public exhibition until 28/5/21 with a report to be presented at the Extraordinary Council Meeting on 29 June 2021.	June Exord. 2021

Reports requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
9.3.21 RM	<p>ORD NM 11.2 - Promotion of Board Game Activities</p> <p>1. That Council, to encourage and promote board game activities in the City, particularly CHESS and CATAN, prepare a report on the feasibility of:</p> <p>a) Trialling a series of events highlighting the game CATAN for beginners and regular players as part of International Games Week in November.</p> <p>b) Holding a Chess Tournament and continuing to support the weekly CHESS Club at Eagle Vale Library.</p>	<p>CATAN sessions will be held in the lead up to International Games Week in November.</p> <p>Chess Tournament is current under investigation to be held at Eagle Vale Library. Date TBC.</p>	August 2021
11.05.21 BM	<p>NM 11.1 - International Games Week</p> <p>That a report be presented to Council on a program to highlight board, tabletop and roleplaying games as part of International Games Week in November, and that this program have a particular focus on independent "indie" games and Australian-made games.</p>	<p>Planning is underway for International Games Week.</p>	July 2021

Letters requested effective 1 June 2021

*Date of Decision *Mover	Action Item	Comments / updates
City Governance		
9.03.21 MO	4. That Council write to the Ministers and Shadow Ministers of Planning, Transport and Roads and Local Government, appealing the decision of the Geographical Names Board, and requesting that it be overturned, in order to pay due respect to the named artists.	<p>Letters sent on 3/5/2021 to the Hon Rob Stokes MP, Adam Searle MLC, the Hon Andrew Constance MP, John Graham MP, the Hon Shelley Hancock MP and Greg Warren MP.</p> <p>A letter received 31/5/2021 from Executive Director, Spatial Services responding on behalf of the Hon Rob Stokes MP and the Hon Victor Dominello MP. The letter to be presented Council in the June 2021 agenda as item 7.1.</p>

8.12 Capturing, Sharing and Using Open Data

Reporting Officer

Executive Manager Corporate Support Systems
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

That the information be noted.

Purpose

To advise of the opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens.

History

Council commenced our open data journey shortly after signing the Western Sydney City Deal in March 2018, as it included a commitment to make our datasets openly available.

The Western Parkland City Councils in partnership with Sydney Water, University of New South Wales and University of Wollongong received funding from Round 2 of the Smart Cities and Suburbs program to implement a Western Parkland City sensor network. This project was focused on data sharing and open data and involved the development of a data-sharing agreement and procedures, plus the implementation of 8 open data portal sites for each council, a Western Parkland Council open data portal site and shared Internet of Things (IoT) data storage platform.

A Western Parkland Council Data Sharing Governance Subgroup was established to continue to develop and guide Council with open data in areas of: Privacy, Information, Ethics, Corporate governance, and be the Customer advocate, as well as develop and assist with the delivery of a 6 month action plan.

Report

In December 2020, Campbelltown City Council launched our Open Data Portal - <https://data.campbelltown.nsw.gov.au/page/home/> (refer to Attachment 1). The site provides insight into the value of open data and provides examples of how Council has been using data to inform decision making.

The data portal has a number of advanced features including:

Community Features

- Review, export in multiple formats or connect to dataset via an API
- Visualise dataset by a map, chart or dashboard
- Begin dataset analysis by changing axis, breakdown series, adding in series or type of chart
- Create a login to continue monitoring and analysis of dataset(s)

Platform Features

- Create storyboards that helps bring data to life through tools such as interactive maps, charts or dashboards
- Data catalogue search and filter features
- Enable datasets to be ingested from Council Corporate Applications, Data.nsw.gov.au, Data.gov.au or the Spatial Services Digital Twin, as well as share and publish our datasets with others
- Bots and alerts to automate business processes
- Display datasets on Campbelltown City Council open data portal and combine 8 datasets on the Western Parkland Council open data portal creating a centralised dataset view.

Council are continually developing resources and initiatives such as how-to user guides, a free online training academy and an Introductory Open Data Course to be held at Council's Libraries to educate and empower our community on the value of open data.

Attachments

1. Open Data Portal (contained within this report)



8.13 Local Government Remuneration Tribunal Determination 2021

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

1. That Council adopt the councillor and mayoral remuneration increase of 2 per cent effective 1 July 2021, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$26,310 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.
3. That Council fix the remuneration fee for the mayor at \$69,900 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.

Purpose

To advise Council that the Local Government Remuneration Tribunal has made a determination on the minimum and maximum fees payable to mayors and councillors for 2021-22.

History

The Local Government Remuneration Tribunal was established to determine the categories for councils and the fees paid to mayors and councillors.

In accordance with Section 241 of the *Local Government Act 1993* (the Act), the Tribunal is required to make an annual determination on the fees payable to mayors and councillors to take effect from 1 July 2021. Sections 248 and 249 of the Act require councils to fix and pay an annual fee based on the Tribunal's determination.

Report

In accordance with Section 239 of the Act, the Tribunal is required to determine the categories of councils at least once every 3 years.

The Tribunal did not undertake a broad review of the categorisation of councils and considered that the current allocation of councils into the current categories is appropriate.

The Tribunal will next consider the model, the criteria applicable to each group and the allocation of councils in detail in 2023.

Councils will be monitored by the tribunal to determine the appropriateness of the allocation of councils and the categorisation model for future determinations. Campbelltown City Council has been classified as Metropolitan Medium for the purpose of this determination.

The tribunal is required to have regard to the Government's wages policy when determining the increase to the minimum and maximum fees that apply to councillors and mayors. The public sector wages policy currently provides for a cap on increases of 2 per cent.

During the determination process, the tribunal reviewed key economic indicators, including the Consumer Price Index and Wage Price Index, and found that the full increase of 2 per cent is warranted. Therefore, pursuant to Section 241 of the Act, the annual fees to be paid to Metropolitan Medium Centre category councillors and mayors ranges from \$14,100 - \$26,310 per annum for councillors, and an additional \$29,950 - \$69,900 per annum for the position of mayor, effective 1 July 2021.

A link to the full Local Government Remuneration Tribunal Determination 2021 can be found at <http://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations>.

Attachments

Nil

8.14 Minutes of the Audit Risk and Improvement Committee meeting held 18 May 2021

Reporting Officer

Director City Governance
City Governance

Officer's Recommendation

That the minutes of the Audit Risk and Improvement Committee held 18 May 2021 be noted.

Purpose

To seek Council's endorsement of the minutes of the Audit Risk and Improvement Committee meeting held 18 May 2021.

Report

Detailed below are the recommendations of the Audit Risk and Improvement Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Reports listed for consideration

6.1 Internal Audit Progress Report on 2020-21

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

6.2 Update on Management Letter points

That the information be noted.

6.3 Audit Office of NSW Report into Procurement Management

That the information be noted.

6.4 Enterprise Risk Management Update

1. That the committee note the information contained in this report.
2. That the committee provide feedback in relation to the attached Strategic Risk Register including endorsing its contents so Council's Executive may proceed to controlling the risks identified.

6.5 Outstanding ARIC Actions

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.6 Cyber Security

That the presentation on Cyber Security be noted.

Attachments

1. Minutes of the Audit Risk and Improvement Committee held 18 May 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Audit Risk and Improvement Committee Meeting held at 4:00 pm on Tuesday, 18 May 2021.

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Minutes of the Audit Risk and Improvement Committee Meeting held on 18 May 2021

Present Mr Bruce Hanrahan - Independent Member (Chairperson)
Mr Jim Mitchell - Independent Member
Ms Rhonda Wheatley - Independent Member
Councillor Warren Morrison - Elected Council Representative

In attendance Ms Lindy Deitz - General Manager
Mr Sam Helweh - Internal Auditor
Mr Phu Nguyen - Director City Governance
Ms Corinne Mears - Executive Manager Corporate Services and Governance
Mr Ali Amjad - Audit Leader - Audit Office of NSW
Mr Destry Puia - Acting Director City Lifestyles
Ms Cathy Gavin - Senior Financial Accountant
Ms Samantha Fletcher - Financial Reporting Accountant
Ms Wendy Fogarty - Senior Business Excellence Officer
Mr Joe Kanti - Risk Management Officer
Mr Ari Aich - IT Infrastructure and SD Support
Ms Erin Austin - Executive Support

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Mr Bruce Hanrahan.

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held 23 February 2021**

Committee's Recommendation: (Hanrahan/Mitchell)

That the information be noted.

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

5. GENERAL MANAGER – VERBAL UPDATE

- The General Manager extended a warm welcome to Rhonda Wheatley as Rhonda's knowledge and experience will be a valuable addition to Council's Audit Risk and Improvement Committee.
- The committee was advised of the appointment of the new Director City Lifestyles, Scott Grant. Scott was the Chief Operating Officer at Cricket Australia and will bring an abundance of knowledge and experience to Council.
- In the last few weeks, the Executive have held a number of sessions thinking deeply about the organisations key strategic risks. The high level outcomes from the workshops are reflected in Item 6.4 in the agenda and the General Manager welcomes any further suggestions from ARIC members.
- On the financial front, Council has navigated the impacts of COVID-19 successfully. At the last Council meeting, a report was presented to Council detailing our expectation that our full year financial results will be in line with the budget with revenue shortfalls earlier in the year offset by savings.
- Finally, for ARIC visibility we have been selected as one of 6 NSW Councils to participate in an Ombudsman Audit on Public Interest Disclosure. ARIC will be updated on the outcomes of the audit as it progresses.

6. REPORTS

6.1 Internal Audit Progress Report on 2020-21

Purpose

To provide the Committee an update on the progress of the internal audit work undertaken in accordance with the approved 2020-21 Audit Plan.

Officer's Recommendation

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

Committee's Recommendation: (Mitchell/Hanrahan)

That the Committee receive and note the progress report on the 2020-21 Audit Plan.

6.2 Update on Management Letter points

Purpose

To provide the Committee with an update of the status of outstanding management letter points relating to the external financial and IT audits.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Wheatley/Hanrahan)

That the information be noted.

6.3 Audit Office of NSW Report into Procurement Management

Purpose

To update the Audit, Risk and Improvement Committee on the findings from the performance audit performed by the Audit Office of NSW into procurement management in local government and its relevance on the operations at Campbelltown City Council.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Morrison/Hanrahan)

That the information be noted.

6.4 Enterprise Risk Management Update

Purpose

To provide the Committee with an update on the work of Council's Enterprise Risk Management (ERM) function and seek feedback to, and endorsement of the strategic risks identified.

Officer's Recommendation

1. That the committee note the information contained in this report.
2. That the committee provide feedback in relation to the attached Strategic Risk Register including endorsing its contents so Council's Executive may proceed to controlling the risks identified.

Committee's Recommendation: (Mitchell/Morrison)

1. That the committee note the information contained in this report.
 2. That the committee provide feedback in relation to the attached Strategic Risk Register including endorsing its contents so Council's Executive may proceed to controlling the risks identified.
-

6.5 Outstanding ARIC Actions

Purpose

To ensure the Committee is aware of all outstanding actions and all completed actions.

Officer's Recommendation

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

Committee's Recommendation: (Morrison/Hanrahan)

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.6 Cyber Security

Purpose

To provide the ARIC Committee members with an update on Council's control measures regarding Cyber Security.

Officer's Recommendation

That the presentation on Cyber Security be noted.

Committee's Recommendation: (Mitchell/Wheatley)

That the presentation on Cyber Security be noted.

7. GENERAL BUSINESS

The next meeting of the Audit Risk and Improvement Committee will be held Tuesday 10 August 2021 at 4:00 pm at the Civic Centre, Campbelltown.

Bruce Hanrahan

Chairperson

Meeting Concluded: 4:50 pm

8.15 Minutes of the Campbelltown Arts Centre Strategic Committee meeting held 5 May 2021

Reporting Officer

Executive Manager Creative Life
City Growth

Officer's Recommendation

That the minutes of the Campbelltown Arts Centre Strategic Committee held 5 May 2021 be noted and recommendations endorsed.

Purpose

To seek Council's endorsement of the minutes of the Campbelltown Arts Centre Strategic Committee meeting held 5 May 2021 and the recommendations within.

Report

Detailed below are the recommendations of the Campbelltown Arts Centre Strategic Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Reports listed for consideration

4.1 Minutes of the previous Campbelltown Arts Centre Strategic Committee Meeting held 16 September 2020

That the information be noted.

5.1 Campbelltown City Council Collection - New Acquisitions

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Daniel Mudie Cunningham - Dog eat Dog
- donations by David Griggs - Hangman and Your Hi
- donations by Fiona Davies - My Grandad always said, 'It's easier to clean up after a fire than a flood, suite of three works
- donation by Catherine O'Donnell - A&W Series #4
- proposed purchase by Tony Schwensen - After Ben Vautier
- donation by Tony Schwensen - Boogie Woogie
- donation by Savanhdary Vongpoothorn - Legs on Seeds

- donation by Paul White – Detour (selected parts)
- donation by Diego Bonetto – Weedkiller Pest Controller
- donation by Ben Denham – Rewriting series
- donation by Tim Hilton – Flash (still)
- donation by Robin Hungerford – Mice
- donation by Anne Kay – Picture Tree
- donation by Telly Tuita – Cruise series
- donation by Peter Fitzpatrick – Concrete Jungle series
- donations by Nola Tegel – Through the Trees, Campbelltown – Old and New II, Campbelltown – The Historical Zone I, Farmyard – Gregory Hills, Cottages – Oxley Street, Main Street Campbelltown, Campbelltown from the Carpark, Springtime Campbelltown... From the Carpark, Sunday Morning, Campbelltown Geometry, Campbelltown – The Historical Zone II, Campbelltown – Old and New III, Country to City, Emily Cottage, Mawson Park, Smoky Haze – Blair Athol, Smoky Days at Blair Athol Cottage, Spotlight Plaza, Kenny Hill towards Campbelltown and Cottage – Lithgow Street
- donations by Claudia Nicholson – 10/07/18, 11/07/18, 12/07/18 and 13/07/18.

5.2 2021 Fisher's Ghost Art Award

That the Campbelltown Arts Centre Strategic Committee discuss and review the proposed strategies for the 59th Fisher's Ghost Art Award to be held at Campbelltown Arts Centre in November 2021.

6.1 Letter of thanks

The meeting of the Campbelltown Arts Centre Strategic Committee on 5 May 2021 was the final meeting of the current Committee. It is recommended that Council write to the Committee members thanking them for fostering the purpose and direction of the Campbelltown Arts Centre through their knowledge, interest and support of the Campbelltown Arts Centre Strategic Committee over the past 5 years.

Attachments

1. Minutes of the Campbelltown Arts Centre Strategic Committee held 5 May 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Campbelltown Arts Centre Strategic Committee Meeting held at 6:00pm on Wednesday, 5 May 2021.

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Minutes of the Campbelltown Arts Centre Strategic Committee Meeting held on 05 May 2021

Present Chairperson Councillor M Oates
Councillor M Chowdhury
Councillor B Moroney
Member - Dr C Yin -Lo
Member - Mrs J Long
Member - Mr A Christie
Director City Growth - Ms R Grasso (for Member L Deitz)

In attendance Executive Manager Creative Life - Mr M Dagostino
Executive Support - Ms K Wooden

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Councillor M Oates.

2. APOLOGIES

Member - General Manager Ms L Deitz
Member - M Banasik - Councillor
Member - Mr S Donaghey
Member - Ms D Heatley
Member - Ms A Derrett
Member - Ms L Stackpool
Member - Ms L Gear
Member - Ms M Calman

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

4. MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 16 SEPTEMBER 2020

Reporting Officer

Executive Manager Creative Life

Officer's Recommendation

That the information be noted.

Committee's Recommendation

It was **Moved** Councillor Chowdhury, **Seconded** Mr Christie:

That the information be noted.

Report

The minutes of the Campbelltown Arts Centre Strategic Committee Meeting held 16 September 2020, copies of which have been circulated to each Sub Committee member, were adopted by Council at its meeting held 10 November 2020.

Attachments

Nil

5. REPORTS

5.1 Campbelltown City Council Collection - New Acquisitions

Reporting Officer

Executive Manager Creative Life
City Growth

Officer's Recommendation

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Daniel Mudie Cunningham – Dog eat Dog
- donations by David Griggs – Hangman and Your Hi
- donations by Fiona Davies – My Grandad always said, 'It's easier to clean up after a fire than a flood, suite of three works
- donation by Catherine O'Donnell – A&W Series #4
- proposed purchase by Tony Schwensen – After Ben Vautier
- donation by Tony Schwensen – Boogie Woogie
- donation by Savanhdary Vongpoothorn – Legs on Seeds
- donation by Paul White – Detour (selected parts)
- donation by Diego Bonetto – Weedkiller Pest Controller
- donation by Ben Denham – Rewriting series
- donation by Tim Hilton – Flash (still)
- donation by Robin Hungerford – Mice
- donation by Anne Kay – Picture Tree
- donation by Telly Tuita – Cruise series
- donation by Peter Fitzpatrick – Concrete Jungle series
- donations by Nola Tegel – Through the Trees, Campbelltown – Old and New II, Campbelltown – The Historical Zone I, Farmyard – Gregory Hills, Cottages – Oxley Street, Main Street Campbelltown, Campbelltown from the Carpark, Springtime Campbelltown... From the Carpark, Sunday Morning, Campbelltown Geometry, Campbelltown – The Historical Zone II, Campbelltown – Old and New III, Country to City, Emily Cottage, Mawson Park, Smoky Haze – Blair Athol, Smoky Days at Blair Athol Cottage, Spotlight Plaza, Kenny Hill towards Campbelltown and Cottage – Lithgow Street
- donations by Claudia Nicholson – 10/07/18, 11/07/18, 12/07/18 and 13/07/18.

Committee's Recommendation

It was **Moved** Cr Oates, **Seconded** Mr Christie:

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Daniel Mudie Cunningham – Dog eat Dog
- donations by David Griggs – Hangman and Your Hi
- donations by Fiona Davies – My Grandad always said, 'It's easier to clean up after a fire than a flood, suite of three works
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- donation by Robin Hungerford – Mice
- donation by Anne Kay – Picture Tree
- donation by Telly Tuita – Cruise series
- donation by Peter Fitzpatrick – Concrete Jungle series
- donations by Nola Tegel – Through the Trees, Campbelltown – Old and New II, Campbelltown – The Historical Zone I, Farmyard – Gregory Hills, Cottages – Oxley Street, Main Street Campbelltown, Campbelltown from the Carpark, Springtime Campbelltown... From the Carpark, Sunday Morning, Campbelltown Geometry, Campbelltown – The Historical Zone II, Campbelltown – Old and New III, Country to City, Emily Cottage, Mawson Park, Smoky Haze – Blair Athol, Smoky Days at Blair Athol Cottage, Spotlight Plaza, Kenny Hill towards Campbelltown and Cottage – Lithgow Street
- donations by Claudia Nicholson – 10/07/18, 11/07/18, 12/07/18 and 13/07/18.

Purpose

To seek the endorsement of the Campbelltown Arts Centre Strategic Committee of the acquisition of donated works to the Campbelltown City Council collection.

Report

Campbelltown City Council's Collection Policy provides a framework for the management of Council's permanent collection by Campbelltown Arts Centre. Listed below are the proposed donated works to be acquired for Council's collection in line with the policy objectives.

Donation 1

Daniel Mudie Cunningham

Dog eat Dog

2013

Dimensions variable

Single channel video

Biography

Daniel Mudie Cunningham is an artist, writer and curator based in Sydney. His art practice draws upon and rethinks the image streams of art history, everyday life, pop culture and fandom through video and performance.

He completed his Doctor of Philosophy in Cultural Studies and Visual Culture in 2004 and Bachelor of Arts - First Class Honours in Art History and Criticism, both at the University of Western Sydney.

He is a widely published arts writer and cultural critic and has been active since the mid-1990s as a curator of contemporary Australian art. He was Chair of DLUX Media Arts from 2011-14. He is currently the Director of Programs, Carriageworks.

Artist Statement

Dog eat Dog, shows artist Daniel Mudie Cunningham dressed in a dog costume and consuming plates of hot dogs. The work draws on dark humour and could be interpreted as a reference to the art world as a 'dog eat dog' environment.

The work first featured in a 2013 exhibition at Articulate Art Space titled 'The Dog Show', the exhibition featured Christine Cornish, Steven Lojewski, Noelene Lucas, Daniel Mudie Cunningham, Debra Porch, Eugenia Raskopoulos and Wendy Teakel. Articulate Art Space describe that the artists come together in an exhibition about dogs that reveals the experience of life with dogs, and explores the relationships these artists have with their dogs. It may be about love and loss, joy and grief, endurance and what endures, top dogs and top people, in fact the gamut of experiences of life, love and dogs.'



Daniel Mudie Cunningham, *Dog eat Dog*, 2013, (still). Photo Courtesy of the Artist.

Donation 2 and 3

David Griggs

Hangman
2008
168 x 168 cm
Oil on canvas

David Griggs

Your Hi
2017
212 x 152 cm
Oil on canvas

Biography

Born 1975, Sydney, New South Wales. Lives and works in Manila, Philippines.

David Griggs works across painting, video and installation. Exploring the human condition, Griggs draws on personal experience, political imagery, popular culture and local crime histories. Selected solo exhibitions include *Horror Business*, GAGPROJECTS, Adelaide (2016); *David Griggs*, Campbelltown Arts Centre, Sydney (2016); *Tie Die Till I Dye*, KalimanRawlins, Melbourne (2013); *Frat of the Obese*, Roslyn Oxley9 Gallery, Sydney (2013); *The sort of black claymore paintings*, PABLO Galleries, Manila (2010); *Zombie Kiss*, Uplands Gallery, Melbourne (2009); *New York Paris London Rome Manila City Jail*, MOP Projects, Sydney (2009); *David Griggs at IMA at TCB*, Institute of Modern Art, Brisbane (2008).

Major survey exhibition *Between Nature and Sin*, developed by Campbelltown Arts Centre and toured by MGNSW has just concluded a two year national tour at the end of 2019 after visiting 10 venues.

Artist Statement

Much of Griggs' work captures the chaos that waits outside his apartment door in Quezon City, Manila, Philippines. Feral street beggars, prison gangs, stray dogs. His canvases writhe with blood and mayhem, tattoos and bad teeth. However, what is noted in more recent examples of Griggs' work such as this one is a slight shift from more menacing imagery to hints of palm trees, pretty girls and pills that look like lollies.

Griggs' states that he is having more fun, he describes these more recent examples as like hippy paintings but they're dirty. There are fluoro's mixed with browns. It is like happy but yuck.*

* David Griggs trans. Peter Munro, 2017 (Peter Munro, David Griggs finds fun among the paint fumes at Campbelltown Arts Centre, 2017)



David Griggs, *Hangman*, 2008, photo courtesy of Max Germanos.



David Griggs, *Your Hi*, 2017, photo courtesy of Max Germanos.

Donation 4**Fiona Davies**

My Grandad always said, 'It's easier to clean up after a fire than a flood' (suite of 3)
circa 1988

Mural photograph and found object
72 x 100 cm (each)

Biography

Fiona Davies' recent work has evolved from an early site-specific practice which largely eschewed traditional art venues in order to engage with accepted histories. Thorough research is a hallmark of her practice. Many of her exhibitions have been located in historic sites for the express purpose of interrogating the given history being celebrated at the site. By creating visual memorials to forgotten and overlooked participants in the official story, Davies introduced untold stories, thereby challenging and enriching existing histories.

In 2006 her work took on a more personal dimension as she extended her interrogative method to engage critically with modern medical discourse and the process of grieving after her father's long final illness. Attending his hospital bedside daily over a period of eleven months, Davies became familiar with the medical lexicon and its visual cues – blood transfusion bags became a central visual source. Since 2010 the image and idea of blood has remained as a central concern, and her engagement with medical discourse has broadened into the scientific and economic spheres. The Blood on Silk project, a collaboration between physicist, the late Dr Peter Domachuk; writer, Dr Lee-Anne Hall; and Davies, the visual artist continues to occupy her attention.

Artist Statement

This work references to previous explorations of fire made during Fiona's time at the former art school at the University of Western Sydney. Davies describes 'Near where I lived was the ruin of a school destroyed by fire. The glass series School Fire works overlay the residue of burnt architectural fragments with the emotional landscape of desolation and grief.

The dress work, My Grandad always said, 'It's easier to clean up after a fire than a flood' was made a year or so after I had left art school (University of Western Sydney) in response to another fire and to reimagining a flood, and marks the start of my ongoing interest in the abject'.



Fiona Davies, *My Grandad always said, 'It's easier to clean up after a fire than a flood'*, circa 1988. Photo: Silversalt Photography, courtesy of Campbelltown Arts Centre.

Donation 5

Catherine O'Donnell

A&W Series #4
2005
Charcoal on paper
127 x 116 cm (framed)

Biography

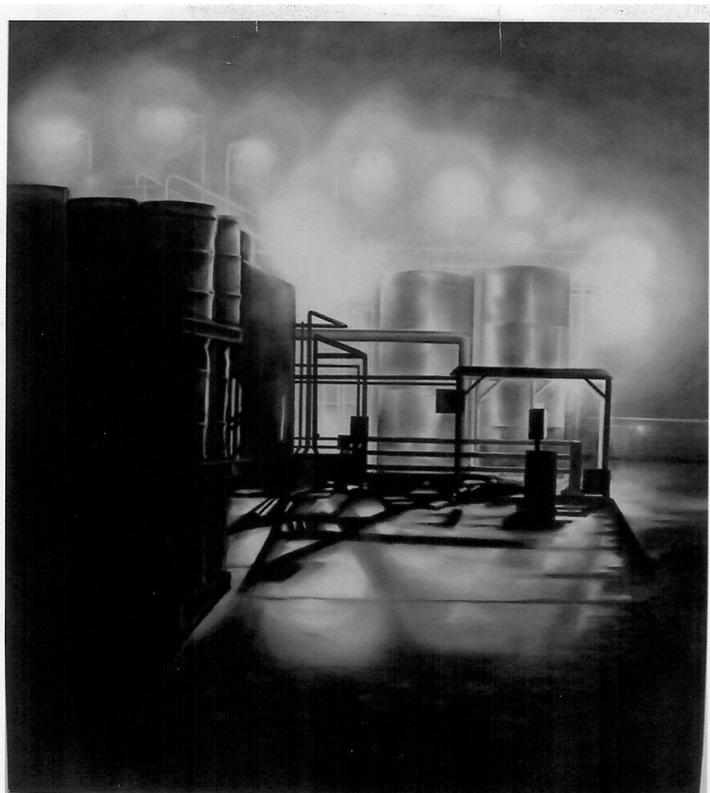
Catherine O'Donnell has held solo exhibitions at; Carriageworks, Tweed Regional Gallery & Margaret Olley Art Centre, Grafton Regional Gallery, Blacktown Art Centre, Murray Art Museum Albury, Penrith Regional Gallery, Shoalhaven Regional Gallery, and the National Art School. She also held a solo exhibition at the Pataka Museum in New Zealand as a part of the New Zealand International Arts Festival (2010). O'Donnell has been awarded the Gosford Art Prize (2020), Waverley Art Prize (2020), Terrence and Lynette Fern Cité Internationale des Arts Residency Fellowship (2017), Hazelhurst Art on Paper (2015), City of Hobart Art Prize (2011), and the Albury Art Prize (2009) where she was awarded first prize International Art Residency.

O'Donnell's works are acquired by notable collections around Australia and New Zealand; including the Art Gallery of New South Wales, Parliament House Art Collection, Artbank, Penrith Regional Gallery, Jacaranda Acquisitive Drawing Award Collection, Grafton Regional Gallery, Murray Art Museum Albury, Kedumba Collection of Contemporary Drawings, Pataka Museum in

Porirua in New Zealand, Blacktown City Council, Mosman Art Gallery, Museum of Brisbane, and numerous private collections.

Artist Statement

A&W Series #4 was produced as part of a larger body of work started in my final year at UWS. The suite of nine drawings in total were drawn from Albright and Wilson, a chemical manufacturer in western Sydney that still operates today. In this drawing, as with so many others at that time, it was the elusive quality of light that fascinated me. Light cast upon familiar forms, solitary and motionless, nestled within the darkness giving sombre and evocative images that merge into a whole.



Catherine O'Donnell, *A&W Series #4*, 2005, photo courtesy of the artist.

Purchase 6 and Donation 7

Tony Schwensen

After Ben Vautier

1990/2020

Acrylic mounted digital print

76 x 56 cm

Purchase Price: \$5,000

Tony Schwensen

Boogie Woogie (series of 9 works)

2017

Perspex laminated digital print

130 x 130 cm (each)

Biography

Tony Schwensen (now based in the U.S.) was a key figure in the '90s Sydney grunge movement and is known for his deadpan, conceptual works that address aspects of identity, masculinity and the suburban experience, as well the physical limits of the (unconditioned) body. As is typical of grunge, Schwensen's work of this period are characterised by a low-key, DIY aesthetic. The works in enamel paint on paper likewise demonstrate his preference for using materials at hand in ways that are direct, unaffected, and convey a sense of immediacy.

Artist Statement

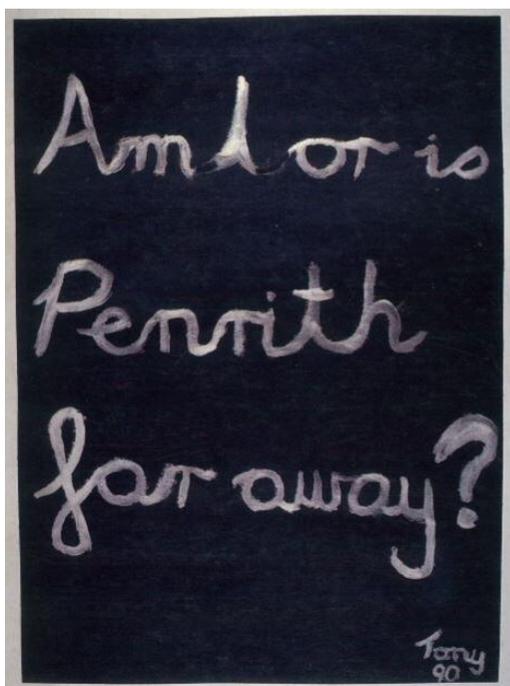
After Ben Vautier

Based on a work by Ben Vautier from the 1990 Biennale of Sydney entitled 'Am I or is Australia Far Away?' Understanding Western Sydney in 1990 was to Sydney what Australia was to Europe. A long way away and not in anyone's minds.

Boogie Woogie (series)

Victory Tour Boogie Woogie grew out of a colour mixing exercise where after marking a grid, colours are placed along the diagonal from upper left to lower right. Then using the squares of intersection above the diagonal, you mix the two colours together. Then using the squares of intersection below the diagonal, you mix the two colours together with white in a 1:1:2 ratio.

They are composed using this colour mixing exercise with the palette limited to RGB. I determined every possible combinational variant of RGB in multiples of six. Randomly selecting from the 100 plus pages of combinations, I would apply the mixing exercise. Each of these results in an 18x18 image. I then combine four of these into one 36x36 square.



Tony Schwensen, *After Ben Vautier*, 1990/2020. Photo courtesy of the artist.



Tony Schwensen, Boogie Woogie (installation view), 2017, photo courtesy of Sarah Cottier Gallery.

Donation 8

Savanhdary Vongpoothorn

Legs on Seeds

1992/2020

Casuarina seeds and banksia stems

300 x 300 cm

Biography

Born in Laos in 1971, Savanhdary Vongpoothorn came to Australia in 1979. She completed a Bachelor of Visual Arts at the University of Western Sydney and a Masters of Fine Arts at the University of New South Wales (COFA). She now lives and works in Canberra, Australia.

Vongpoothorn has undertaken numerous residencies, both in Australia and overseas including India, Japan, Laos, Scotland, Singapore, and Vietnam. In 2006 she was commissioned to create a major new work for Zones of Contact, the 15th Biennale of Sydney.

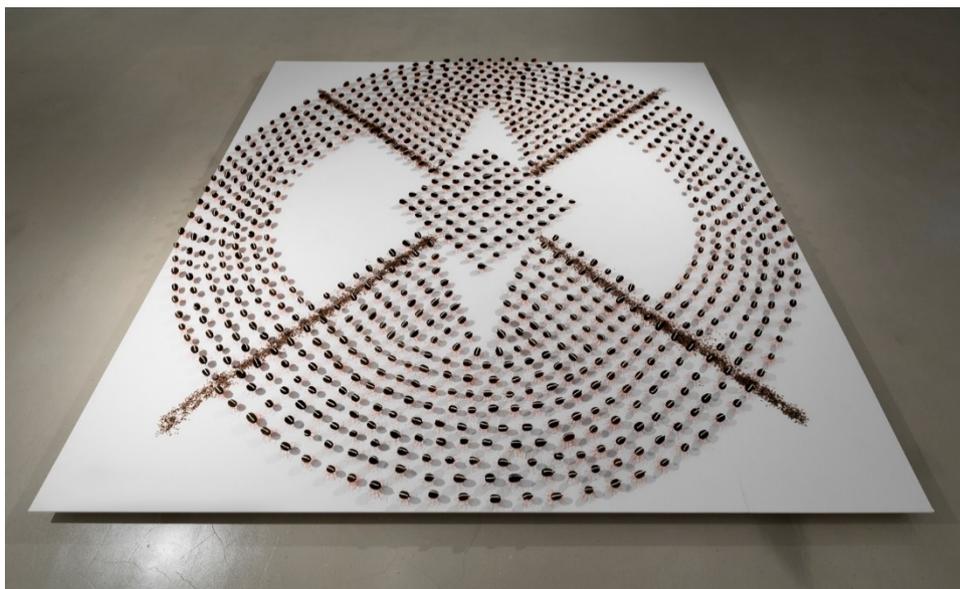
She was a finalist in the 2016 Sir John Sulman Prize and the 1998 Moët & Chandon Art Prize. Her work is included in important public collections including those of the National Gallery of Australia, Canberra; Queensland Art Gallery/GOMA, Brisbane; Art Gallery of New South Wales, Sydney; National Gallery of Victoria, Melbourne; the Australian National University Collection, Canberra and Artbank, as well as notable private and corporate collections including Macquarie Bank, Sydney; World Bank, New York; the Holmes à Court Collection, Perth; and the Allens Collection, Sydney.

Artist Statement

Legs on Seeds was inspired by a valuable lesson learnt at art school: anything can be art! With this sensibility, and the encouragement they had given us to 'play around', I set out on a bush walk one day to find some materials.

The bush in question was in Wedderburn in Western Sydney, where during my final year at art school I had occasionally worked in the studio of my friend Roy Jackson (1944 - 2013). I subsequently lived and worked there for the next eight years after my graduation.

Having left some casuarina pods drying in the sun, I was amazed to see the small bumps that cover the entire things open up and release hundreds of small, butterfly-like winged seeds. Excited by the idea of what seemed to me to be 'seeds within seeds', I was inspired to start playfully gluing the wiry styles from the banksia flowers into the cavities newly opened in the casuarina pods. This led to a kind of metamorphosis, whereby the seed pods became bodies and the styles, legs. The hooked ends of the styles even looked like feet, giving my creation the appearance of a new kind of insect, which I affectionately call my 'buggy'.



Savanhdary Vongpoothorn, *Legs on Seeds*, 1992/2020, installation view (*Space YZ* Campbelltown Arts Centre), photo: Silversalt Photography, courtesy of Campbelltown Arts Centre.

Donation 9

Paul White

Detour (selected parts only)

1999/2021

Mixed media and found objects

Dimensions variable

Biography

Paul White's art practice explores the everyday through pencil work on paper. He has an MFA (Art) from California Institute of the Arts and is a Samstag International Visual Arts Scholar. He has been awarded the Pollock-Krasner Grant, Metro Art Award and is a two time winner of the Muswellbrook Art Prize works on paper. He has been a finalist in many other art awards including the Fleurieu Art Prize, Hazelhurst Art Prize, Paul Guest Drawing Prize, Hobart City Art Prize, Fisher's Ghost Art Prize and National Works on Paper to name a few.

Artist Statement

Detour was originally produced and exhibited in 1999. It was made with various materials and found objects and was the first major work made after graduating from my Bachelor of Arts with Honours (University of Western Sydney). It was first exhibited at the project space Room 35 at Gitte Weise Gallery upstairs on Oxford St in Darlinghurst. The work was recreated in 2021 for the Space YZ exhibition held at Campbelltown Arts Centre.



Paul White, Detour (Selected parts), 1999/2021, installation view (Space YZ Campbelltown Arts Centre), photo: Lucy Parakhina, courtesy of Campbelltown Arts Centre.

Donation 10

Diego Bonetto

Weed Killer Pest Controller

2001/2020

Self-guided tour in an abandoned garden

Dimensions variable

Biography

Diego Bonetto grew up on a dairy farm in northern Italy when it was still common practice to collect the wild produce of the land. Springtime was all about dandelions, nettle and lovertin (hop bush young shoots), summer was about mulberries and blackberries, Autumn was the time of chestnuts, hazelnuts and a host of edible mushrooms.

When Bonetto moved to Australia in the mid 90s he spent many years working in orchards and garden centres. He soon learned that his knowledge was a rare practice in modern societies and sensed in the people around him a longing to rekindle their untapped connection to nature.

Bonetto then followed his passion for the arts and graduated with a Bachelor's degree. As part of a performance art class where he had the opportunity to make films, contribute to festivals and present his own unique artworks, he found the platform to highlight the misuse and waste of these 'weeds' by land managers. He saw many of the plants he valued being wasted.

As a contemporary artist some of Bonetto's exhibitions and commissions have included Foodfight (a C3West commission in partnership with the MCA and Liverpool Council, Sydney, 2016); The Rocks Windmill (2013, workshops and public sculpture); Wild Stories (two years of workshops and a solo show, Casula Powerhouse Art Centre, 2012); and State of the Arts (group exhibition, Italian Pavilion, Venice Biennale 2011).

Artist Statement

A key artwork that Bonetto produced in his second year (at art school, UWS) was *Weed Killer Pest Controller*, a self-guided tour of the weeds of Australia, staged in the abandoned Kingswood campus drive-in cinema. The artwork is now restaged as part of the Space YZ exhibition (held at Campbelltown Arts Centre in 2021) and it is arguably the genesis of what constitutes his full-time practice today. One thing that he learned in his years as an activist is that you need to focus. Find what you are concerned with and stick to it. There are so many amazing stories, all around us. The tools that he learned as a storyteller are now dedicated to plants – or more specifically – weeds, in an attempt to offset discrimination and short-sightedness.



Diego Bonetto, *Weed Killer Pest Controller*, 2001/2020, installation view (Space YZ Campbelltown Arts Centre), photo: Lucy Parakhina, courtesy of Campbelltown Arts Centre.

Donation 11

Ben Denham

Rewriting series

2002 - 2007

Multi-channel video with sound

Dimensions variable

Biography

Ben Denham grew up in the Blue Mountains and studied visual arts at the University of Western Sydney. He currently lives near the Cooks River, in Sydney's inner west.

Denham works with performance video and make machines that engage different parts of the body in the process drawing and writing.

In 2002 to 2003 Denham spent a year and a half in Mexico with the assistance of the Helen Lempriere Travelling Art Scholarship. He maintains strong connections to Mexican art and activist culture. He completed his doctorate in 2009; his thesis considered the relationship between art and neuroscience, with a particular focus on gesture and linguistic embodiment. He has a strong interest in the biological sciences and their relationship to art practice.

Denham has worked in web and media production, and as a cameraman and editor on a number of film projects.

Artist Statement

The Rewriting series of works began in 1999 when Denham was in second-year. He took an elective called Experimental Writing with lecturer Terry Hayes. He started doing automatic writing and writing in a cryptic way about his dreams when he was in first year in 1998. Terry's elective got me thinking about the performance of writing and its relationship to the body. The series continued into third-year, honours and my PhD work and was the grounding for Denham's work with drawing machines that he continues to this day.



Ben Denham, *Rewriting series*, 2002 – 2007, installation view (Space YZ Campbelltown Arts Centre), photo: Lucy Parakhina, courtesy Campbelltown Arts Centre.

Donation 12**Tim Hilton**

Flash (still)

1993

Print

50 x 75 cm

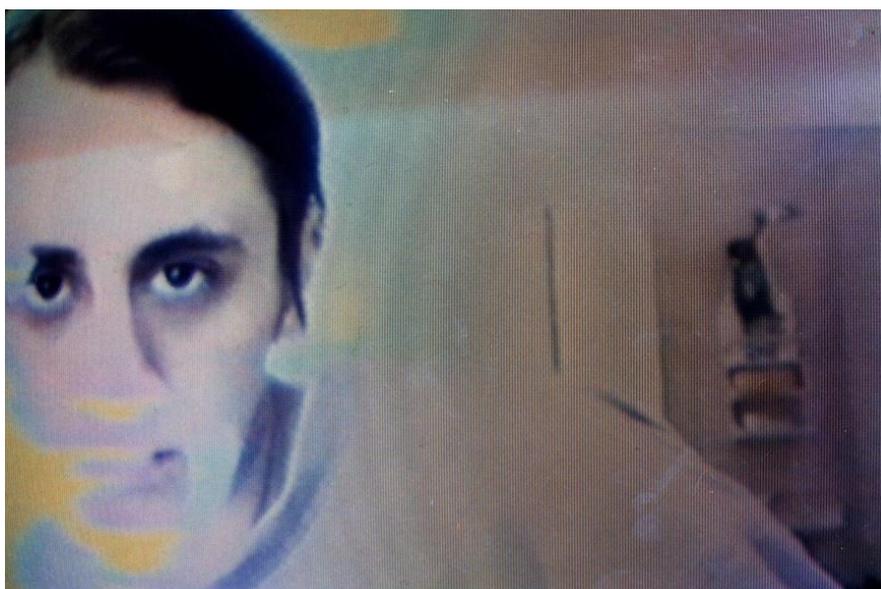
Biography

Tim Hilton (Ladonna Rama) produces campy techno and perverted pop. Her self-titled electronic debut from 2014 'embodies the avant pop of a pint-sized singing budgie on the edge of acceptability'. Described as 'music to wiggle the ding dongs', Ladonna's second album 'Unzip the Chick' appeared in 2016 with remixes by UK producer Hectic and Sydney DJ Matt Vaughan for house track 'I'm on a Mission', and dom anthem fan fave 'I'll Require Your Full Attention'. Early 2020 sees Ladonna on the verge of her third album release inspired by Tokyo. Sci-fi house number Zentai Suit spearheads the release with a video shot on a wet and lonely night in the back streets of a west Tokyo suburb.

Teetering between the performance art and queer club scenes, she's supported Peaches, Christeene, the Black Madonna and Chicks on Speed. She's collaborated with Glitta Militia, The Hoopaholics, Motel Sisters, Gang of She, the Naked Barber, Ben Drayton, Yiorgos Zafiriou, Aaron Manhattan and Bunny Hoop Star.

Artist Statement

The boy in the photo is posing in front of a mirror in the family bathroom in a new house in the Glenmore Park housing estate in 1993. Hilton was in his first year of Visual Arts at UWS. The image is a still from a video shot directly from a CRT TV screen during playback, hitting manual pause, creating a strong, gorgeous moiré effect. For the video, holding a detachable camera flash on a very fast setting, he's create random shapes in different domestic settings.



Tim Hilton, Flash (still), 1993, photo courtesy of the artist.

Donation 13**Robin Hungerford**

Mice

2004

Single channel video with sound, 20:12 minutes

Dimensions variable

Biography

Robin Hungerford is a Sydney based artist who works across the fields of video, sculpture and performance. He has a Bachelor of Fine Arts from the University of Western Sydney and Master of Visual Arts from Sydney College of the Arts. Hungerford is interested in ideas related to an understanding of the human condition; subjects of science, technology and mysticism are explored, subverted and reconfigured in unique and often comic forms in an attempt to highlight the hidden and paradoxical elements of existence. His work has been exhibited in venues across Australia including the Institute of Modern Art, Australian Experimental Art Foundation, Campbelltown Arts Centre and NextWave Festival.

Artist Statement

Filmed in Hungerford's parents garage in an empty fish tank with bits of foam core and balsa wood he was excited to see what the results would be since coming up with this idea which was part whim and part environmental influence from the local material sourcing opportunities; IKEA, Spotlight and his favourite pet shop, The Reptile Barn. He made a number of variations of these. At the time he was conceiving of this series in terms of providing a metaphorical vehicle for an anxiety riddled consumer culture reducing the fear of death (and domestic confinement) through interior decorating. Pretty edgy huh? Perhaps more than this though he was driven by this kinetic curiosity and desire to experiment in this somewhat unpredictable animated space.



Robin Hungerford, *Mice*, 2004, photo courtesy of the artist.

Donation 14**Anne Kay**

Picture Tree

1997 to 1998

Photographic transparency in glass mount, slide projector and box, plastic bags, wall bracket and infra-red motion sensor

Dimensions variable

Biography

Anne Kay is a Newcastle-based visual artist, currently working with drawing, photography and photomontage. She is a graduate of the Master of Fine Art program at California Institute of the Arts, supported by a Samstag International Travelling Scholarship. Her work has been exhibited in Australia since 1992 at artist-run-initiatives, contemporary artspaces, the Museum of Contemporary Art, Sydney, and overseas. Artist archive, a collaborative video work produced with Jane Polkinghorne was collected by the Museum of Contemporary Art, Sydney in 2006. Anne has also created art for public space, completing an interactive video installation for a major public art commission for a new Westpac building in Kent St, Sydney.

Artist Statement

Picture Tree evolved from a process of researching the flora of this other, earlier place by reading botanical texts, and visiting and photographing areas of remnant pre-settlement vegetation. The photographic image projected onto the surface of the plastic bag in this work (which came from a chance encounter with the collection of plastic bags in my studio), is of a 25m tall Blackbutt (*Eucalyptus pilularis*) in Ashfield Park, Sydney. According to a Royal Botanical Garden publication, its height and 10 m girth suggests that it is very old, and likely a remnant of the original growth in the area before European settlement.

The faded, washed-out image of this Eucalypt resonates with European influenced Australian landscape paintings, or with photographs from 1960-70s school geography books. These represented trees come with complex cultural baggage, which can colour or possibly determine an experience of nature. Perhaps the relationship that most urban dwellers have to native vegetation or 'the bush,' has much more to do with the way it is represented (to us, and for us), than with any direct experience of it.



Anne Kay, *Picture Tree*, 1997 - 1998, photo courtesy of the artist.

Donation 15

Telly Tuita

Cruise (series)

2003

Series of 6 photographic images

60 x 60 cm each

Biography

Telly Tuita was born in Tonga in 1980 and immigrated to Brisbane, Australia in 1989. In 2017, Tuita immigrated to Lyall Bay, Wellington, NZ. Telly has a Bachelor of Fine Art from Western Sydney University, a Bachelor of Art Education from the University of New South Wales, and a Masters in Special Education through the University of Sydney. Tuita has been a High School art teacher, a Special education teacher and an Assistant Principal at Green Square School primary school and community centre (2015 to 2017).

After working in education Tuita returned to art making, full time. Tuita's art practice encompasses painting, printmaking, sculpture, installation, photo media and performance. He has exhibited in exhibitions in Australia and New Zealand, and has work in the collection of the Ministry of Foreign Affairs.

Artist Statement

In these images, Tuita subvert the power balance by being both the exotic, youthful, adonis seductress as well as the engineer and dominant observer, gazing uninterrupted as events unfold from behind the camera. Unfazed by being watched, two figures go about their business while another person, unnoticed, voyeuristically peeks over the fence. (This figure was not noticed until after the images were produced). Most importantly, these images show the pivotal moment when he cast aside feelings of shame and guilt about my identity as both a gay and Tongan man.



Telly Tuita, *Cruise* (detail), 2003, photo courtesy of the artist.

Donation 16

Peter Fitzpatrick

Concrete Jungle

1986

Pigment prints, 13 parts

43.2 x 55.9 cm each

Biography

Peter Fitzpatrick, Australian photomedia artist presents scenarios constructed from observing the resilience of the human condition and the flux of existence.

Reminiscent of the diverse practices of Bill Brandt and Tuen Hocks, Fitzpatrick's work has often switched between the traditions of street photography and those of the artfully staged narrative Tableau.

Peter has a Masters of Fine Arts Research from the College of Fine Arts, University of New South Wales. His projects have received funding from Australia Council and Arts ACT.

Artist Statement

These images were captured at the Bradshaw building on Parramatta Road near Leichhardt in Sydney's inner west. They were for a photography project set by Graham Marchant during second year of Fitzpatrick's studies at Nepean College of Advance Education. The images were taken with a Rolleichord 6x6 camera on 'extended loan' from my brother Phil and some out of date Ilford HP5 film bought from L&P Photographics in North Sydney.

If fate had been different, these images could have been the very last photographs he had taken, as he nearly fell to my death through a hole in the floor in this building. He can still feel the sensation of the near miss.



Peter Fitzpatrick, *Concrete Jungle*, 1986, installation view, *Space YZ* at Campbelltown Arts Centre. Photo: Lucy Parakhina, courtesy of Campbelltown Arts Centre.

Donation 17 to 39

Nola Tegel

Through the Trees

Oil on board

61 x 61 cm

Nola Tegel

Campbelltown - Old and New II

Oil on unstretched canvas

30.5 x 40.5 cm

Nola Tegel

Campbelltown - The Historical Zone I

Oil on board

61 x 61 cm

Nola Tegel

Farmyard - Gregory Hills

Oil on board

61 x 91 cm

Nola Tegel

Cottages - Oxley Street

Oil on board

46 x 61 cm

Nola Tegel

Main Street Campbelltown

Oil on board

46 x 61 cm

Nola Tegel

Campbelltown from the Carpark

Oil on board

46 x 61 cm

Nola Tegel

Springtime Campbelltown... From the Carpark

Oil on board

46 x 61 cm

Nola Tegel

Sunday Morning

Oil on board

46 x 61 cm

Nola Tegel

Campbelltown Geometry

Oil on board

61 x 91 cm

Nola Tegel

Campbelltown - The Historical Zone II

Oil on board

61 x 91 cm

Nola Tegel

Campbelltown - Old and New III

Oil on board

61 x 61 cm

Nola Tegel

Country to City

Oil on board

61 x 72.5 cm

Nola Tegel

Emily Cottage

Oil on canvas

56 x 71 cm

Nola Tegel

Mawson Park

Watercolour on paper

41.5 x 28 cm

Nola Tegel

Smoky Haze - Blair Athol
Watercolour on paper
28.5 x 41 cm

Nola Tegel

Smoky Days at Blair Athol Cottage
Watercolour on paper
23.5 x 33 cm

Nola Tegel

Spotlight Plaza
Watercolour on paper
33 x 23.5 cm

Nola Tegel

Kenny Hill towards Campbelltown
Watercolour on paper
39 x 55 cm

Nola Tegel

Cottage - Lithgow Street
Oil on paper
23.5 x 33 cm

Biography

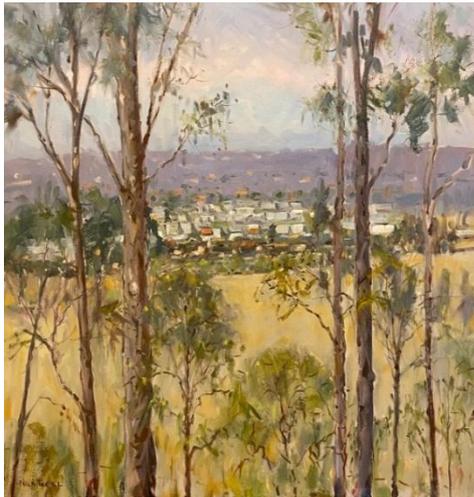
Nola Tegel's name has become synonymous with the creative landscape and history of the Macarthur region. While Camden based and regularly travelling to seek new landscapes to capture, Tegel originally attended Campbelltown High School (now Campbelltown Performing Arts High School).

From here, she has dedicated a lifetime to refining her arts practice, working for a time with Barbara Romalis in Wedderburn and later, a founding member of the Camden Art Group led by Alan D. Baker.

Artist Statement

In 2018, Tegel was privately commissioned to create 60 paintings for an exhibition and collection of works referencing the historical significance of Maryland Homestead – a historic home in Bringelly, built between 1820 and 1850. Following this, in 2020, Campbelltown Arts Centre commissioned Tegel to develop a series of paintings that capture glimpses of Campbelltown's history amongst an ever-changing landscape. Tegel's accomplished documentation of Campbelltown is softened by personal memory and captures the artist's attachment to familiar outlooks and awe of the growing community.

This newly commissioned series document the built environment and landscape of the Campbelltown CBD ahead of imminent growth and continuous change.



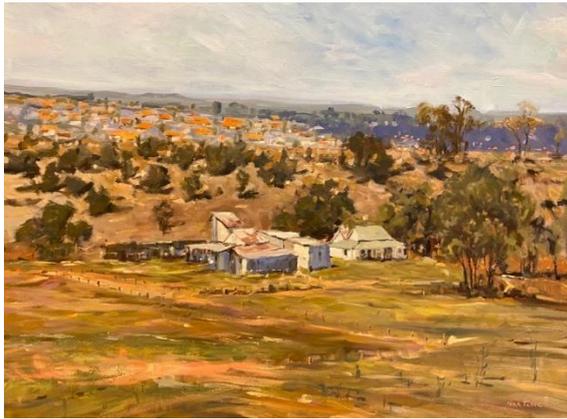
Nola Tegel, Through the Trees, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown - Old and New II, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown - The Historical Zone I, 2020, photo courtesy of the artist.



Nola Tegel, Farmyard - Gregory Hills, 2020, photo courtesy of the artist.



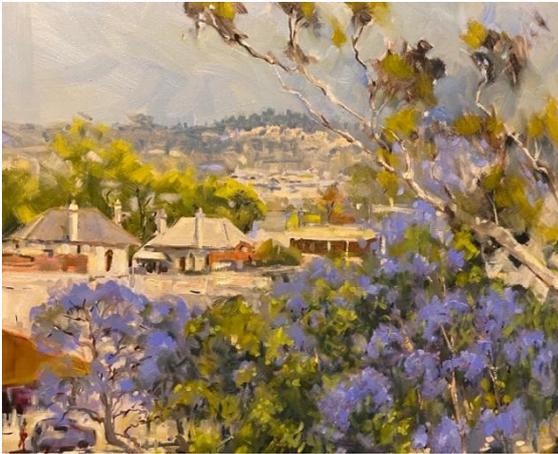
Nola Tegel, Cottages - Oxley Street, 2020, photo courtesy of the artist.



Nola Tegel, Main Street Campbelltown, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown from the carpark, 2020, photo courtesy of the artist.



Nola Tegel, Springtime Campbelltown... From the carpark, 2020, photo courtesy of the artist.



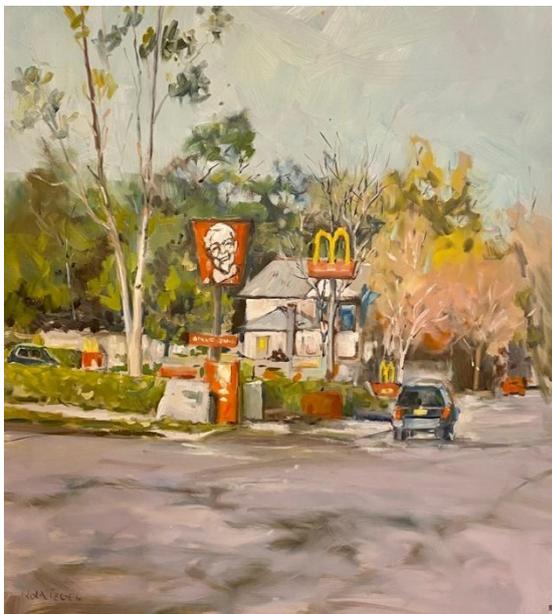
Nola Tegel, Sunday Morning, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown Geometry, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown - The Historical Zone II, 2020, photo courtesy of the artist.



Nola Tegel, Campbelltown - Old and New III, 2020, photo courtesy of the artist.



Nola Tegel, Country to City, 2020, photo courtesy of the artist.



Nola Tegel, Emily Cottage, 2020, photo courtesy of the artist.



Nola Tegel, Mawson Park, 2020, photo courtesy of the artist.



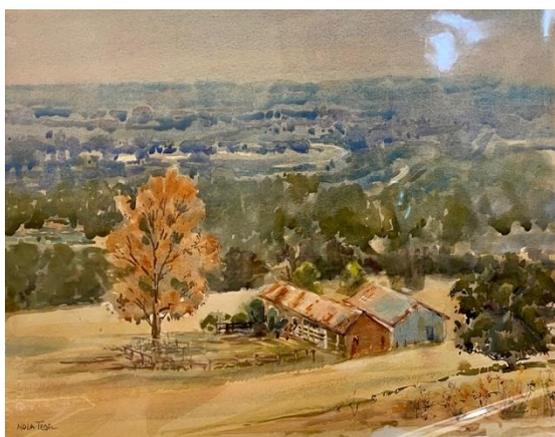
Nola Tegel, Smoky Haze - Blair Athol, 2020, photo courtesy of the artist.



Nola Tegel, Smoky Days at Blair Athol Cottage, 2020, photo courtesy of the artist.



Nola Tegel, Spotlight Plaza, 2020, photo courtesy of the artist.



Nola Tegel, Kenny Hill towards Campbelltown, 2020, photo courtesy of the artist.



Nola Tegel, Cottage - Lithgow Street, 2020, photo courtesy of the artist.

Donations 40 to 43

Claudia Nicholson

10/07/18

2018

Watercolour on paper

11 x 14.5 cm

Claudia Nicholson

11/07/18

2018

Watercolour on paper

11 x 14.5 cm

Claudia Nicholson

12/07/18

2018

Watercolour on paper

11 x 14.5 cm

Claudia Nicholson

13/07/18

2018

Watercolour on paper

11 x 14.5 cm

Biography

Nicholson's practice examines psychic and real connections to place through multidisciplinary forms of art making. Inherent in her work is a desire to connect to heritage through the incorporation of established modes of artisanal practice with her own, specifically practices local to Central and South America. The work she makes is a type of reverse erosion, an aggregation of symbols, experiences and cultural practices. Nicholson is interested in creating acts of collective remembrance, exploring the ways in which we navigate the complexities of identity in a post-colonial context.

Recent exhibitions include *The National Self-Portrait Prize*, UQ Art Museum, Brisbane, 2017; *Unfinished Business: Perspectives on art and feminism*, ACCA, Melbourne, 2017; *The National, Carriageworks*, Sydney, 2017; *The John Fries Award*, UNSW Galleries Sydney, 2017; *Me Time*, Canberra Contemporary Art Space, 2017; *Women Of Fairfield*, C3West in partnership with Powerhouse Youth Theatre, STARRTS and Museum of Contemporary Art, Sydney, 2016.

Artist Statement

In Nicholson's paintings she reconfigures colonial depictions of first contact in the Americas, embedding the work with folklore, pop cultural references and personal histories. Her practice is an ongoing attempt to situate herself in a history from which she is separate, but enamoured by.

Developed in residency at Campbelltown Arts Centre, this body of work examines two significant bodies of water; Minerva Pools and Lake Guatavita and considers Nicholson's proximity to these sights. Minerva Pools is a traditional Dharawal site for women and children in Dharawal National Park and Lake Guatavita in Bogotá, Colombia is a sacred place to the Muisca people of Colombia and is widely believed to be the location of the mythical place, El Dorado.

By referencing these 2 places together Nicholson is not attempting to compare their histories, rather connect them in order to honour a shared sense of loss and resilience in the face of ongoing colonisation.



Claudia Nicholson, 10/07/18, 11/07/18, 12/07/18 & 13/07/18, 2018, installation view, We are all connected to Campbelltown, Campbelltown Arts Centre. Photo: Document Photography, courtesy of Campbelltown Arts Centre.

Attachments

Nil

5.2 2021 Fisher's Ghost Art Award

Reporting Officer

Executive Manager Creative Life
City Growth

Officer's Recommendation

That the Campbelltown Arts Centre Strategic Committee discuss and review the proposed strategies for the 59th Fisher's Ghost Art Award to be held at Campbelltown Arts Centre in November 2021.

Committee's Recommendation

It was **Moved** Cr Oates, **Seconded** Mrs Long:

That the Campbelltown Arts Centre Strategic Committee discuss and review the proposed strategies for the 59th Fisher's Ghost Art Award to be held at Campbelltown Arts Centre in November 2021.

Purpose

To discuss and review the proposed strategies outlined in this report for the 59th Fisher's Ghost Art Award to be held at Campbelltown Arts Centre in November 2021.

History

The Fisher's Ghost Art Award is an annual art prize inviting artists to submit works in a variety of artistic categories and mediums. Now in its 59th year, with a total of \$36,000 in prize money to be won, the Open section is acquisitive to the Campbelltown City Council collection and is valued at \$25,000.

The Fisher's Ghost Art Award coincides with Campbelltown's annual Festival of Fisher's Ghost. Held over 10 days, the Festival dates back to 1956 and celebrates Australia's most famous ghost – Frederick Fisher.

Report

In 2020, several adjustments to the annual Fisher's Ghost Art Award were required in order to for the project to be delivered at its usual high standard while still observing the NSW Health restrictions that were in place at the time. Since reflecting on last year's Art Award, the below strategies are being proposed for implementation this year.

Strategy	Context	Reason for implementation
Campbelltown Arts Centre to seek a formal partnership with Artwork Transport to facilitate a Sydney CBD drop off/pick up point for the artwork of participating artists.	In 2020, Campbelltown Arts Centre engaged Artwork Transport to provide a drop off location in Sydney for finalists artworks in order to reduce unnecessary travel and reduce crowding on site at the Arts Centre during drop off/pick up periods.	By promoting this additional service to artists, Campbelltown Arts Centre received an overwhelmingly high number of entries and raised more revenue than has been previously seen in the awards history. Of 322 finalists across the main categories, 133 artists used the Sydney drop off/pick up service and the feedback regarding this service was overwhelmingly positive from both artists and staff alike.
Campbelltown Arts Centre to cease hosting the Sponsor's Cocktail Party but will support the Friends of Campbelltown Arts Centre to deliver their annual Christmas Party in the galleries during the Fisher's Ghost Art Award exhibition.	In recent years many of the sponsors of the Fisher's Ghost Art Award have chosen not to attend the Sponsor's Cocktail event, however, prefer to attend the opening night which comprises of the award presentations, photo opportunities and meet the award-winning artists. However, it is recognised that the Friends of Campbelltown Arts Centre have previously enjoyed the cocktail event.	In consideration that the majority of the sponsors of the Fisher's Ghost Art Award prefer to attend the opening event, it is recommended that the Sponsors cocktail party not proceed in 2021. In addition, the Arts Centre will support the Friends to deliver their annual Christmas party in the galleries during the exhibition.
Campbelltown Arts Centre will produce both a live stream option for the award presentations and a virtual tour experience.	A live stream award presentation and a virtual tour of the exhibition were produced by Campbelltown Arts Centre in 2020 in order to ensure the accessibility of these	While these processes were introduced as a means of contingency planning in 2020 due to the uncertainty, the results of these activities were overwhelmingly positive and

Strategy	Context	Reason for implementation
	experiences throughout the changing Covid-19 restrictions during this period.	<p>produced unexpected benefits. The live stream award announcement was streamed across multiple platforms and reached 15,032 views.</p> <p>This high level of engagement and interaction is not possible solely through the in-person presentation. Very positive feedback was received from artists, who in many cases, were able to have their family and friends from afar be included in these proceedings for the first time. The inclusion of the virtual exhibition tour also saw a high level of engagement with a total of 1861 visits. There was also a significant increase in artwork sales with buyers able to lodge their sale enquiry with Campbelltown Arts Centre directly through the virtual tour.</p>

Attachments

Nil

6. GENERAL BUSINESS

6.1 Letter of thanks

It was **Moved** Councillor Oates, **Seconded** Ms Grasso:

As the last Campbelltown Arts Centre Strategic Committee meeting with the current Committee, Council is to provide letters of thanks to Committee members for fostering the purpose and direction of the Campbelltown Arts Centre through their knowledge, interest and support of the Campbelltown Arts Centre Strategic Committee over the past 5 years.

Councillor M Oates

Chairperson

Meeting Concluded: 6.40pm

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Lease of Council Property - St Andrews

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

-

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

