



**CAMPBELLTOWN**  
CITY COUNCIL

# **ORDINARY BUSINESS PAPER**

**6 JUNE 2023**

## 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	





30 May 2023

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 6 June 2023 at 6:30 pm.

Lindy Deitz  
General Manager

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## **1. WELCOME**

Welcome to the meeting of Campbelltown City Council.

### **1.1 ACKNOWLEDGEMENT OF COUNTRY**

I would like to 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.

### **1.2 COUNCIL PRAYER**

Almighty God, we who are gathered in Council, pledge ourselves to work in harmony for the welfare and development of our City. Guide us we pray in our deliberations. Help us to be fair in our judgements and wise in our actions, so that prosperity and happiness shall be the lot of our people. Amen.

### **1.3 DISCLAIMER**

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## **2. APOLOGIES/LEAVE OF ABSENCE**

Nil at time of print.

### **3. CONFIRMATION OF MINUTES**

#### **3.1 Minutes of the Ordinary Meeting of Council held 9 May 2023**

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##### **Officer's Recommendation**

That the Minutes of the Ordinary Meeting of Council held 9 May 2023, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 9 May 2023 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 9 May 2023 (contained within this report)

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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 9 May 2023.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 May 2023**

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**Present**           The Mayor, Councillor G Greiss  
                          Councillor G Brticevic  
                          Councillor J Chew  
                          Councillor M Chivers  
                          Councillor M Chowdhury  
                          Councillor J Cotter  
                          Councillor M George  
                          Councillor K Hunt  
                          Councillor M Khalil  
                          Councillor D Lound  
                          Councillor R Manoto  
                          Councillor W Morrison  
                          Councillor R Munro  
                          Councillor M Oates  
                          Councillor M Stellino

**1.      ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2.      APOLOGIES/LEAVE OF ABSENCE**

Nil

**3.      CONFIRMATION OF MINUTES****3.1    Minutes of the Ordinary Meeting of Council held 11 April 2023**

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

That the Minutes of the Ordinary Council Meeting held 11 April 2023, copies of which have been circulated to each Councillor, be taken as read and confirmed with minor typographical amendments referenced by Councillor Hunt.

**085/2023**    The Motion on being Put was **CARRIED**.

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### **3.2 Minutes of the Extraordinary Meeting of Council held 18 April 2023**

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

That the Minutes of the Extraordinary Council Meeting held 18 April 2023, copies of which have been circulated to each Councillor, be taken as read and confirmed.

**086/2023** The Motion on being Put was **CARRIED**.

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## **4. DECLARATIONS OF INTEREST**

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

### **Pecuniary Interests**

Nil

### **Non Pecuniary – Significant Interests**

Councillor George Brticevic

Item 8.1 – Draft Site Specific Development Control Plan – Macarthur Gardens North.

Item 8.2 – Planning Proposal – Varroville

Councillor Brticevic advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber

Councillor Masood Chowdhury

Item 8.1 – Draft Site Specific Development Control Plan – Macarthur Gardens North.

Item 8.2 – Planning Proposal – Varroville

Councillor Chowdhury advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber

Councillor Josh Cotter

Item 8.2 – Planning Proposal – Varroville

Councillor Josh Cotter advised he has worked for the Catholic Education Office Wollongong for the past 10 years

Councillor Karen Hunt

Item 8.1 – Draft Site Specific Development Control Plan – Macarthur Gardens North.

Item 8.2 – Planning Proposal – Varroville

Councillor Hunt advised she is a member of the Sydney Western City Planning Panel and will leave the Chamber



## Non Pecuniary – Less than Significant Interests

Councillor George Brticevic

Item 8.8 – Road Naming Proposal – 'Oxford Gardens', Ingleburn

Councillor Brticevic advised he has an associate that lives in the area

## Other Disclosures

Nil

## 5. MAYORAL MINUTE

### 5.1 Strengthening Our Protocols

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It was **Moved** Councillor Greiss:

That the information be noted

**087/2023** The Motion on being Put was **CARRIED**.

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### 5.2 Emergency Services Levy Cost Shifting

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It was **Moved** Councillor Greiss:

That the information be noted.

**088/2023** The Motion on being Put was **CARRIED**.

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## 6. PETITIONS

**Meeting Note:** The Mayor provided the opportunity for the speakers that have registered to address the Council to speak. Ryan Smith addressed the Council.

### 6.1 Petition to Investigate Books Available in the Campbelltown City Council Library collection

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

That the petition be received and the Head Petitioner be advised of the investigation undertaken and comment below.

**089/2023** The Motion on being Put was **CARRIED**.

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## 7. CORRESPONDENCE

Nil

## 8. REPORTS FROM OFFICERS

**Meeting Note:** Having declared an interest in Item 8.1 Councillor Brticevic, Councillor Chowdhury, and Councillor Hunt left the Chamber at 6:47 pm and did not take part in the discussion or vote on the matter.

### 8.1 Draft Site Specific Development Control Plan - Macarthur Gardens North

---

It was **Moved** Councillor Khalil, **Seconded** Councillor Chew:

1. That Council endorse the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) which seeks to add Part 16 to Volume 2 for Macarthur Gardens North, as shown in attachment 1 to this report, subject to clause 4.2.12 being amended to clarify 'appendix 12 of Volume 1 of the SCDCP'
2. That should Council receive any submissions during the public exhibition period objecting to the draft amendment a further report be provided to Council.
3. That where Council receives no submissions objecting to the draft amendment the amendments be formally adopted and notified in accordance with the Environmental Planning and Assessment Regulation 2021.

A Division was recorded in regard to the Resolution for Item 8.1 with those voting for the Motion being Councillors G Greiss, D Lound, R Manoto, M Oates, W Morrison, M Khalil, M Stellino, J Cotter, M Chivers, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

**090/2023** The Motion on being Put was **CARRIED**.

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**Meeting Note:** Having declared an interest in Item 8.2 Councillor Cotter left the Chamber at 6:52 pm. and did not take part in the discussion or vote on the matter.

**Meeting Note:** The Mayor provided the opportunity for the speakers that have registered to address the Council to speak. Wayne Camenzuli on behalf of the applicant addressed the Council.

## 8.2 Planning Proposal - Varroville

---

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

1. That Council support the Planning Proposal (PP) at attachment 5 to amend the minimum lot size map to facilitate the future creation of 4 lots ranging in size from 3.626 ha to 124.061 ha at Spitfire Drive and St Andrews Road, Varroville and forward it to the Department of Planning and Environment (DPE) for Gateway determination.
2. That should a positive Gateway Determination be received, the PP proceed to public exhibition.
3. That following the public exhibition either:
  - a) Where submissions of objection are received a further report be presented to Council on those submissions, or
  - b) Where no submissions of objections are received during the public exhibition period, the PP be finalised.
4. The NSW Department of Planning and Environment be requested to issue authority to the General Manager to exercise plan making delegations.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Greiss, D Lound, R Manoto, M Oates, W Morrison, M Khalil, M Stellino, M Chivers, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

**091/2023** The Motion on being Put was **CARRIED**.

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**Meeting Note:** At the conclusion of the discussion regarding Item 8.1 and Item 8.2 Councillor Chowdhury, Councillor Hunt and Councillor Cotter returned to the Chamber at 6:58pm. Councillor Brticevic remained absent from the Chamber.

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### 8.3 Significant Development Applications

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

That the information be noted.

**092/2023** The Motion on being Put was **CARRIED**.

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### 8.4 Implementation of Grey Headed Flying Fox Camp Management Plans

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

1. That the key actions delivered as part of GHFF Camp Management Plans at Campbelltown and Bingara Reserve (Macquarie Fields) are noted.

**093/2023** The Motion on being Put was **CARRIED**.

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### 8.5 Outcomes of Trial Grey Headed Flying Fox Residential Assistance Program

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

1. That the trial Residential Assistance Program be extended to further rounds for impacted residents until the current funding allocation is fully expended.
2. That Council considers future funding rounds under the GHFF Residential Assistance Program when suitable external grant funding becomes available.

**094/2023** The Motion on being Put was **CARRIED**.

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### 8.6 Minutes of the Youth Advisory Committee Meeting held 20 September 2022

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It was **Moved** Councillor Cotter, **Seconded** Councillor Khalil:

That the minutes of the Youth Advisory Committee held 20 September 2022 be adopted.

**095/2023** The Motion on being Put was **CARRIED**.

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## 8.7 Minutes of the Campbelltown Multicultural Communities Advisory Committee Report

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It was **Moved** Councillor Khalil, **Seconded** Councillor Stellino:

That the minutes of the Extraordinary Campbelltown Multicultural Communities Advisory Committee held 7 February 2023 be noted.

**096/2023** The Motion on being Put was **CARRIED**.

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## PROCEDURAL MOTION

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

That Item 8.8 be brought forward to be considered after Item 8.2

**097/2023** The Motion on being Put was **CARRIED**.

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## 8.8 Road Naming Proposal - 'Oxford Gardens', Ingleburn

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

1. That Council approve the proposed road names listed in Attachments 2 or 3 to this report for use within the new subdivision of *Oxford Gardens*, Ingleburn.
2. That Council approve names not chosen for this development in Attachments 2 or 3 to name future roads within Council's LGA.
3. That Council advertise its proposal to use these road names on Council's *OverToYou* website for a period of 28 days and notify the authorities prescribed by the Roads Regulation 2018.
4. That should no reasonable objections to the proposed road names be received during the exhibition period, Council request GNB publish notice of these new road names in the NSW Government Gazette.

**098/2023** The Motion on being Put was **CARRIED**.

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**Meeting Note:** At the conclusion of the discussion regarding Item 8.8 Councillor Brticevic returned to the Chamber at 7.01pm.

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## 8.9 Road Naming Proposal - Rosemeadow

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

1. That Council approve the proposed road names listed in this report for use within a new residential development in Rosemeadow.
2. That Council advertise its proposal to use these road names on Council's OverToYou website for a period of 28 days and notify the authorities prescribed by the Roads Regulation 2018.
3. That should no reasonable objections to the proposed road name be received during the exhibition period, Council request GNB publish notice of these new road names in the NSW Government Gazette.

**099/2023** The Motion on being Put was **CARRIED**.

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## 8.10 Investments and Revenue Report - March 2023

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

That the information be noted.

**100/2023** The Motion on being Put was **CARRIED**.

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## 8.11 Reports and Letters Requested

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It was **Moved** Councillor Munro, **Seconded** Councillor Stellino:

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

**101/2023** The Motion on being Put was **CARRIED**.

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## 8.12 Payment of Wages and Salaries Policy

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

That the Payment of Wages and Salaries Policy as attached to this report be rescinded.

**102/2023** The Motion on being Put was **CARRIED**.

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## 8.13 Asset Disposal Policy review

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

1. That the revised Asset Disposal Policy as attached to this report be adopted.
2. That the Assets Disposal Policy review date be set at 30 June 2028.

**103/2023** The Motion on being Put was **CARRIED**.

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## 8.14 Quarterly Business Review Statement as at 31 March 2023

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

That the adjustments recommended in the Quarterly Business Review be adopted.

**104/2023** The Motion on being Put was **CARRIED**.

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## 8.15 Campbelltown Local Environmental Plan 2015 (CLEP 2015) update

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

That Council note the current status and the next steps to review the Campbelltown Local Environmental Plan 2015 (CLEP2015) for the Campbelltown City Centre.

**105/2023** The Motion on being Put was **CARRIED**.

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Waterway Health in the Georges and Nepean River Catchments

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

1. That Council further investigate opportunities to monitor and improve water quality and waterway health in the Georges and Nepean River catchments.
2. That the investigation includes funding opportunities to monitor and improve water quality and waterway health in the Georges and Nepean River catchments within the Campbelltown LGA.
3. That a future Council briefing is provided to councillors detailing the outcomes of the investigation detailing the causes and possible solutions to reduced water flow and quality.

**106/2023** The Motion on being Put was **CARRIED**.

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### 11.2 Customer Experience

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It was **Moved** Councillor Chew, **Seconded** Councillor Stellino:

1. That Council further investigate opportunities for enhancing measurement of customer experience.
2. That a report to Council detailing the outcomes and recommendation for customer experience metrics.

**107/2023** The Motion on being Put was **CARRIED**.

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## **12. URGENT GENERAL BUSINESS**

## **13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Darcy Lound attended the Macarthur Football Club medal night, as Chairman of Macarthur Football Association. Congratulations to Chairman Gino Marra, all the Bull's coaching staff and players, they had a great start to the season winning the first trophy, the Australia Cup, however unfortunately finished down the bottom of the ladder after a difficult season. There was a very positive mood in the room and hope the team will bounce back and have a great season next year.
2. Councillor Darcy Lound emceed the Autism Challenge Day held at Minto Mall. The Autism's challenge was to raise funds to donate to Bravery Buddies. Bravery Buddies purchase dolls for children suffering illness. The Autism Challenge Day raised enough funds needed for 100 companion dolls for the children. Councillor Lound would like to Acknowledge the director of Bravery Buddies Tegan for her commitment and effort, and also Julie, Belinda, Chelle and little Bella who kicked off the morning by having their head shaved for charity. Councillor Darcy Lound thanked Liz for hairspraying his hair many different colours as part of the event to support the two great charities, Austism Challenge and Bravery Buddies doing a great job raising funds.
3. Councillor Darcy Lound congratulated Mayor George Greiss for receiving his PHD in Geography and Urban Planning. Outstanding achievement.
4. Councillor Karen Hunt attended the Songkran Buddhist New Year, hosted at Leumeah Buddhist Temple on 16 April 2023 under the guidance of Victor Voe along with Councillor Masood Chowdhury, Councillor Masud Khalil, Councillor Riley Munro and the Thai Consul General. The food stalls were popular with all who attended, and it was a great day.
5. Councillor Karen Hunt attended the Appin Massacre Flag Raising Ceremony held at Campbelltown Council Civic Centre to honour those who lost their lives in the massacre.
6. Councillor Karen Hunt on Sunday 7 May 2023 attended the Childrens Multicultural Festival annual event under the guidance of local resident Brian Laul and was joined by all Macarthur MP's and many councillors. The attendance of local residents is testament to how popular festival is for acknowledging the children. There was a parade of flags with 45 of the 69 nations that reside in our LGA. A great day was had by all.
7. Councillor Masood Chowdhury on 30 April 2023 celebrated with the Afghan Community, Mr Greg Warren MP, Councillor Masud Khalil and many community members at the Nowruz and Eid festiveal held at Minto Sports Centre. They were celebrating the Afghan New Year. More than 300 million people all over the world celebrate Nowruz New Year. This celebration has been observed for over 3000 years by different religions.
8. Councillor Masood Chowdhury on 12 April attended the Campbelltown City Council Mayor Iftar Dinner. Councillor Masood Chowdhury gave thanks to the Mayor George Greiss and thank you to Amanda for organising this event which has been running since 2017. Great event for the local community.

9. Councillor Masood Chowdhury on 15 April 2023 celebrated along with other communities at the Ramadan Q festival. This is another great event organised by the Council. Over 10,000 people turned out for a variety of food stalls. Thank you to all council staff, the Director City Lifestyles, the Director Governance and Mayor George Greiss.
10. Councillor Rey Manoto on 6 May 2023 represented your worship at the 20<sup>th</sup> anniversary of the Mothers Day Tribute to mothers held at Campbelltown Catholic Club and organised by the Campbelltown and Region Filipino Community Council Inc (CRFCC). In attendance was the Philippine Consul General Honourable Charmaine Aviquivil and Mr Greg Warren MP. Councillor Rey Manoto congratulated Mr Greg Warren MP for his appointment as Parliamentary Secretary of the NSW Parliament for Western Sydney, Education and for Deputy Minister. Councillor Rey Manoto wished all mothers a Happy Mother's day.
11. Councillor Rey Manoto together with Councillor Karen Hunt participated in the Wild Koala Community Native Tree Planting day at Cook Reserve in Ruse on Sunday 7 May 2023. Despite the rain, and wearing ponchos and raincoats, 25 Campbelltown residents planted approximately 500 seedlings in the first one hour time slot starting at 10.00am and ending at 3.00pm. Councillor Rey Manoto commended bush care officers, Michael Ellison and Miriam Skerra of the bush care team. They always do a fantastic job with every tree planting event. It was great to see Debbie Evans-Clark, wildlife carer with Sydney Wildlife and Cathy O'Connor who are this year's Environmental Citizens of the Year, 2023. Also it was great to meet Ms Xuela Sledge, Koala Officer of Greater Sydney Landcare, our Council's partner for Koala Habitat Tree Planting event. In other time slots students from St Patrick's College and some players from West Tigers joined the tree planting program. Study shows 1 person needs oxygen from 8 trees per year. Councillor Rey Manoto encourages us to plant 8 tree seedlings a year.
12. Councillor Meg Oates represented the Mayor George Greiss at the launch of the program the Little Blue Dinosaur. Michelle McLaughlin is the founder of the Little Blue Dinosaur, her son was tragically killed after stepping out onto the road while on holiday. On average 1 child per week is killed on our roads. This partnership that Council has undertaken with this foundation is an education and research program. 10 local childcare and early learning centres will have a sign saying 'Hold My Hand' placed out the front, reminding everyone to hold their children's hand up until the age of 10 as the children do not see the danger. Little Blue Dinosaur is a nationwide program and we as a Council are proud to establish and support this program.
13. Councillor Meg Oates attended the Artist Exchange markets held in arts centre last weekend. Over 48 different artists and creators displayed and sold their goods. Their goods are an example of their amazing talent. These people not only use art as a means of income but also as a means of wellbeing, health and engaging the community. 500 people came to the market which takes place twice a year and this has been the biggest and most successful market to date. Congratulations to the staff at the arts centre for organising the event. Councillor Oates encourages everyone to get involved.
14. Councillor Warren Morrisson Congratulated The Honourable Chris Minns MP for being elected Premier of NSW and the new local member appointments, Member for Macquarie Fields Anoulack Chanthivong, Member for Campbelltown Greg Warren, Member for Camden Sally Quinnell, and the Member for Wollondilly Judith Hannan, Member for the new seat in Leppington Nathan Hagarty. Councillor Warren Morrison

thanked our federal member The Honourable Mike Freeland, as well as the Mayor George Greiss, Councillor Josh Cotter, Councillor Masood Chowdhury, Councillor Masud Khalil, Councillor Karen Hunt and Councillor John Chew for representing our residents at the Macarthur Multicultural Childrens Festival on Sunday 7 May 2023. Congratulations to Brian Laul, Citizen of the Year, his family and the team of volunteers for this exceptional multicultural event held at Koshigya park. This event has taken place in Sydney and Bankstown for over 25 years. Councillor Warren Morrison and the late Councillor Fred Borg discussed bringing this event to Campbelltown and to see it taking place was fantastic. Thank you to council staff and everyone who attended.

15. Councillor Warren Morrison attended the ANZAC Day Memorial along with Mayor George Greiss, Councillor Josh Cotter, Councillor Karen Hunt, Councillor Masood Chowdhury, Councillor Masud Khalil, Councillor John Chew and Councillor Riley Munro. Thank you to all the organisers, staff and local schools for a wonderful ceremony. This was a very well attended local community ceremony.
16. Councillor Warren Morrison thanked the Multicultural Committee lead by Councillor Masud Khalil, and the director of City Lifestyles Scott Grant, Trina Soulos and council staff for all the events taking place over the past month. He also thanked Councillor Josh Cotter with the Youth Advisory Committee for organising and supporting the numerous Multicultural Events.
17. Councillor Masud Khalil, on 26 April 2023 attended Minto Primary school representing Mayor George Greiss and was joined by The Honorable Mike Freeland for the ANZAC Day ceremony. The ceremony started with the Australian and New Zealand national anthems. Councillor Masud Khalil observed the spirit of ANZAC reflected through the children's speeches and their art works.
18. Councillor Masud Khalil as the chair of the Multicultural Committee was privileged to attend Songkran Buddhist New Years event along with Councillor Karen Hunt, Councillor Riley Munro, and Councillor Masood Chowdhury.
19. Councillor Masud Khalil attended Ramadan Q Festival along with Councillor Riley Munro. Councillor Masud Khalil acknowledged all the hard work and effort of the staff in organising and running this festival. He also acknowledged the amount of Multicultural Festivities taking place under Mayor George Greiss.
20. Councillor Masud Khalil on 22 April 2023 celebrated with all Muslims in the LGA, Eid Al Fitr. Councillor Khalil attended Eid Al Fitr prayers at Minto alongside Councillor Masood Chowdhury.
21. Councillor Masud Khalil on 30 April 2023 attended the Macarthur State General conference of the church of Jesus Christ of Latter Day Saints with Councillor John Chew and Mr Greg Warren MP. It was pleasing to see so many young people engaging with their community. Thanks to president Lawrence Sasulu.
22. Councillor Masud Khalil on 7 May 2023 attended the Multicultural Kids Festival. Mayor George Greiss, Councillor John Chew, Councillor Masood Chowdhury, Councillor Karen Hunt, Councillor Darcy Lound, Councillor Josh Cotter and Councillor Warren Morrison were also in attendance. 65 Countries were represented. The slogan 'We are One, but we are Many, We are Australian' inspired Councillor Khalil. The festival was colourful,

- engaging, and created harmony in our society. Councillor Masud Khalil expressed his wish that Council continue to facilitate the event.
23. Councillor Josh Cotter attended the Anzac Day Dawn Service on 25 April 2023 at Mawson Park Campbelltown. There was an amazing turnout, the biggest he has ever seen.
  24. Councillor Josh Cotter attended the 15<sup>th</sup> Youth excellence awards with Mayor George Greiss. Young people were acknowledged for their hard work and dedication in many different fields. Councillor Josh Cotter, winner of the Youth Ambassador Award 10 years ago, had the honour of handing out the Community Service and Leadership Award. Students from Councillor Josh Cotter's former school, John Terry Catholic School were acknowledged for their hard work and dedication. Councillor Josh Cotter congratulated Roxanne Price from Broughton Anglican College who was awarded Youth Ambassador for 2023.
  25. Councillor Josh Cotter also acknowledged the Multicultural Kids Festival and although it was not run by Council, it was supported by Campbelltown City Council and hopes the support will continue into the future.
  26. Councillor Marian George attended the Mater Dei Lipstick Luncheon, at the Campbelltown Cube along with General Manager Lindy Deitz and Director of City Futures Rebecca Grasso. It was a great event with performances by the kids from the school and comedian Arj Barker. The event raised just over \$97,000 for the school which not only caters for school aged children, but for babies and young adults with intellectual disabilities. Great day was had by all.
  27. Councillor John Chew on 3 May 2023 represented Mayor George Greiss by attending the Hoxton Industries Open Day barbeque and tour. Councillor Chew toured the Macarthur Return and Earn and Ewaste recycling facility at Minto, where important works such as container unloading, cosmetic packaging, and co-packing are undertaken. Hoxton Industries provide meaningful employment to more than 100 people who face barriers to main stream employment including people living with disabilities. Councillor John Chew commended Hoxton Industries for their efforts and passion in that space and expressed thanks for the invitation.
  28. Councillor Riley Munro on 15 April 2023 attended a Masquarade Ball at the Campbelltown Catholic Club fundraising for Escabags, he was joined by Director Scott Grant and members of his team. Escobags provides packs for individuals escaping Domestic Violence. These packs contain essential items most likely not acquired while fleeing their home. Great to see the strong support from businesses and community members for Escabags.
  29. Councillor Riley Munro also attended the Ramadan Night Markets on 15 April 2023 with Director Scott Grant and Executive Manager Trina Soulos. Great event funded by Multicultural NSW and delivered by Council staff. Congratulations to Council staff for delivering such a successful event.
  30. Councillor Riley Munro on 6 May 2023 attended the HJ Daley Library as council celebrated Free Comic Book Day. A significant number of people attended, especially compared to previous years where Covid heavily reduced numbers. Former Councillor

Ben Gilholme was one of the judges for the cosplay competition. Congratulations to library staff for delivering such a wonderful event.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

### Confidentiality Recommendation

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1 and 14.2 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

#### **Item 14.1 Surrender of Lease - Council Property**

Item 14.1 is confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act 1993* as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **Item 14.2 Proposed Lease of Commercial Property**

Item 14.2 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.

**108/2023** The Motion on being Put was **CARRIED**.

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**The Ordinary Meeting of Council was adjourned at 8.39pm and reconvened as a meeting of the Confidential Committee at 8.40pm.**

## Recommendations of the Confidential Committee

### 14.1 Surrender of Lease - Council Property

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It was **Moved** Councillor Munro, **Seconded** Councillor Khalil:

1. That Council approve the surrender of lease on Council property on terms set out in this Council paper.
2. That approval is granted for all and any documentation associated with the surrender of lease be signed by way of delegated authority under Section 377 of the Local Government Act 1993.

**109/2023** The Motion on being Put was **CARRIED**.

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### 14.2 Proposed Lease of Commercial Property

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

That the Council

1. endorse the proposed terms and conditions for the lease of the property noted within this report; and
2. authorise the General Manager to finalise negotiations and enter into a lease for the subject property by way of delegated authority under S377 of the Local Government Act 1993.

**110/2023** The Motion on being Put was **CARRIED**.

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It was **Moved** Councillor Munro, **Seconded** Councillor Chew:

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

**111/2023** The Motion on being Put was **CARRIED**.

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.47pm**

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

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

**112/2023** The Motion on being Put was **CARRIED**.

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There being no further business the meeting closed at 8.49pm.

Confirmed by Council on

..... General Manager ..... Chairperson

#### **4. STATEMENT OF ETHICAL OBLIGATIONS AND DECLARATIONS OF INTEREST**

##### **Statement of Ethical Obligations**

Statement of Ethical Obligations In accordance with section 233A of the Local Government Act 1993, the Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Campbelltown and the Campbelltown City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

##### **Declarations of Interest**

###### **Pecuniary Interests**

###### **Non Pecuniary – Significant Interests**

###### **Non Pecuniary – Less than Significant Interests**

###### **Other Disclosures**



## 5. MAYORAL MINUTE

### 5.1 Future Cities - Campbelltown

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#### Recommendation

That the information be noted.

#### **Future Cities – Campbelltown**

Firstly, I would like to start by acknowledging the work of the Committee for Sydney in organising, hosting and delivering a Future Cities – Campbelltown forum in Campbelltown on Friday 19 May 2023.

The Forum was attended by over 200 government agency, Ministerial and industry representatives. The forum included several panel discussions on connecting Campbelltown, community resilience, workplaces of the future, creative future in focus and a keynote from the Hon. Paul Scully, Minister for Planning and Public Spaces.

As I have spoken previously, we are committed to authentic community engagement, and we are now finalising our schedule for the next phase engagement plan which will include a youth forum and community town hall meetings.

While the Committee for Sydney forum was an independent event conducted by an external committee, the thought, ideas and aspirations shared during the day complemented our community's views and aspirations that we heard from our first engagement event "Our Shared Future Forum" in March.

I took the opportunity to address the room to assure everyone, including the NSW Government that Campbelltown welcomes high-density growth but warned that any housing density without the supporting job and infrastructure is a form of "vertical sprawl".

Below is the substantive extract of my address:

#### **The City Made by God**

If pressed to explain Sydney's issues across the ages, I would look no further than this memorable quote from the formal Labor leader of the Legislative Council, the Honourable. James Concannon:

*"Sydney was made by God, Melbourne and the other capital cities of Australia by man. Here we have a city of unexampled beauty and unrivalled natural gifts, but because of a lack of organised and coordinated town planning has accumulated a series of scars that require urgent effacement."* (Concannon 1945, p. 2679).

While those words sound clunky, they are as fitting today, as they were back when Mr Concannon spoke them in a 1945 parliamentary debate; a time when Sydney was coming into

the post-war era, a time when immigration was set to grow at unprecedented rates and a time when the NSW Government had to deal with the critical issue of housing shortage.

Does any of that sound familiar to us today? There is no doubt we have some big challenges ahead of us, but I am sure we can overcome them together.

I am happy to work with the Minister for Planning and Public Spaces, the NSW Government and everyone in the room, to develop an organised and coordinated Sydney.

Campbelltown is ready. Campbelltown is ready to become the city and the capital of Macarthur. Campbelltown is prepared to try new ideas and lead the way for the future.

I agree with the Hon. Chris Minns' statement this week: *"We have to go up... Sydney can't grow by adding another street to the western fringe."* We must increase our density. After all, density has always been the answer to the ever-elusive question: what makes a city?

But we must learn from the cities of the past to deliver our city for the future.

Density can lead to slums, with poor housing and health conditions. Or to gentrification, where wealthier residents crowd out locals and take advantage of better living conditions. Or worse, it could lead to both simultaneously, as we've seen in other cities.

We can't have that here in Campbelltown. We must be a city of unrivalled beauties with social justice, acceptance, and diversity at our heart.

The famous French architect once argued, *"The evil of the modern city was its density of development and that the remedy was to increase that density."* I believe this particular quote is essential to improve our understanding of some of the issues. We cannot just increase the density of housing development. We must increase the density of everything and, most importantly, the density of jobs.

Job density in our city is the remedy that will help solve our key challenges.

Let's stop borrowing ideas from one source. We must integrate the lessons learned from across the spectrum and from across the globe. We must overcome our colonised past and stop returning to London for our urban ideology, especially when discussing higher-density cities.

For colonial Sydney, *"there was only one measure of urban civilisation: London ... London set the standard of Sydney's urbanism"* (Davison 2016, p. 43). The Cumberland County Plan that was the ultimate result of the parliamentary debate, when Mr Concannon spoke those words, is just another example of us borrowing from London and, in that case, the great intellectual work of Sir Patrick Abercrombie.

But here lies the critical point. The idea of apartment living in Sydney has never aligned with the ideological vision of the English social reformers. Historically, in London, apartments were mainly used to house the working class and were frowned upon by the middle and upper classes. No wonder the idea of living in apartments was considered "un-Australian" for a long time and continues to be labelled as the "slums of the future" by some people today. However, most people in major capital cities live in apartments. At the turn of the 20<sup>th</sup> century, two-thirds of the population in New York City lived in apartments. But these cities built apartments to cater to the wealthy and the poor with New York *"architects designing buildings boasting apartments with up to twenty rooms, including drawing and dining rooms, library, bedrooms and servants quarters."*

Let's fast forward about a hundred years of history...

The concern with lowering carbon emissions, increasing housing affordability crises and growing infrastructure costs lead to a newfound love for high-density. We have now developed a form of density fetishism. But I ask you, have we ever shaken our ideological past? Are we still building density on the wrong assumptions?

We need to do more than just create urban consolidation policies, or set density targets like NSW Labor did after taking Government in 1995.

Unless we build high-density cities that bridge the divide between the apartment elites and low-income households, density will continue to have a bad reputation and remain a symbol of social exclusion.

We all must work together to address some of the underlying issues. Just like the Mayor of New York City, you can tell the Premier of NSW that he won't ever hear this Mayor of Campbelltown saying we are full. We welcome density. We welcome urban consolidation.

What I ask of the Minister for Planning and Public Spaces, and everyone in this room, is that the next time someone knocks on your door with a plan to *"develop a high-density place-based approach for Campbelltown with the central theme of walkability and permeability."* Unless it's followed with: *"the plan will generate 6000 higher-order jobs in our city centre"*, please ask them instead to relocate here. We could host them in our offices. Let's see how much walking to work they do every day then. We struggle to get our residents to a train station in 30 minutes, let alone to their final destination - 62% of our people leave this city every day for jobs, 68% if we consider only white-collar workers.

Dumping high-density development on us without supporting infrastructure, without supporting jobs, and without supporting funding is a form of "vertical sprawl". I don't think this form of urban growth would not fit with any social reform agenda.

We have had our fair share of sprawl. We do not need any more.

Let's not let housing shortages and speculative markets dictate our city's next growth phase. Let's not let unfounded ideologies and policies designed for others, steal our lifestyle.

We deserve policies that are developed for us; policies that solve our problems.

We need policies that would enable us to become an example of the city of the future, with a density of houses, density of jobs and density of recreation.

Again, Campbelltown is keen to work with the Minister, and everyone in this room, to solve some of Sydney's problems. But it must be together - Local Government must have a real seat at the table. Let's bring back some form of localism into our thinking. After all, one more policy from London won't hurt.

We are Campbelltown. We are Sydney. Let's get our title back; let's be the city made by gods!

## Attachments

Nil

## 5.2 Infrastructure Investment Program

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### Recommendation

That the information be noted.

### Progress and Constraints

#### Infrastructure Investment Program

On 1 May 2023, the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP, announced an Independent Strategic Review (A 90-day review) of the Infrastructure Investment Program (IIP).

The purpose of the review needs to be clarified, as the information received advises that the Government is committed to maintaining a \$120 billion pipeline of land transport infrastructure projects and that no funding has been removed or deferred in the 2023-24 Budget. However, it goes on to say that the review aims to ensure that the pipeline is sustainable, aligned to market capacity and comprised of nationally significant projects.

The Review will not consider projects already under construction or the Commonwealth's 2022 election commitments. It will consider whether other projects in the IIP represent good value for money and are deliverable in the current market and macroeconomic conditions.

What is also concerning is that the review will also include the assessment of several vital sub-programs, including the Bridges Renewal Program, Heavy Vehicle Safety and Productivity Program, Roads to Recovery Program and Black Spot Program, for which Council receives millions of dollars in Federal funding each year. While the Review will not consider individual projects in the sub-programs, there was no clear commitment that the funding under these programs will remain the same. It only stated that the government is committed to ensuring it is delivered in the best way possible over the long term.

Currently, Campbelltown has a significant number of planned projects with committed funding from the Federal Government due to commence delivery shortly. We also rely upon ongoing funding from the Federal Government on an annual basis under transport infrastructure programs to address black spots (accident prone areas), major road renewal, bridge renewal and supporting infrastructure for enhanced safety for heavy vehicle movements.

These projects and program works have been promised over previous elections and by the previous government. No major projects were promised in Campbelltown in the 2022 Federal election. I fear, from the limited information we have, that due to the review, some of our projects will be cut to pay for the 2022 election promises outside of Campbelltown.

While some people in Canberra may see our projects as not being of national significance, they are critical to our city's growth strategies and have formed an essential part of our plans. Our community should be able to rely on the delivery of committed/funded projects and not be

impacted by political cycles, especially when no new project has been promised to replace them in the new cycle.

I have previously written to the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP, five times in my capacity as the Mayor of Campbelltown and once as the Chair of the Parks' Mayoral Forum. In four of these letters I requested a meeting to discuss our community's issues (Campbelltown issues as the Mayor and Western Parkland City issues as the Chair). I have only received two replies to my correspondence: one reply on 6 September 2022 to my letter dated 26 July 2022 and then another on 7 March 2023 to my letter 18 November 2022.

The first letter refused my request for a meeting and asked me to meet with one of the Minister's advisers, and while that was disappointing, we did. The second reply suggested we raise the issue with the state government. All other requests have yet to be responded to. I have also raised the issue of our inability to meet with Minister King with Dr Freeland MP, who has advised that he will attempt to organise a meeting. I have also discussed the issue with the Chair of the Western Parkland City Authority, Jennifer Westacott AO, who will be writing to ask for a joint meeting on behalf of the Parks councils.

The communication regarding the IIP review indicated that the Minister would only approve the release of Commonwealth funding for genuinely urgent and unavoidable projects, election commitments, or projects already under construction until the Review has concluded. While that is only 90 days, according to the communication we received, we now have to put all of our federally funded project-related work on hold until we receive confirmation of the outcome.

I have written to Dr Freeland seeking his continued advocacy and support to ensure the projects committed to Campbelltown are maintained and ultimately delivered.

### **Increasing Funding Constraints**

Negotiations for the 2023 Local Government (State) Award are expected to conclude shortly, including an anticipated pay increase for council employees. We understand, in the current economic conditions, with increasing interest rates and high inflation, that our staff deserve these increases. I am sure all parties involved have been negotiating in good faith, and we will end up with an equitable outcome for everyone in the sector.

However, as I highlighted last month, with the pressures councils are experiencing with their increasing costs and cost-shifting, many other councils face a significant operating deficit. Thanks to the economically responsible thinking of our staff and Councillors through the years, Campbelltown has prided itself on delivering a sustainable and balanced budget.

I am confident we will be able to deal with these shocks. Still, I fear we will reach the limits of our resilience soon and will need to consider further options to ensure we continue to provide our communities with the necessary services.

LGNSW is working to address some of these issues as they impact all councils in NSW. I will wait to understand the sector-wide approach before returning to Councillors and our community to discuss Campbelltown specific options.

**Affordable Entertainment Activities in our City**

I understand the impact of cost-of-living pressures on our community, and believe that despite these increases, our community should still be able to access entertainment and other activities, at an affordable price.

In light of recent events, I have asked the General Manager to explore opportunities and review relevant policies to attract quality entertainment activities to our city, so that our community can access this entertainment within our city, at an affordable price. This may include looking at providers of modern entertainment within our facilities, attracting private providers to our city, and other forms of affordable entertainment for our community.

I have also asked the General Manager to include options that ensure that the most vulnerable members of our community are supported to enjoy these activities. It is important that we have equitable access to the same types of activities for all of our residents and not exclude or force the more vulnerable into a lesser level of enjoyment.

**Revitalisation and Urban Renewal**

At the May Council meeting, a report providing an update on the progress of the Local Environment Plan (LEP) for the Campbelltown City Centre was noted by Council. I am pleased to say that the work is progressing well and since lodging the Scoping Proposal, Council has been in frequent dialogue with the Department of Planning and Environment and other relevant state agencies with the Scoping Proposal being well received.

The LEP will provide the planning policy framework to guide and approve development, however, alone it will not stimulate the revitalisation of our City Centre. Council will also have to play a role in the urban renewal process to create attractive, functional, and liveable centres, precincts, and places for our communities.

Council is committed to the process of revitalising underutilised areas and properties to reinforce or re-establish a strong sense of place and resilience. This will demonstrate Council's commitment to the revitalisation of our city and builds confidence in the market for further public and private investment.

This is extremely important for Campbelltown, as we continually compete with other nearby centres for public and private sector investment. We do this to ensure we create as many opportunities for our community through social, economic and environmental means. By taking a lead role, and investing in ourselves, we are much more likely to attract investment that in turn improves the liveability of our City, improves the vibrancy of our communities and improves the local economy by generating additional housing and employment opportunities.

In October 2022, I spoke about the plans that we may need to support our city's growth and our activation and revitalisation of our main street and CBDs. Thanks to the hard work of our City Futures team, our new Revitalisation and Urban Renewal Policy is in its final stages of drafting.

The Policy will strengthen our ability and capacity to deliver and influence urban renewal outcomes within the LGA. This includes potential projects, which may sit outside Council's normal business activities, such as undertaking the planning and development of strategic sites, the creation of vibrant places, and the generation of future revenue streams for Council by leveraging our extensive property portfolio.

We are also currently finalising the City Centre Design Framework. The Framework includes the Sustainable Development Plan, Integrated Sustainable Mobility Plan, City Centre Community Travel Survey and First Nations Cultural Engagement and Advice.

I am excited by the progress in our planning for a revitalised city centre, and look forward to the transformation taking place. As we finalise these plans, we will be discussing them with the Councillors and will engage with our community to understand your thoughts and feedback within the coming months.

## **Attachments**

Nil

**6. PETITIONS**

**7. CORRESPONDENCE**

Nil



## 8. REPORTS FROM OFFICERS

### 8.1 Conflict of Interest Policy - Council Related Development

#### Reporting Officer

Executive Manager Urban Centres  
City Planning and Environment

#### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.1.1 Increase opportunities for the community to engage and collaborate with Council and Key Delivery Partners

#### Delivery Program

Principal Activity
2.1.1.3 Deliver effective land use planning to ensure community needs are met
5.1.1.1 Implement a holistic community engagement approach
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

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#### Officer's Recommendation

1. That Council adopt the Managing Conflicts of Interest for Council-Related Development Policy shown at attachment 1.
  2. That the Managing Conflicts of Interest for Council-Related Development Policy review date be set at 30 June 2027.
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#### Purpose

The purpose of this report is to advise Council of changes to the Environmental Planning and Assessment Regulation, 2021 in regards to Council related development applications. These changes are aimed at managing potential conflicts of interest for Council related development.

Additionally, this report provides a draft policy for the management of Council related development applications for consideration by Council.

## History

For many years Council's development assessment staff have regularly put in place measures to reduce any potential perception that Council has a conflict of interest in assessing development applications with which Council has another role. Council has regularly taken actions for Council-related development including:

- Outsourcing the preparation of the development assessment report to an independent consultant
- Outsourcing specialist advice, e.g. engineering advice or flooding advice,
- Ensuring that staff involved in the preparation of the application are not involved in the assessment of the application

It is further noted that since March 2018 no development applications where Council is either the applicant or land owner have been determined by Council or by Council staff. All such applications have been determined either by the Campbelltown Local Planning Panel or the Sydney Western City Planning Panel. All reports to these Panels, as well as any supporting documents and the minutes of any decision, are made publicly available on either Council's website or the Planning Panel's website.

## Report

Changes have been made to the Environmental Planning and Assessment Regulation 2021 in relation to the management of potential conflict of interest for council-related development. To implement the new requirements, it is necessary for Council to have an adopted Policy in place and for this to be considered in the management of the development assessment process.

Councils' conflict of interest policy will need to comply with the Council-related Development Application Conflict of Interest Guideline (the Guidelines) prepared by the Department of Planning and Environment.

The general requirements are:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements of the Guidelines.
- Council-related development applications must be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application.
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register.
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process.

'Council-related development' means development for which Council is the applicant, developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority.

While councils are primarily development regulators, they can also be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as development regulator.

To mitigate this outcome, it may be appropriate to separate or minimise the role played by council staff in the DA assessment and determination process. This might be done by the outsourcing of all or parts of the assessment process to an external expert such as a planning consultant. This is a common practice and one that has been applied on many occasion at Campbelltown City Council, depending on the scale, complexity and public interest in the particular application. Where minor applications are submitted, for example for a shed at Campbelltown Golf Club, the assessment report has been prepared in house however the determination of the application has occurred in a public forum, usually by the Campbelltown Local Planning Panel.

The types of Council-related development proposals that more recently have been externally assessed and determined by independent bodies such as the Campbelltown and Sydney Western City Planning Panels include the Genesis Care development and the Raby Cricket facility.

In some circumstances, Council staff may determine the risks associated with a Council-related development are sufficiently low and no specific controls are warranted. Where this is the case, Council should still publicly communicate that fact to ensure transparency.

Examples of this may include:

- Where Council is the owner of a large commercial building that has a range of shops within it, for which it receives many development applications for commercial fit outs and minor changes to the building facade.
- Development for internal alterations or minor additions to buildings
- Development for ancillary structures like sheds and amenities

In these types of circumstances, it is reasonable for the policy to not require any additional controls for conflicts of interest so the application would be assessed in the same way as non-council-related developments.

## **Conclusion**

The Environmental Planning and Assessment Regulation has been amended to require that Council have a Conflict of Interest Policy in place for the management of Council related development applications.

A draft Policy is provided at attachment 1 for Council's consideration.

It is noted that this Policy seeks to formalise in Policy Council practice that has been in place for many years.

It is recommended that Council adopt the Conflict of Interest Policy for Council related development.

## **Attachments**

- 8.1.1 Draft Policy - Managing Conflicts of Interest for Council - Related Development Policy  
(contained within this report) [!\[\]\(633dd45d48d71eb51a85c6dd83ee51e9\_img.jpg\)](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Managing Conflicts of Interest for Council-related Development Policy	
Related Documentation	Code of Conduct Campbelltown Community Participation Plan	
Relevant Legislation	<i>Environmental Planning and Assessment Act 1979</i> <i>Environmental Planning and Assessment Regulation 2021</i> <i>Government Information (Public Access) Act 2009</i>	
Responsible Officer	Executive Manager, Planning and Development	

**UNCONTROLLED WHEN PRINTED****Objective**

The objective of this policy is to document how potential conflicts of interest will be managed in the development application assessment process for council-related development to increase transparency at all stages of the development process where Council is involved with an application as a developer, land owner or holds a commercial interest in the land.

**Policy Statement**

This Policy does not apply to any development application submitted before 3 April, 2023.

This Policy does not apply to an application for a Complying Development Certificate.

This policy does not apply in circumstances where the only Council land involved is a public road managed by Council. For example this policy does not apply to a development application that includes works for a driveway for a dwelling house that are within the public road

Councils are development regulators, but they also can be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator. Identifying these conflicts early and finding ways to address them is crucial to good governance and allows Councils to strengthen their relationship with communities and build and enhance trust.

At all pre-lodgement discussions for a Council related application Council staff shall clearly state whether their role is in the preparation of the application or the assessment of the application. Where a staff member has been involved in the preparation of an application they shall not be involved in the assessment of the application. A staff member shall not be considered to have been involved in the application preparation where their only role has been to outline the planning rules that apply to the site or development and detail the information required to be submitted with the application. All pre-lodgement communication between Council staff, or between Council staff and an independent consultant, shall be stored on Council's electronic document management system.

DATA AND DOCUMENT CONTROL – GOVERNANCE USE ONLY		
<b>Directorate:</b> "[Enter Directorate]" <b>Section:</b> "[Enter Section]" <b>Record No.:</b>	<b>Adopted Date:</b> 00/00/00 <b>Revised Date:</b> 00/00/00 <b>Minute Number:</b> 000 <b>Review Date:</b> 00/00/00	<b>Page:</b> 1 of 4

### Campbelltown City Council

To mitigate this outcome, for each Council related application, Council staff will assess whether a potential conflict of interest exists and the level of risk associated with the particular application. Following the determination of the level of risk, the relevant management controls identified in this policy will be followed.

In some circumstances, Council may determine the risks associated with a Council-related development are sufficiently low and no specific controls are warranted. In these cases some actions will be taken to increase transparency in the decision making process including reporting the application to either the Campbelltown Local Planning Panel or the Sydney Western City Planning Panel for determination and public exhibition of the Application, where required under the Community Participation Plan, for 28 days. These actions will be detailed in a management strategy statement attached to the application on the planning portal.

In other circumstances, where the risk is higher, it is appropriate to take additional actions such as separating or reducing the role played by particular Council staff, or all Council staff, in the Application. This might be done by the outsourcing of either the preparation of the application or the assessment of the application, or both, to an external expert such as a planning consultant. The actions will be detailed in a management strategy statement attached to the application in the Planning Portal.

Council will record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in the Application register.

In circumstances where a development consent is issued, Council will only undertake building certification work where the capital investment value is less than \$2 million. In cases where the capital investment value is greater than \$2 million an independent external registered certifier will be appointed.

If the Application includes the subdivision of land, Council is not able to outsource the signing of the Subdivision Certificate. However, any actions of Council as a land owner/developer will be undertaken by an officer not involved in the assessment of the Subdivision Certificate application. All correspondence between Council as a developer/landowner and Council as the regulatory authority shall be in writing, whether by email or letter, and saved in Council's electronic data management system.

In the event that either regulatory or enforcement action is required in regards to a Council-related development, one of the following actions will occur:

- An independent consultant will be engaged to investigate and advise on the appropriate action
- Council staff will investigate and recommend appropriate action. The Council staff recommendation will be peer reviewed by an independent consultant
- Council will enter into a shared services arrangement with another Council and the staff of that Council shall investigate and advise on the appropriate action

### Scope

This policy applies to Council-related development.

### Process for managing potential conflicts of interest for an Application

When an application is submitted, or proposed to be submitted, for Council related development, an assessment will be made by Council assessment staff of the following:

- Identification of the phase(s) of the application process at which the conflict of interest arises

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## Campbelltown City Council

- Assessment of the level of risk involved

The following steps will be taken for all Council related applications:

- Public exhibition of the application for a period of at least 28 days, where required by the Community Participation Plan
- If Council is the developer, applicant or land owner, the application will be determined by either the Campbelltown Local Planning Panel or the Sydney Western City Planning Panel
- A management strategy statement will be attached to the application in the Planning Portal

Where the application meets the criteria identified in column 1 of Table 1, Council will choose 1 or more of the potential additional management actions listed in column 2

Table 1. Additional Management Actions for Certain Types of Council related development.

Column 1: Development types where additional management actions required	Column 2: Potential Additional Management Actions for Application Assessment
<p>Where the Council related development meets 1 or more of the following criteria, 1 or more additional management actions will be chosen from the column to the right.</p> <ul style="list-style-type: none"> <li>• The application is Regional Development (under the State Environmental Planning Policy (Planning Systems) 2021.</li> <li>• The capital investment value exceeds \$5 million</li> <li>• The application does not comply with a development standard</li> <li>• The application does not comply with a numerical standard in a Development Control Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment is to be undertaken by an external Planning Consultant.</li> <li>• Specialist advice (eg flooding, acoustics) is provided by an independent consultant that was not involved in the preparation of the application.</li> <li>• Assessment will be undertaken by Planning staff from another Council as part of a shared servicing agreement</li> </ul>

The format for a Management Strategy Statement shall be generally as shown below:

Table 2. Management Strategy Statement example.

Council conflict of interest management strategy statement	
Address	
Application number	
Proposed Development	
Potential conflict	A council staff member is responsible for project managing and delivering this project.
Management strategy	<ul style="list-style-type: none"> <li>• Assessment/referral response staff are not part of the project delivery team.</li> <li>• Application notified/exhibited for at least 28 days</li> <li>• Determination by independent Planning Panel</li> <li>• Monthly updates on the application provided to Council meeting</li> </ul> <p>(where additional management actions required)</p> <ul style="list-style-type: none"> <li>• An external consultant has been engaged for application assessment</li> <li>• An external consultant has been engaged to advise in regards to (___)</li> <li>• Monthly updates on the application provided to Council meeting</li> </ul>

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## Campbelltown City Council

Contact	Anyone with concerns about council fulfilling its obligations should report their concerns to the General Manager or delegate of Campbelltown City Council.
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**Definitions**

Term	Definition
Application	An application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent. It does not include an application for a Complying Development Certificate.
Council	Campbelltown City Council
Council-related development	Development for which Council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority.
development process	Application, assessment, determination, and enforcement
the Act	<i>The Environmental Planning and Assessment Act 1979</i>

A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined under this policy.

**Legislative Context**

This Policy is a requirement of the Environmental Planning and Assessment Regulations, 2021

**Principles**

1. Council takes steps to manage any perceived or real conflict of interest that arises in the assessment of Council related development applications.
2. Determination of Council related development applications must be undertaken in a transparent manner.
3. The minimum exhibition period for a Council related development is 28 days.

**Effectiveness of this Policy**

1. The effectiveness of this policy will be reviewed by Independent Panels each time a Council related application is reported to such Panel for determination. Regular discussions are held with the Panel chairs and secretariat in this regard.
2. This policy will be reviewed when changes are made to either the *Environmental Planning and Assessment Act, 1979* or the Environmental Planning and Assessment Regulation, 2021 that affect its content. Outside of such changes, this Policy will be reviewed every 4 years.

**END OF POLICY STATEMENT**

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## 8.2 Significant Development Applications

### Reporting Officer

Director Planning and Environment  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

### Delivery Program

Principal Activity
2.3.1.2 Lead and build partnerships to achieve diverse and affordable housing options

### Officer's Recommendation

That the information be noted.

### Report

Development applications received by the Council, are required to be determined by the appropriate authority in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979*.

Determining authorities include but are not limited to the Campbelltown Local Planning Panel, the Sydney Western City Planning Panel, or the General Manager under delegation.

This report provides information detailing all development applications considered under the authority of entities such as the Local Planning Panel, the Sydney Western City Planning Panel, and any other non-council government authorities, as well as more significant development applications approved by the General Manager under delegation.

The table attached to this report provides a summary of those development applications that meet the above criteria.

## Attachments

DAs where the authority is the Sydney Western City Planning Panel					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
<a href="#">535/2021/DA-SW</a>	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airs	Stage 7 Airs/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 development	\$13,914,412	>\$5 million capital investment value Crown development	Waiting on information from applicant
<a href="#">3142/2022/DA-SL</a>	33 Riverside Drive, Airs	Construction of 31 seniors living units	\$17,664,962	>\$5 million capital investment value Crown development	Approved with conditions at Panel's meeting of 26 April 2023
<a href="#">2278/2022/DA-RA</a>	22-32 Queen Street, Campbelltown	Construction of a mixed use development incorporating five towers containing 558 apartments, commercial premises, basement car parking and associated site and landscape works	\$218,949,500	>\$30 million capital investment value, SEPP-65 , SEPP-65 development	Waiting on information from applicant
<a href="#">4973/2022/DA-SL</a>	Dobell Road, Claymore	Construction of 23 seniors living units	\$11,787,655	>\$5 million capital investment value Crown development	Assessment in progress.
<a href="#">4606/2022/DA-C</a>	381 St Andrews Road, Varroville	Construction of further stages of education establishment and associated site works	\$16,501,917	>\$5 million capital investment value private infrastructure	Assessment in progress.
<a href="#">4836/2022/DA-C</a>	57 Junction Road, Leumeah	Construction of a child care and respite centre	\$5,366,572	>\$5 million capital investment value private infrastructure	Assessment in progress
<a href="#">39/2023/DA-C</a>	Willowdale Drive, Denham Court	Construction of a child care centre and subdivision into 3 lots	\$6,182,012	>\$5 million capital investment value private infrastructure	Assessment in progress

DAs where the authority is the Department of Planning					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
Nil	Nil	Nil	Nil	Nil	Nil

DAs where the authority is Campbelltown Local Planning Panel					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
<a href="#">2675/2008/DA-S</a>	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	Assessment in progress
<a href="#">3190/2022/DA-RA</a>	17-21 Tyler Street, Campbelltown	Residential apartment building containing 49 units, basement car parking and associated site and landscaping works	\$18,027,422	SEPP 65 – Residential Apartment	Assessment in progress
<a href="#">3400/2022/DA-RA</a>	26 – 32 Iolanthe Street, Campbelltown	Demolition of existing dwellings and construction of a residential apartment building containing 75 units and associated site and landscaping works	\$23,770,670	SEPP 65 building, variation to development standard greater than 10%	Waiting on information from applicant
<a href="#">4090/2022/DA-O</a>	5 Willowdale Drive, Denham Court	Installation of a 22.5 metre high telecommunications tower and associated equipment	\$250,000	Variation to development standard greater than 10%	Assessment in progress
<a href="#">151/2023/DA-RA</a>	6-8 Palmer Street, Ingleburn	Construction of a residential apartment building containing 30 units	\$6,574,000	Variation to development standard greater than 10%	Assessment in progress

Significant DAs approved under delegation by the General Manager since last Council meeting (value exceeding \$3 million)					
DA No. & Link	Address	Description	Value	Authority Criteria	Status
Nil	Nil	Nil	Nil	Nil	Nil

### **8.3 Minutes of Campbelltown Wildlife and Environment Advisory Committee Meetings held 30 November 2022 and 22 February 2023**

#### **Reporting Officer**

Director Planning and Environment  
City Planning and Environment

#### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment

#### **Delivery Program**

<b>Principal Activity</b>
3.1.1.2 Lead initiatives that rehabilitate and protect biodiversity, including threatened flora, fauna and ecological communities

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#### **Officer's Recommendation**

That the minutes of the Campbelltown Wildlife and Environment Advisory Committee meetings held 30 November 2022 and 22 February 2023 be adopted.

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#### **Purpose**

That Council adopt the minutes of the Campbelltown Wildlife and Environment Advisory Committee (WEAC) meetings held 30 November 2022 and 22 February 2023.

#### **Report**

The WEAC was established by Council in 2022. The following committee meeting confirmed and informed the final copy of the previous minutes:

- 24 May 2023 – Chaired by Councillor Stellino. WEAC members confirmed approval of previous meeting minutes of 30 November 2022 and 22 February 2023.

**Reports listed for consideration – 30 November 2022****4. Minutes of the Previous Wildlife and Environment Advisory Committee Meeting held 30 August 2022**

WEAC members confirmed approval of previous meeting minutes of 30 August 2022

**5.1 Terms of Reference of the Campbelltown Wildlife and Environment Advisory Committee adopted at Council meeting - 13 September 2022**

The finalised Terms of Reference for the Campbelltown Wildlife and Environment Advisory Committee (shown as attachment 1) were formally endorsed at the Ordinary Council Meeting held on 13 September 2022.

**5.2 Presentation - A Strategic Overview of the Environment in Campbelltown and Environmental Functions of Council**

A presentation outlining the environment in Campbelltown as well as the environmental functions of Council by way of a presentation.

**Reports listed for consideration – 22 February 2023****4.1 Regional Trails – Georges River and Scenic Hills**

That the NSW Department of Planning and Environment be invited to brief the Council on the Georges River Koala Reserve and that the Scenic Hills Strategic Framework be presented to a future briefing of Council

**4.2 Platypus Pals Monitoring Program**

A presentation providing an overview of the program, including on ground works, community engagement, the many project partners that provided input into the project and the overall outcomes achieved.

**4.3 Campbelltown Community Gardens – Update**

That the status of the report/presentation on the Campbelltown Community Gardens be noted and that a presentation outlining the current status of Community Gardens within the Campbelltown LGA and promotional opportunities to increase visitation and community involvement be provided at the next meeting in May.

**Attachments**

8.3.1 Minutes of Campbelltown Wildlife and Environment Advisory Committee Meeting held 30 November 2022 (contained within this report) [↓](#)

8.3.2 Minutes of Campbelltown Wildlife and Environment Advisory Committee Meeting held 22 February 2023 (due to size) (distributed under separate cover)

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## CAMPBELLTOWN CITY COUNCIL

### Minutes Summary

**Wildlife and Environment Advisory Committee Meeting held at 6:00 PM  
on Wednesday, 30 November 2022.**

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ITEM	TITLE	PAGE
1.	ACKNOWLEDGEMENT OF COUNTRY	2
2.	APOLOGIES	2
3.	DECLARATIONS OF INTEREST	2
4.	MINUTES OF THE PREVIOUS WILDLIFE AND ENVIRONMENT ADVISORY COMMITTEE MEETING HELD 30 AUGUST 2022	2
5.	REPORTS	3
5.1	Terms of Reference of the Campbelltown Wildlife and Environment Advisory Committee adopted at Council meeting - 13 September 2022	3
5.2	Presentation - A Strategic Overview of the Environment in Campbelltown and Environmental Functions of Council	4
6.	GENERAL BUSINESS	4

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Wildlife and Environment Advisory Committee Meeting30/11/2022

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**Minutes of the Wildlife and Environment Advisory Committee Meeting held on 30 November 2022**

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**Present**

**In attendance** Chairperson - M Stellino - Councillor  
Member - R Manoto - Councillor  
Member - J Baldwin - Director City Development  
Member - Zoran Sarin - Acting Executive Manager Urban Release and Engagement  
Member - M Clarke - Coordinator Natural Areas  
Member - L Saville - Coordinator City Standards and Health  
Member - L Marskell - Manager City Standards and Compliance  
Member - K Robinson - Committee Secretary

**1. ACKNOWLEDGEMENT OF LAND**

An Acknowledgement of Country was presented by the Chairperson Councillor M Stellino.

**2. APOLOGIES**

Member - M Oates - Councillor  
Member - M Chowdhury - Councillor  
Member - J Cotter - Councillor  
Member - W Morrison - Councillor  
Member - R Munro - Councillor  
Member - I Andrews - Executive Manager Open Space  
Member - L Deitz - General Manager  
Member - S Grant - Director City Lifestyles

**3. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

**4. MINUTES OF THE PREVIOUS WILDLIFE AND ENVIRONMENT ADVISORY COMMITTEE MEETING HELD 30 AUGUST 2022****Report**

The minutes of the Wildlife and Environment Advisory Committee Meeting held 30 August 2022, copies of which have been circulated to each Sub Committee member via email on 30 August 2022 be endorsed.

Once formally approved, the Minutes will be adopted by Council at its meeting of 30 November 2022.

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Minutes of the Wildlife and Environment Advisory Committee Meeting

Page 2

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Wildlife and Environment Advisory Committee Meeting30/11/2022

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**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation [Stellino/Manoto]**

That the information be noted.

---

**5. REPORTS****5.1 Terms of Reference of the Campbelltown Wildlife and Environment Advisory Committee adopted at Council meeting - 13 September 2022****Report**

The finalised Terms of Reference for the Campbelltown Wildlife and Environment Advisory Committee (shown as attachment 1) were formally endorsed at the Ordinary Council Meeting held on 13 September 2022.

---

**Officer's Recommendation**

That the information be noted.

**Committee's Recommendation [Stellino/Manoto]**

That the information be noted.

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Wildlife and Environment Advisory Committee Meeting30/11/2022

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## **5.2 Presentation - A Strategic Overview of the Environment in Campbelltown and Environmental Functions of Council**

### **Report**

A presentation outlining the environment in Campbelltown as well as the environmental functions of Council by way of a presentation at the Campbelltown Wildlife and Environment Advisory Committee meeting of 30 November 2022.

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### **Officer's Recommendation**

That the presentation be noted by the members of the Campbelltown Wildlife and Environment Advisory Committee.

### **Committee's Recommendation [Stellino/Manoto]:**

That the presentation be noted by the members of the Campbelltown Wildlife and Environment Advisory Committee.

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## **6. GENERAL BUSINESS**

### **6.1 – Request for information – walking trails**

Councillor Manoto requested information with regard to walking trails along Georges River and the Scenic Hills with regard to funding opportunities and the facilitation of a study. Councillor Manoto advised that Councillor Oates has raised this issue previously at Council as a Notice of Motion.

The Coordinator Natural Areas advised he will prepare a presentation for the Wildlife and Environment Advisory Committee for the February meeting which then will be presented at a Councillor Briefing night.

### **6.2 – Request for information – community gardens**

Councillor Stellino requested a report or presentation to the February meeting of the Wildlife and Environment Advisory Committee regarding the 17 Campbelltown Community gardens with specific reference to their location, hour of operation and access information. Councillor Stellino would also like included education on how Council can get the residents of Campbelltown involved as well as information on the indigenous aspect of such gardens.

The Coordinator Natural Areas advised he will prepare a combined presentation with the Executive Manager Community Life.

Wildlife and Environment Advisory Committee Meeting30/11/2022

The next meeting of the Wildlife and Environment Advisory Committee will be held on 22 February 2023 at 6.00 in the Staff Training Centre.

Councillor M Stellino,

**Chairperson**

Meeting Concluded: 7.51pm

## 8.4 Campbelltown Design Excellence Review Panel - Appointment of New Members

### Reporting Officer

Executive Manager Urban Centres  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.1 Provide proactive and collaborative leadership on issues that are important to Campbelltown now and into the future

### Delivery Program

Principal Activity
5.2.2.2 Continuously improve Council's service delivery, service performance and project management

---

### Officer's Recommendation

1. That Council continue to run a Design Excellence Review Panel.
2. That Council endorse the updated Campbelltown Design Excellence Review Panel Procedure located at attachment 1 to this report.
3. That Council endorse the successful applicants who nominated their expression of interest during the public exhibition period.
4. That the Mayor write to the current members of the Campbelltown Design Excellence Review Panel that have not sought reappointment and thank them for their service to the Campbelltown Community.

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### Executive Summary

- Council has run a Design Excellence Review Panel (Panel) since March 2020, to provide additional and independent expert design advice on planning applications and controls.
- The term of appointment of the current Panel Members has now come to an end.
- An Expression of Interest (EOI) was held to identify potential new panel members. Current members were able to reapply.

- Following the EOI process, 16 expressions of interest were received.
- A committee was formed to review candidates, this committee used pre-determined weighted criteria to assess the candidates and has recommended that 8 members be appointed to the pool of experts from which a Panel of 3 will be chosen for the meeting.
- It is timely for Council to also review and update the procedure for the Panel and an updated procedure is attachment 1 to this report.

## Purpose

The purpose of this report is to:

- Advise the Council of the outcome of the public request for expressions of interest (EOIs) from suitably qualified persons to be part of the Campbelltown Design Excellence Review Panel (Panel).
- Seek Council's endorsement of the recommended members of the Panel.
- Seek Council's endorsement of the updated procedures for the operation of the Panel.

## History

At its ordinary meeting on 11 September 2018 Council considered a report on the formation of a design excellence panel and resolved:

1. That Council endorses and resolves to establish a Campbelltown Design Excellence Review Panel (option 1) and review its operation 12 months after the formal commencement of the Panel
2. That a further report be presented to Council on the outcome of the expression of interest to recruit members of the Panel
3. That Council exhibit for a period of 28 days the newly proposed fees for referring a development application to the Panel

Accordingly Council advertised the establishment of its Design Excellence Review Panel (Panel) and sought Expression of Interests (EOI) from suitably qualified architects and urban designers.

At its meeting on 6 August 2019 Council considered a report on the outcome of the expressions of interest (EOIs) and endorsed the 6 recommended members of the Panel and its Procedure.

The first meeting of the Panel occurred on 16 March, 2020.

A report reviewing the first 12 months operation of the Panel was considered by Council on 13 April, 2021. At this meeting Council also resolved to expand the types of applications to be referred to the Panel.

The Panel has met on 21 Separate occasions. The following table provides a summary of the types of matters they have considered:

Type of Matter	Number of reports
Pre Lodgement for Development Application	4
Development Application	36
Modification of a Development Application	2
Development Control Plan	8
Planning Proposal Request	3

The term of appointment of the current Panel members has now come to an end and therefore so that the Panel can continue, an EOI has been conducted for new Panel members. The current Panel members were able to reapply.

## Report

### Outcome of the EOI

A committee was established to review the EOI. The committee included Council staff with expertise in town planning, architecture, urban design, local character and development assessment.

The following selection criteria and weighting were used to assess the EOI:

	Criteria	Weighting %
1.	Appropriate qualifications and demonstrated experience in the design of apartment developments in relation to architecture, landscape architecture or urban design	20 10/qualification 10/experience
2.	Demonstrated highly developed skills and experience in urban analysis of local planning strategies and policies (e.g. local environmental plans, development control plans, precinct plans and town centre revitalisation) that contain provisions for apartment development	20
3.	Knowledge or understanding of local council policies and development controls	5
4.	Knowledge of the design issues of the local area	5
5.	Ability to analyse, evaluate and report on complex design quality issues for development applications and strategic planning	5
6.	Ability to develop design options and/or recommendations to ensure appropriate application of SEPP 65 design quality principles and the Apartment Design Guide	20
7.	Ability to work in a multi-disciplinary team	5
8.	Ability to liaise/negotiate with local government as well as the private sector	5
9.	Good written and verbal communication skills including the ability to translate technical information into plain English	10
10.	Knowledge, commitment and ability to implement	5

	<b>Criteria</b>	<b>Weighting %</b>
	council policies and standards, including those that relate to integrity, ethics, safety, antidiscrimination and equity	
Total		100%

The above selection criteria are the recommended criteria for the assessment of Panel members under the State Government Apartment Design Guide (ADG).

The total scores for each applicant provided a ranking hierarchy which informed the preferred applicants.

### **Recommended Panel Members**

A review of all received EOIs was undertaken following the closure of the EOI. Following this review it was recommended that the panel consist of a pool of 8 members as follows:

- Anna Chauvel
- Scott Davies
- Chris Johnson
- Stefan Meissner
- Aldo Raadik
- Iain Stewart
- Michael Stott
- David Matthew Taylor

The recommended Panel members are considered to be of high calibre and have a variety of skills and experience that covers a range of disciplines including urban design, architectural design and landscaping.

An expanded pool of 8 Panel members, compared to the previous pool of 6, is expected to provide increased flexibility in scheduling Panel meetings and reduces the ability of applicants to foreshadow who will be on the Panel at a particular Panel meeting which is in line with recent changes made to the membership of the Local Planning Panel and the Sydney Western City Planning Panel.

### **Operation of the Panel**

The Campbelltown Design Excellence Review Panel Procedure has been prepared to guide the operations of the Panel. In summary the Procedure provides for the following:

- The purpose of the Panel
- The type of Development Applications
- Functions of the Panel
- Representations of the Panel
- Panel Appointment and period of tenure
- Conduct, disclosures and conflict of interest
- Responsibilities of the Panel
- Documentation (agenda, minutes, etc)
- Remuneration of Panel members

Minor changes have been made to this procedure since it was last adopted by Council. The Procedure has been updated to include the following:

- An amendment for meetings to occur when required rather than 10 times a year. This would ensure that the Panel would meet only when items are scheduled to be assessed.
- A chairperson appointed by the Director City Planning and Environment will preside as Chairperson for the meeting they are appointed to. The role of chairperson will be rotated.
- Meetings will be held either face to face or electronically to allow for greater flexibility.

A copy of the procedure is located at attachment 1.

It is proposed that panel members be required to sign Councils Code of Conduct upon appointment to the Panel and conduct themselves in accordance with its requirements when acting as a Panel member.

Panel members who have a pecuniary or non-pecuniary interest in any matter with which the Panel is concerned must disclose the nature of the interest as soon as practicable. A Panel member who has a pecuniary interest or a significant non pecuniary interest in a matter with which the Panel is concerned must not be present or have any involvement with the sitting panel at any meeting of the Panel at which the matter is being discussed or considered. This is to ensure that the Panel operates with a high degree of probity and independence.

Whilst a pool of 8 Panel members is proposed, only three Panel members will attend each scheduled meeting. Panel members will be engaged for a three year term. A Chairperson will be chosen for each Panel meeting and appointed by the Director City Planning and Environment. It is intended to rotate and share panel membership to provide equal opportunities for all panel members, noting the restriction of having three from the same firm.

The changes proposed to the Procedure will help the Panel run more efficiently.

### **Administration of the Panel Meetings**

Council will continue to provide staff resources to administer the Panel meetings including the provision of an agenda and the taking of minutes. The minutes will include the following:

- A statement of the status and purpose of the meeting
- Attendance
- Apologies
- Declarations of interest
- A record of all recommendations made by the Panel including the reason for that recommendation

Meeting minutes will be reviewed by all Panel members and approved for circulation by the panel chair. Once the minutes are confirmed, Minutes will be circulated to all members and to the relevant development assessment staff and the applicant if appropriate.

**Past Panel Members that did not re-apply**

Two members of the Panel for the last 3 years have not sought re-appointment. The work and advice of Tony Quinn and Lynne Hancock on the Panel has been highly valued and has assisted greatly in confirming the good design qualities of some projects and constructively offering advice on potential improvements for others. Both have also greatly assisted in paving the way for Panel operations and procedures and provided helpful feedback on ways to improve the operation of the Panel as it matured. Given their service to the community it is recommended that the Mayor write to Mr Quinn and Ms Hancock and thank them for their service on the inaugural Campbelltown Design Excellence Review Panel.

**Conclusion**

Council initiated the commencement of a Design Excellence Panel which has now been in operation for more than 3 years. The tenure of the current Panel members has come to an end and an EOI has been held for members to be appointed to the Panel for the next 3 years.

A team of staff with relevant expertise has reviewed the 16 responses received to the EOI and ranked them according to predetermined assessment criteria. It is recommended that 8 people be appointed to form a pool of suitably qualified people from which the Panel membership of 3 will be drawn for each Panel meeting.

Should Council resolve to support the selected members for the Panel as recommended by this report, the next step will be to appoint the successful applicants and then continue operation of the Campbelltown Design Excellence Review Panel.

**Attachments**

8.4.1 Campbelltown Design Excellence Review Panel Procedure (contained within this report) [↓](#)





# Campbelltown Council Design Excellence Review Panel Procedure

DATA AND DOCUMENT CONTROL – GOVERNANCE USE ONLY		
<b>Section:</b> City Development <b>Record No:</b> CDO-23/18	<b>Revised Date:</b> 13/04/2021 <b>Review Date:</b> 30/12/2023	<b>Version:</b> 1 <b>Page:</b> 1 of 7

## Executive Summary

The primary function of the Campbelltown Council Design Excellence Review Panel (DERP) is to advise on the design quality of certain development types and proposals. The objective is to increase the focus on quality urban and building design outcomes that meet Council's vision and create great and interesting places for people who live and work in or visit Campbelltown.

The Panel members will provide expert advice on matters referred to them which may include development applications, planning proposals or policies relating to major commercial and residential development within the Campbelltown Local Government Area. Matters will be sent to the Panel as early in the process as possible whether prior to the submission of a relevant application/proposal, or following the receipt of an application by Council where appropriate.

This Campbelltown Design Excellence Panel Procedure establishes the membership, function, terms and conditions of office and procedures for the DERP.

### 1. Purpose of the Panel

1.1 The purpose of the DERP is to:

- a) Examine, evaluate and critique the design aspects of relevant proposed commercial, residential and community developments and identify how the proposed development could be improved by design changes to better achieve the objectives of the relevant planning controls and an optimum design outcome.
- b) Provide comments to applicants and their professional consultants through Council staff on actions that could be taken to improve the quality of the design.

### 2. Aims

2.1 The aims of the DERP are to:

- a) Encourage quality development through promotion of best practice in urban design
- b) Connect with the development industry by succinctly communicating practical critiques so they recognise the value of good design
- c) Provide pragmatic design advice that encourages development while ensuring outcomes that contribute to design excellence
- d) Encourage proponents to engage with the members of the Panel during the pre-lodgement stage of development to ensure maximum benefits to all stakeholders

### 3. Scope of the Panel

3.1 The DERP will provide expert and independent advice on the following developments:

- a) New residential apartment development above 3 storeys
- b) Medium density developments including shop top housing of 20 units or more
- c) New commercial buildings over 3 storeys or with a floor area of 2000 m<sup>2</sup> or more
- d) Boarding houses

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- e) Any other development/proposal that in the opinion of the General Manager or a Director should be referred to the DERP
- f) Any modification of a consent for a development that meets the qualifying referral criteria and proposes a significant change to the approved built form and public interface of the development.

#### 4. Reference Material

The members of the DERP will make recommendations and provide advice to Council on the matters referred to them having regard to the material forwarded to them in each case by the applicant and in every case having regard to Campbelltown City Council adopted policies including:

- a) Campbelltown Local Environmental Plan 2015
- b) Campbelltown (Sustainable City) Development Control Plan
- c) State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- d) Apartment Design Guide
- e) Re-imagining Campbelltown CBD

#### 5. Functions of the Panel

- 5.1 The DERP plays an advisory role and is not a decision-making body.
- 5.2 The role of the DERP is to thoroughly examine, evaluate and comment upon the design aspects of applications/proposals within their scope in the Campbelltown Local Government Area.
- 5.3 The matters that are to be considered by the DERP are:
  - whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved
  - whether the form and external appearance of the development will improve the quality and amenity of the public domain
  - whether the development detrimentally impacts on view corridors
  - how the development addresses the following matters:
    - the suitability of the land for development
    - existing and proposed uses
    - heritage issues and streetscape constraints
    - bulk, massing and modulation of buildings
    - street frontage heights
    - environmental impacts such as sustainable design, overshadowing, wind and

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reflectivity

- the achievement of the principles of ecologically sustainable development, pedestrian, cycle, vehicular and service access, circulation and requirements
- the impact on, and any proposed improvements to, the public domain
- the interface with the public domain
- the quality and integration of landscape design

5.4 Additionally the panel shall provide advice on measures that will improve the design and the interaction of the public having regard to:

- Seasons
- Day time, evening and night
- Lighting
- Extreme weather

5.5 The Panel shall not request that an application is re-referred to the Panel unless a full rejection of the application is recommended on design grounds. The Panel shall instead include specific recommendations relating to the changes requested to the design to address any concerns raised.

5.6 Despite 5.5 above, where the Panel is required to re-consider a revised design:

- Council staff shall organise a meeting (face to face or electronically) and invite the same members who provided comments on the original design; and
- Panel members attending the meeting shall be paid a remuneration of \$250 Plus GST per hour; and
- The Chair organising the minutes for the subject item shall be paid an additional fee at a rate of \$250 Plus GST per hour.

## 6. Membership of the Panel

6.1 The DERP shall comprise of a pool of at least five respected professionals who are or have been involved in the design of major projects. Such members shall have extensive expertise in one or more of the following professions:

- a) Architecture
- b) Urban design
- c) Landscape architecture

A member cannot be employed by Campbelltown Council, including Council officers and elected Councillors, in accordance with the requirements of State Environmental Planning Policy No. 65 (SEPP No.65).

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**7. Panel Appointment**

- 7.1 Campbelltown City Council will seek a pool of suitably qualified and experienced Panel representatives.
- 7.2 Only three Panel members will attend any particular meeting of the Panel.
- 7.3 Expert members shall not live in or do business in the Council area in a related field.
- 7.4 Panel members will be appointed on the basis of their qualifications and experience and absence of any real or potential pecuniary or non-pecuniary conflict of interest.
- 7.5 If a vacancy occurs in the membership of the Panel, the Director City Planning and Environment may appoint an additional person to fill the vacant position, where the pool of panel members is reduced below five.
- 7.6 Selected Architects shall be registered with the Royal Institute of Architects, or have extensive architectural design experience.

**8. Chairperson**

- 8.1 The chairperson for any particular panel meeting will be chosen from the members of the pool rostered on for that particular meeting and will be appointed by Director City Planning and Environment or delegate. Preference will be given to those that scored higher in the assessment criteria in the process of appointing panel members.

**9. Quorum**

- 9.1 A quorum of three Panel members is required for a meeting.

**10. Conduct and Disclosures**

- 10.1 Panel members shall act lawfully and with integrity and professionalism.
- 10.2 Panel members shall comply with all requirements imposed by the *Local Government Act* 1993 on persons providing advice to a Council.
- 10.3 All Panel members are required to understand, acknowledge and sign Council's Code of Conduct prior to being appointed on Council's list of Panel members.
- 10.4 Any declarations for a conflict of interest shall be disclosed prior to acceptance of meeting attendance. Where a conflict of interest is either a pecuniary interest or a significant non-pecuniary interest the panel member shall advise prior to the meeting and exclude themselves from the meeting. Where this occurs, the panel member will be replaced by another member of the pool of members chosen by the Director City Planning and Environment.

**11. Remuneration of Panel Members**

- 11.1 Panel members will be engaged for a term of three years.
- 11.2 Panel members shall be paid a remuneration of \$1200.00 plus GST per half day (up to 4 hours) or \$1700.00 plus GST per full day.
- 11.3 The Chairperson shall be paid an additional remuneration of \$400 plus GST for chairing and preparing

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the minutes of the meeting and providing them within one week of the meeting.

- 11.4 A full day Panel meeting will have 3 or more items on the Agenda, and a half a day meeting will have two or less items.

## **12. Responsibilities of the Panel**

- 12.1 Prior to the assessment of the design quality of a development/proposal, it is required that each Panel member commenting on the proposal/application will have:

- a) Received copies of the proposal/application
- b) Become familiar with the proposal/application
- c) Conducted a site visit of the subject site and surrounding area

## **PROCEDURES**

### **13. Documentation to Panel**

- 13.1 The following electronic documentation is to be provided to the Panel electronically one week before the meeting:

- a) The assessing officer's briefing report
- b) An electronic copy of the Architectural drawings
- c) All other relevant information that has been provided

### **14. Advice to Council**

- 14.1 Council staff shall attend meetings with Panel members.
- 14.2 The Chairperson of the meeting shall prepare written advice in the form of meeting minutes, no longer than one week from the date of the meeting.
- 14.3 The minutes shall be written in plain English.
- 14.4 The minutes of the Panel shall be circulated to the applicant by Council staff.

Note: The Panel recommendations may have implications on the assessment of the application against *Section 4.15 of the Environmental Planning and Assessment Act, 1979* and this will need to be clearly communicated to the Applicant.

- 14.5 The Panel's recommendations shall be communicated to the Applicant in writing within 2 weeks of the meeting.

### **15. Meeting Procedures**

- 15.1 The DERP will meet at such place and time as notified to the Panel members by Campbelltown City Council. It is expected that the Panel will be available to meet when required on dates and at places to be scheduled in advance of a meeting.
- 15.2 Where there is no business for a particular meeting, Campbelltown City Council will cancel the meeting and no remuneration will be provided to Panel members.

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- 15.3 Campbelltown City Council may call an extraordinary meeting to take place as required, with at least one week written notice to all Panel members.
- 15.4 A chairperson appointed by the Director City Planning and Environment will preside as Chairperson for the meeting they are appointed to. The role of chairperson will be rotated.
- 15.5 The Chairperson will take minutes of the DERP meetings. The minutes will include the following:
- A statement of the status and purpose of the meeting
  - Attendance
  - Apologies
  - Declarations of interest
  - A record of all recommendations made by the Panel
- 15.6 The applicant's architect shall be provided with the opportunity to attend the meeting and present their design and answer questions. The time provided to the applicants' architects shall be limited to 30 minutes.
- 15.7 Meeting minutes will be reviewed by all Panel members and approved for circulation by the Panel Chair. Once the minutes are confirmed, Council staff will circulate the minutes to all members and to the relevant staff and to the applicant.

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## **8.5 Draft Site Specific Development Control Plan - 80 O'Sullivan Road Leumeah**

### **Reporting Officer**

Executive Manager Urban Centres  
City Planning and Environment

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
3 Enriched Natural Environment	3.1.2 Ensure urban development is considerate of the natural environment

### **Delivery Program**

<b>Principal Activity</b>
2.1.1.3 Deliver effective land use planning to ensure community needs are met

### **Officer's Recommendation**

1. That Council endorse the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) which seeks to add Part 17 to Volume 2 for 80 O'Sullivan Road Leumeah, as shown in attachment 1 to this report.
2. That where no submissions are received during the public exhibition period, the draft amendment be approved and added as Part 17 of Volume 2 of the Council's SCDCP.
3. That subject to recommendation No. 2, Council publish a notice of its decision to approve the draft amendment on its website, within 28 days after the decision being made, and inform the landowners of 80 O'Sullivan Road Leumeah of the decision.

### **Executive Summary**

- On 8 November 2022, Council considered and endorsed a Planning Proposal (Proposal) for the site known as 80 O'Sullivan Road, Leumeah (the Site), which sought to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015), to allow an increase to the maximum building height standards applying to the Site, in order to facilitate a mixed use development outcome of 10-12 storeys.
- On endorsement of the Proposal, Council required the preparation of a site specific Development Control Plan.
- A draft site specific Development Control Plan (draft DCP) for the Site has now been prepared by the applicant in consultation with Council staff.



- The draft DCP provides specific development controls for the Site and will be a supporting document to the Proposal that will be submitted to the Department of Planning and Environment (Department) for a Gateway Determination.
- Subject to the Department issuing a favourable Gateway Determination for the Site, the draft DCP will be publicly exhibited with the Proposal.
- It is recommended that Council endorse the public exhibition of the draft DCP shown at attachment 1.

## Purpose

The purpose of this report is to seek Council's endorsement to proceed with the public exhibition of a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) which proposes the introduction of Part 17 of Volume 2 entitled "80 O'Sullivan Road Leumeah".

Part 17 will provide site specific development controls which guide future development of 80 O'Sullivan Road, Leumeah (the Site).

## History

In July 2021, Council received a Planning Proposal Request (PPR) that sought approval to amend the CLEP 2015 to increase the current 12 m maximum permissible height of building standard that applies to the Site, and to establish a Floor Space Ratio. The PPR was referred to the Local Planning Panel (the Panel) on Wednesday 22 September 2021. The Panel generally agreed that the PPR met the strategic merit test, having regards to the relevant strategic planning strategies, and the site specific merit test.

Following the response of the Panel on the PPR, Council officers subsequently drafted a Planning Proposal for the Site.

At its meeting on 8 November 2022, Council considered the draft Planning Proposal for the Site and resolved:

1. That Council endorse the Planning Proposal at attachment 1 to this report, subject to minor changes being made if required to address outstanding matters.
2. That subject to recommendation 1, the applicant addresses all outstanding matters listed in Section 13 Outstanding Matters in this report including the preparation of a draft site specific Development Control Plan.
3. That subject to recommendation 1, the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination.
4. That subject to the receipt of a Gateway Approval, Council proceed to publicly exhibit the planning proposal and the draft site specific DCP.

5. That at the conclusion of the public exhibition, a report be presented to Council on the outcome of the public exhibition.

A draft DCP has been collaboratively prepared in order to satisfy this requirement and in order to allow the Proposal to progress.

## Report

This report outlines the objectives and key features of the draft Site Specific Development Control Plan (draft DCP), in addition to addressing other planning matters which are considered relevant to this project.

### Structure of draft DCP for 80 O'Sullivan Road Leumeah

The draft DCP contains the following parts: -

- **Application:** This part of the draft DCP set out key information relating to how the chapter is to be applied. Key information includes the land to which the chapter applies, the purpose of the chapter and the relationship between the chapter and the Campbelltown (Sustainable City) Development Control Plan (SCDCP) as a whole.
- **Vision and Development Objectives:** This part elaborates on the vision that is held for the site and outlines the objectives of the chapter.
- **Development Objectives and Controls:** This part outlines the specific development controls that will apply to development on the site. Controls have been included to influence development in a number of areas including built form, streetscape, vehicular movement, engineering and amenity. Additionally, this part outlines how development on site is to be staged.

### Consistency of the draft DCP with the 80 O'Sullivan Road Leumeah Planning Proposal

This draft DCP has been prepared to align with the Proposal for the Site, considered by Council on 8 November 2022, and will be submitted to the Department as part of the documentation supporting Council's request to issue a Gateway Determination for the site.

The controls of the Draft DCP have been prepared to complement the following LEP changes within the Proposal.

- **Clause 4.3 – Height of Buildings –** The Proposal seeks an amendment to the Height of Building Maps to increase the maximum building height across the site from 12 m to part 38.5 m and part 33 m. The draft DCP sets forth controls outlining how this is to be achieved, in order to ensure a range of building heights that will provide a variety in built form and land use intensity across the development site.
- **Clause 4.4 – Floor Space Ratio –** The site is not presently mapped on the CLEP 2015 Floor space Ratio Map and is thus subject to clause 4.4 2(a) of CLEP 2015. The Proposal seeks an Amendment to the Floor Space Ratio Map to introduce a maximum floor space ratio of 2:1. The draft DCP would implement controls aimed at ensuring positive

amenity on site for residents, people employed on site and for members of the community using the proposed pedestrian links through the site.

### **Relationship to the SCDP**

The SCDP is comprised of 2 parts with Volume 1 containing the general controls and associated requirements for 19 different types of land uses, while Volume 2 provides the site specific development controls for several precincts in the Campbelltown LGA. The draft DCP for 80 O'Sullivan Road Leumeah is a site specific DCP which will be adopted into Volume 2 as "Part 17 – 80 O'Sullivan Road Leumeah".

The draft DCP controls will only apply to proposed development within the Site. Where controls have not been specified within this draft DCP, any future development proposed within the 80 O'Sullivan Road precinct will be required to also demonstrate consistency with the existing provisions outlined in Volume 1, listed in the following Parts: -

- Part 2: Requirements Applying to All Types of Development
- Part 5: Residential Flat Buildings and Mixed-use Development
- Part 6: Commercial Development

### **Design Excellence Panel**

In accordance with Clause 15 of Environmental Planning and Assessment Regulation 2021, Council must not approve a Development Control Plan containing provisions which apply to residential apartment development unless it has taken into consideration any comments made by the Design Excellence Panel (DEP), concerning those provisions.

The draft DCP has been considered by the DEP at the 18 May 2023 meeting and comments received will be addressed during the public exhibition period and will form part of a report to Council on the outcome of the public exhibition.

### **Public Participation**

The draft DCP for 80 O'Sullivan Road is being reported to Council to seek endorsement for public exhibition. The public exhibition will be undertaken in conjunction with the public exhibition of the Proposal, assuming it receives a positive gateway determination.

The public exhibition will also include consultation with government agencies and public utility providers. Unless otherwise required by the gateway determination, the public exhibition will be for a period of at least 28 days in accordance with the requirements of Council's Community Participation Plan.

Individual letters will also be sent to owners immediately adjoining the site advising them of the public exhibition of the draft DCP and the Proposal.

The public exhibition will also be notified on Council's website, in accordance with the Environmental Planning and Assessment Regulation 2021.

**Conclusion**

A draft amendment to the SCDCP has been prepared for 80 O'Sullivan Road, Leumeah. This amendment is in the form of a draft site specific DCP which is proposed to be adopted into Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 and entitled "Part 17 – 80 O'Sullivan Road Leumeah".

The draft DCP will provide site specific development controls which will guide future development within the Site – 80 O'Sullivan Road, Leumeah.

The draft DCP has been prepared to align with the endorsed Proposal for the site, and will be submitted to the Department of Planning and Environment as part of the documentation supporting Council's request to issue a Gateway Determination.

It is now recommended that Council endorse the public exhibition of the draft DCP for 80 O'Sullivan Road Leumeah.

**Attachments**

8.5.1 80 O'Sullivan Rd – Part 17 – Draft DCP (contained within this report) [↓](#)

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# **Part 17**

## **Site-Specific Development Control Plan**

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This version of Volume 2, Part 17 was  
adopted by Council on the **XX month** 2023.

It came into effect on **XX month** 2023.

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## 17.1

### Application

#### 17.1 Application

##### 17.1.1 Land to which this Part applies

This Development Control Plan (DCP) applies to land at 80 O'Sullivan Road, Leumeah being identified in **Figure 1**. The subject site comprises a single lot known legally as Lot 201 in DP 1052199. The land is situated in the Leumeah town centre. The site forms part of the mixed-use core of the Leumeah town centre which is largely made up of other small retail and commercial premises, as well as more recently established higher density residential development.

The site is located in close proximity to Leumeah train station and currently accommodates the Leumeah Hotel and a bottle shop. The site is 8,117sqm, is generally flat and has a frontage to O'Sullivan Road.



**Figure 1 - Land Application Map**



### 17.1.2 Purpose of this Part

The purpose of this Part is to establish a supplementary planning framework (beyond the general provisions of the Campbelltown Sustainable City DCP) for achieving the Council endorsed proposal for the subject land (Leumeah Hotel) at 80 O'Sullivan Road, through the establishment of site-specific objectives, development controls and indicative layout for the future development of the site

In doing so it provides a platform against which Council will assess future development applications for a mixed-use development at the subject site.

## 17.1

### Application

### 17.1.3 Relationship with Campbelltown (Sustainable City) DCP

This DCP forms part of the Campbelltown (Sustainable City) DCP ('CSCDCP') and provides additional controls and guidelines that apply specifically to development at 80 O'Sullivan Road, Leumeah. Where a development control is not specified in this Part, development is subject to all other relevant controls of Volume 1 of the CSCDCP. Where there is an inconsistency between this Part and any other provision of the CSCDCP, this Part applies to the extent of the inconsistency.

## 17.2

### Vision and Development Objectives

#### 17.2 Vision and Development Objectives

##### 17.2.1 Vision

The key vision is to deliver a high-quality mixed-use precinct which provides opportunities for delivering additional housing supply in a highly accessible location to support the increased residential density, and the provision of highly activated streetscapes and practical public and private open spaces.

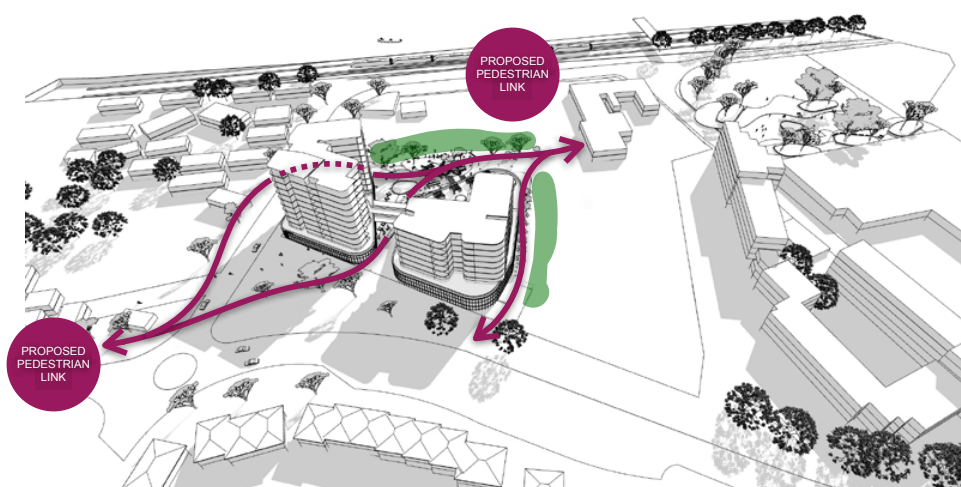
The site forms part of the Leumeah town centre which is identified for significant urban renewal which aims to support a mixed-use precinct with an increased residential population in the future. The site is located less than 200 metres to Leumeah train station and is in close proximity to the Campbelltown Sports Stadium and West Leagues Club which together form part of a major sports and entertainment precinct.

With a major train station, easy access to the M5 Hume Motorway, and a direct link to the Campbelltown CBD, future development should explore opportunities for redevelopment of the Leumeah town centre that is generally consistent with the vision of the 'Reimagining Campbelltown' framework.

The envisaged future redevelopment of the site will supply residential and retail floor space in a highly accessible location, benefiting from existing public transport connections and nearby growing employment centres.. Development should seek to provide a mix of uses including a retail hub for the locality supported by significant increase in residential densities.

A key component of the vision includes the delivery of a highly activated pedestrianised through-site link which will provide direct connection from areas south east of the site to the Leumeah train station, the future Civic Square and the emerging sports and entertainment precinct. The Leumeah Hotel is to be retained and incorporated to ensure the site remains a local entertainment venue that is highly activated.

An Indicative 3D Building Envelope Plan is provided at **Figure 2** to demonstrate how future built form can be accommodated within the site.



**Figure 2** - Indicative 3D Building Envelope Plan

### 17.2.2 Development Objectives

## 17.2

### Vision and Development Objectives

#### Objectives:

- To ensure new development responds to its context, including streetscape and adjoining properties, and provides appropriate levels of amenity for the private and public domain.
- To ensure the new development enhances the public domain through active street frontages, modulation, articulation and the use of high-quality materials and finishes.
- To provide a connection between the Leumeah train station and the rest of the suburb of Leumeah to the east, through the creation of a vibrant and active pedestrian through-site link.
- To encourage a building form that is conducive to the creation of a vibrant, mixed-use town centre that provides a range of retail, business and residential uses.
- To provide a high level of ground floor activation, through site connections to streets and important places, pedestrian amenity, and new public domain in the town centre.
- To ensure podium and tower relationships retain pedestrian scale in the articulation and detailing of the lower levels of the buildings.
- To create a fine-grained pattern of development which is generally oriented to maximise solar access.
- To ensure the development contributes to the realisation of the Re-imagining Campbelltown City Centre Master Plan.

## 17.3

### Development Objectives and Controls

#### 17.3 Development Objectives and Controls

##### 17.3.1 Staging of Development

#### Controls

- 1 Development is to be staged in accordance with the Staging Plans provided in **Figure 3** and **Figure 4** below.



Figure 3 - Stage 1 Plan



Figure 4 - Stage 2 Plan

### 17.3.2 Building Design, Orientation and Layout

#### Objectives:

- To create a sense of visual separation between buildings, podiums, and tower levels.
- To provide appropriate building separation to ensure privacy, access to light and ventilation and a high- quality visual outlook from residential apartments.
- To establish a public realm and pedestrian network to enhance liveability and building siting and massing.
- To encourage an environment that is generally consistent with the Re-imagining Campbelltown City Centre Master Plan.
- To activate street frontages to create a vibrant mixed-use development.
- To ensure that the development enhances the public domain, defines the streetscape, and creates a physical and visible connection between the built form and the public space.
- To provide a high degree of articulation that establishes a fine grain frontage at ground/podium level.
- To reinforce pedestrian comfort at street level, including a sheltered/shaded and attractive pedestrian environment.

## 17.3

### Development Objectives and Controls

## 17.3

### Development Objectives and Controls

#### Controls

- 1 Development including building footprints, open space and pedestrian areas is to generally comply with the concept Masterplan for the site shown at **Figure 5**.
- 2 Landscape design is to be high quality and create interest and character through measures such as indigenous tree species, pavement design and other appropriate elements.
- 3 All development applications for new buildings shall be referred to the Campbelltown Design Excellence Panel prior to lodgement and before detailed design.
- 4 The architectural character of the development shall provide a fine grain appearance at the street wall level.
- 5 The architectural design shall incorporate the use of durable and high-quality materials and include a variety of colours together with visually integrated treatment of plant areas.
- 6 All development proposals shall include public domain spaces which add to the visual and environmental amenity of the site, and which are designed to maximise safety and security.
- 7 The maximum building width for each tower shall not exceed 40 metres.
- 8 The street wall height must relate to the human scale and be designed to provide a well-modulated pedestrian experience at street level.
- 9 Towers are to be located and designed to minimise overshadowing impact to the public open space (road reserve) along Pembroke Road and to the communal open space provided within the site.
- 10 Development shall comply with ADG building separations and setbacks.



**Figure 5 - Masterplan**



### 17.3.3 Building Separation and Setbacks

#### Objectives:

- To reinforce street edges and the public domain.
- To create a sense of visual distinction and separation between the podium and tower levels.
- To ensure compliance with the Apartment Design Guide.

## 17.3

### Development Objectives and Controls

#### Controls

- 1 Building setbacks shall be provided in accordance with **Figure 6**.
- 2 A zero setback for podium is to be provided along O'Sullivan Road and Pembroke Road to provide a strong built form and activation.
- 3 Tower setbacks of 3 metres are required for O'Sullivan Road and Pembroke Road. Tower design elsewhere is to provide for distinction between the tower and podium within the design detailing.
- 4 Setbacks are to enhance amenity in terms of daylight, outlook, view sharing, ventilation, wind mitigation and weather protection.
- 5 A wind impact assessment report is to be provided with a development application for buildings.
- 6 Building separations are to be in accordance with the Apartment Design Guide.



**Figure 6** - Building Separation and Setbacks Plan

## 17.3

### Development Objectives and Controls

#### 17.3.4 Building Heights

##### Objectives:

- To require a range of building heights that will provide a variety in built form and land use intensity across the development site.
- To maximise solar access to the public domain, open space and pedestrian areas.
- To minimise undesirable visual impact, disruption of views, loss of privacy and solar access to adjoining land.
- To ensure the maximum height reflects the intended future scale of development within the Leumeah town centre.

##### Controls

- 1 The skyline is to be sympathetic to the topography of the land.
- 2 The building massing and arrangement must carefully consider how the development makes a positive contribution to the skyline.
- 3 Development must be consistent with the maximum number of storeys identified in **Figure 7**.
- 4 A 1-storey podium must be provided as shown in **Figure 7**.



Figure 7 - Building Heights Plan



### 17.3.5 Landscaping, Open Space and Public Amenity

## 17.3

### Development Objectives and Controls

#### Objectives:

- To establish a useable area of public open space to cater for the amenity of future residents, workers, and visitors.
- To allow for passive recreation opportunities, catering for a range of activities and intergenerational needs.
- To facilitate community interaction and gathering for residents, workers and visitors.
- To provide public open space with good solar access and high standards of amenity.
- To activate the edge of the public open space to encourage safe and legitimate use of the open space and foster passive surveillance.
- To ensure sufficient deep soil to enable the growth of large trees within open space and buffer areas.
- To ensure open space is appropriately landscaped with hard and soft materials, street furniture, trees, plantings, and walking paths.

#### Controls

- 1 Public open space is to be provided in accordance with **Figure 8**.
- 2 A minimum of 2,600sqm sqm of public open space is to be provided at ground level.
- 3 The development shall include the provision of utility services and street furniture to facilitate the functioning of the pedestrian through-site link. Details shall be provided at the development application stage.
- 4 The provisions of the Campbelltown (Sustainable City) Development Control Plan included in Part 2, 2.13 must be addressed in a future development application. These controls relate to the requirements of Crime Prevention Through Environmental Design.
- 5 Development applications shall include details of lighting to spaces to provide safety to pedestrians and embrace the principles of crime safety through environmental design.
- 6 A public domain plan is to be prepared and submitted to Council with a development application for the construction of public through-site link that illustrates the context, role and purpose of open space elements.

## 17.3

### Development Objectives and Controls



Figure 8 - Landscape and Public Open Space Plan

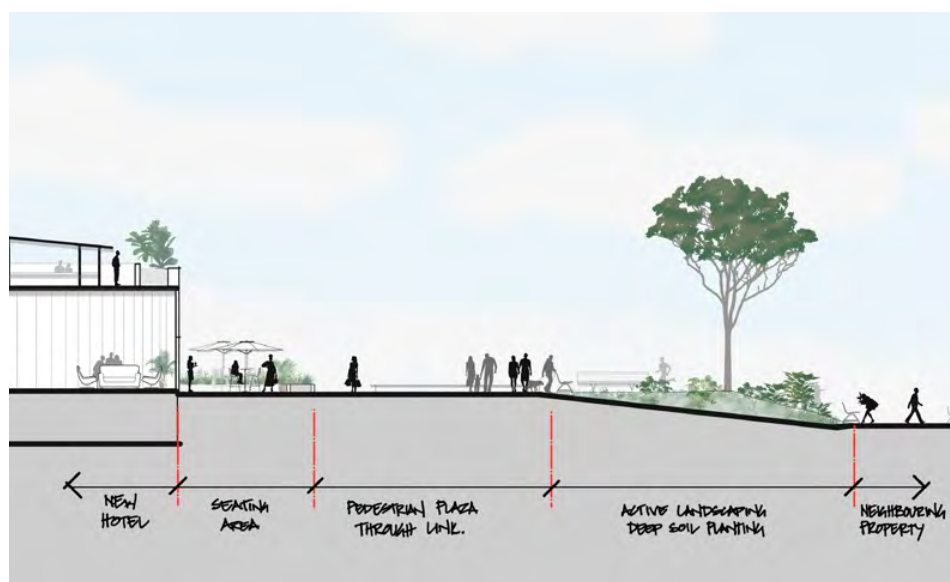
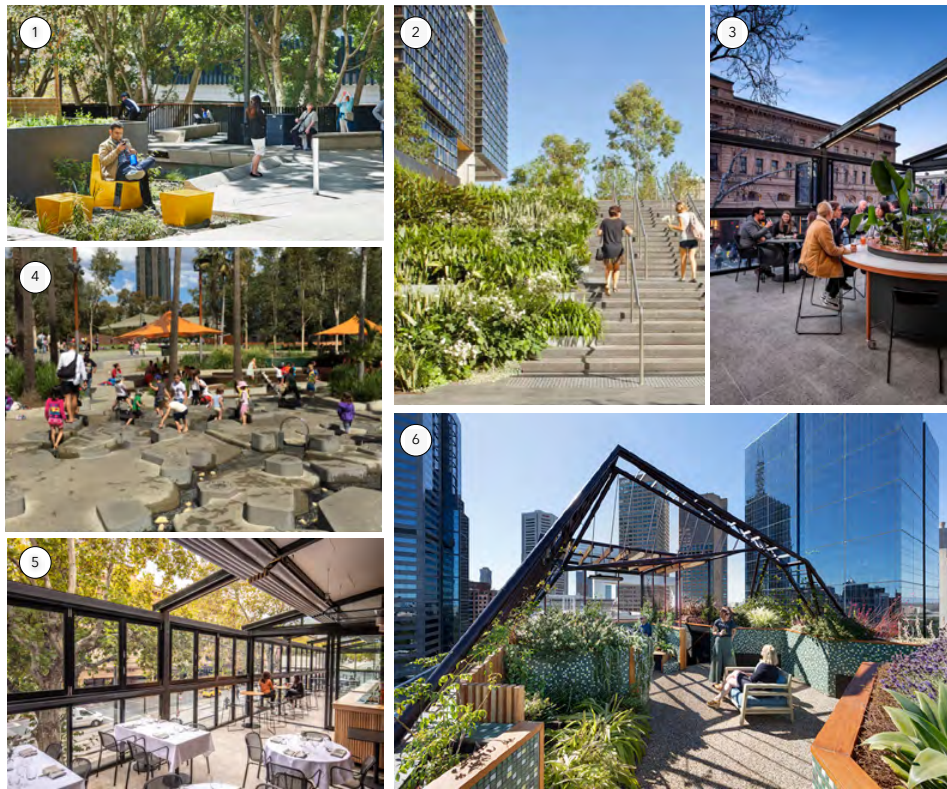


Figure 9 - Public Open Space Section



**Figure 10 - Precedent Imagery — Public Amenity**

## 17.3 Development Objectives and Controls

## 17.3

### Development Objectives and Controls

#### 17.3.6 Streetscape, Activation and Connectivity

##### Objectives:

- To provide public connectivity through the site to adjoining land.
- To activate street frontages to create a vibrant mixed-use development.
- To ensure that the development enhances the public domain, defines the streetscape and creates a physical and visible connection between built form and the public space.
- To provide a high degree of articulation that establishes a fine grain frontage at ground level.
- To reinforce pedestrian comfort at street level, including a sheltered/shaded and attractive pedestrian environment.

##### Controls

- 1 Provide a central activated pedestrian through-site link connecting the Leumeah train station to the broader suburb of Leumeah to the east in accordance with **Figure 11**.
- 2 Buildings constructed to the boundary must provide active operable/transparent façades at ground level fronting the street to promote visual surveillance, access and active street frontages.
- 3 Pedestrian connections are to be activated where possible through design and active uses.
- 4 Public awnings for weather protection and public amenity are to be included along Pembroke Road and O'Sullivan Road, and between the buildings along the pedestrian through site link.
- 5 Blank walls to the public domain are to be minimised and where incorporated should be treated with appropriate levels of design detail and visual articulation to create visual interest.
- 6 Buildings must include active uses along O'Sullivan Road.
- 7 Pedestrian movement is to be prioritised by appropriate crossings, footpath designs, street furniture, parking layouts etc.





Figure 11 - Pedestrian Connectivity Plan

## 17.3

### Development Objectives and Controls

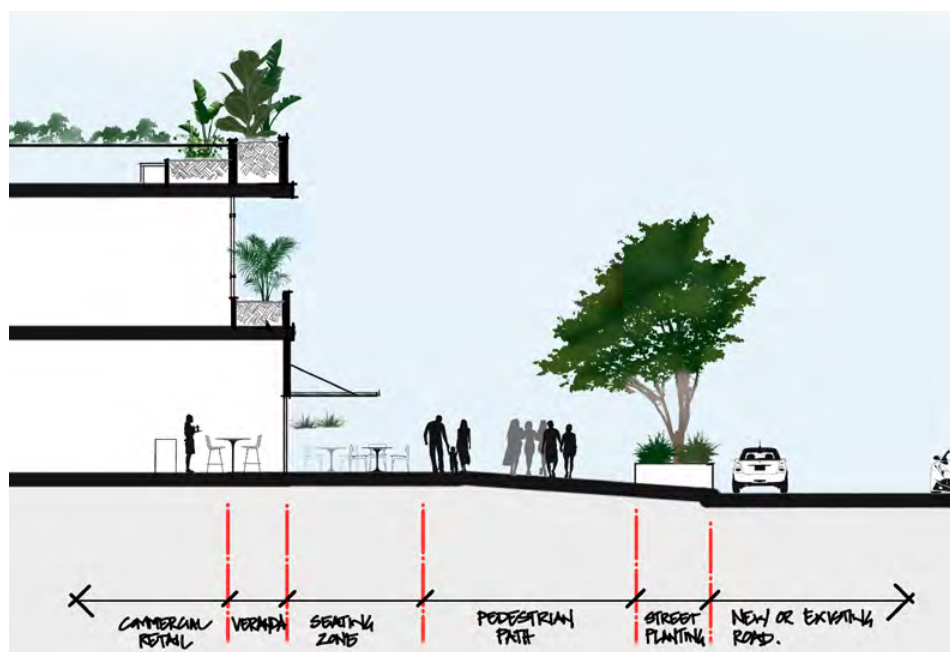


Figure 12 - Streetscape Section

## 17.3

### Development Objectives and Controls



Figure 13 - Precent Imagery — Streetscape Activation

### 15.3.7 Parking and Access

#### Objectives:

- To prioritise pedestrian and public amenity throughout the development.
- To establish a safe balance between pedestrian, cycling and vehicle movement.
- To minimise the impact of vehicle accessways from the public domain.
- To encourage residents to walk or cycle, in preference to using motor vehicles, as a way of gaining access to schools, shops and local community and recreation facilities.

## 17.3

### Development Objectives and Controls

#### Controls

- 1 Provide a high-quality public domain with awnings along all street frontages and the pedestrian through site link to create a pedestrian friendly and weather protected environment.
- 2 Vehicle access is to be provided in accordance with the Staging Plans provided at **Figure 3** and **Figure 4** as follows:
  - During Stage 1 vehicle access to the existing Leumeah Hotel shall continue to be provided via Pembroke Road. This access shall be used to service Stage 1 of the development.
  - Upon completion of Stage 2, vehicle access to the basement car park shall be provided via O'Sullivan Road.
- 3 A basement setback is not required from the boundary along O'Sullivan Road.
- 4 Car parking spaces for the residential component of the development are to be provided in accordance with the Apartment Design Guidelines.
- 5 Car parking rates for the retail component of the development are to be provided in accordance with the relevant rates set out in the Campbelltown (Sustainable City) Development Control Plan.
- 6 Car parking rates for the existing Leumeah Hotel are to be provided in accordance with the existing approved number of spaces currently provided (98 spaces).
- 7 Bicycle spaces are to be provided in accordance with the relevant rates set out in the Campbelltown (Sustainable City) Development Control Plan.
- 8 There is to be no provision made for loading bays on O'Sullivan Road.
- 9 No vehicle access shall be provided from Pembroke Road at the completion of the development. The current access shall be closed off as part of Stage 2 of the development of the site.

## 17.3

### Development Objectives and Controls

#### 15.3.8 Flooding and Stormwater Management

##### Objectives:

- To ensure development is designed in consideration of potential flood hazards.
- To ensure effective and adequate drainage is provided for new development sites.

##### Controls

- 1 The proposed development should not result in any increased risk to human life.
- 2 The proposed development should not result in any additional flood impacts to any other properties.
- 3 Stormwater runoff generated by new development should be managed to protect against any potential damage to persons or property.
- 4 Compliance with Council's Flood Policy and the provisions of the State Government 's "Floodplain Development Manual" available from the NSW Department of Land and Water Conservation.



### 17.3.9 Security, Privacy and Acoustic Amenity

**Objectives:**

- To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.
- To provide personal and property security for residents and visitors and enhance perceptions of community safety.
- To ensure that all future occupants are provided with appropriate acoustic amenity.

## 17.3

**Development  
Objectives and  
Controls****Controls**

- 1 Private external living spaces and internal living areas of adjacent dwellings should be protected from overlooking.
- 2 Site layout and building design ensures that windows do not provide direct and close views into windows, or private external living spaces of adjoining dwellings.
- 3 Any future development application for built form must be accompanied by an acoustic assessment which demonstrates that the development will comply with the Development Near Rail Corridors and Busy Roads - Interim Guideline 2008.
- 4 Shared pedestrian entries to multiple dwelling complexes should be lockable.
- 5 Buildings adjacent to streets or public spaces are designed to allow casual surveillance and should have at least one habitable room window facing that area.

## **8.6 Glenfield East Site Specific Development Control Plan - Outcome of Public Exhibition**

### **Reporting Officer**

Executive Manager Urban Centres  
City Planning and Environment

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
1 Community and Belonging	1.2.3 Promote and support a safe community
2 Places For People	2.1.2 Provide public places and facilities that encourage leisure, recreation, and physical activity

### **Delivery Program**

<b>Principal Activity</b>
2.1.1.3 Deliver effective land use planning to ensure community needs are met

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### **Officer's Recommendation**

1. That Council adopt the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP) by adding Part 19 "Glenfield East" to Volume 2 of the CSCDCP, as shown in attachment 1 to this report.
2. That subject to recommendation No.1, Council publish a notice of the decision on its website, within 28 days after the decision is made, and notify all landowners in the Glenfield East precinct of the Council's decision.

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### **Purpose**

This report is provided as an update on the outcome of the public exhibition of a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP), which proposes the introduction of Part 19 entitled "Glenfield East."

Part 19 will provide site-specific development controls that guide future development in the Glenfield East precinct. This report also seeks the adoption and notification of the amendment to the CSCDCP by the addition of Part 19 into Volume 2.

## Executive Summary

- Council commissioned the preparation of a draft site-specific development control plan for the Glenfield East precinct.
- The Glenfield East precinct is mapped as an 'Urban Release Area' under the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and Clause 6.3 (Urban Release Areas) requires a Development Control Plan to be prepared before granting any further development consent in this precinct.
- A draft DCP was developed and with the approval of the Council, placed on public exhibition from 1 March 2023 until 31 March 2023. Two submissions were received during the exhibition period, one from a State Government Agency and the other from a local architect which requested that changes be made to the draft DCP.
- Minor amendments have now been made to the draft DCP in response to the submission from Transport for New South Wales (TfNSW).
- It is now recommended that Council formally adopt the draft DCP into Volume 2 of the CSCDCP as "Part 19 - Glenfield East" and notify its decision on Council's website in accordance with the Environmental Planning and Assessment Regulation 2021.
- A revised copy of the draft DCP has been included as attachment 1 to this report.

## History

On 16 July 2021, the Department of Planning, Industry and Environment (DPIE), as it was then known, finalised the Glenfield Place Strategy (GPS) and an extensive rezoning at Glenfield which included the Glenfield East Precinct as well as the Hurlstone Agricultural High School located on the western side of the railway line.

The Glenfield rezoning involved an amendment to the provisions of the CLEP 2015 including changes to land use zones, maximum building heights and floor space ratio controls. The amendment also included the addition of Part 8 to the CLEP 2015 which provided specific controls for Glenfield including requirements for affordable housing, maximum car parking rates and site coverage controls for land in the Environmental Living Zone.

These amendments were required to facilitate the NSW Government's vision highlighted in the DPIE's 'Glenfield to Macarthur Corridor Strategy' and in the 'Western City District Plan'. The purpose of the amendment to the CLEP 2015 was to enable transformation of this precinct, including a significant increase in the density of development.

The main focus of the GPS was the future redevelopment of the precinct located on the western side of the railway line into a high-density residential area with employment, business, and commercial uses located on the ground floor areas of any mixed-use buildings. In addition significant increases to the precinct's existing open space areas and recreational facilities were proposed, accompanied by upgrades of the Hurlstone Agricultural High School.

Glenfield East is identified as an Urban Release Area in Clause 6.3 of the CLEP 2015. The provisions of Clause 6.3 prevent development consent from being granted for development, other than for some minor development, until a DCP has been prepared which guides any future development. As a result, a DCP is required to be adopted for Glenfield East so that

future development in this precinct can be assessed and if it satisfies the requirements of the CLEP 2015 and other legislation, is generally consistent with the DCP and passes the merit test, can be approved.

At its meeting on 14 February 2023, Council received a report outlining the objectives and key features of the draft DCP. This report addressed numerous planning matters which were considered relevant to this project, such as the structure of the draft DCP, consistency with the CLEP 2015, inconsistency between the 'Height of Buildings' (HOB) map in the R3 Medium Density Zone, its relationship to the CSCDCP and several other planning matters.

Prior to reporting the draft DCP to Council, it was also considered by the Campbelltown Design Excellence Panel (DEP) on 7 November 2022 with a majority of the Panel's recommendations being subsequently incorporated into the exhibited draft DCP.

## **Report**

The draft DCP was publicly exhibited from 1 March 2023 to 31 March 2023. Land owners affected by the draft DCP were individually notified in writing, with all the exhibition material being made available on Council's website and at Council's Administration Centre. Several public authorities were also notified in writing of the draft DCP during this exhibition period.

### **General Public Submission**

One submission was received from the general public which centred upon the inconsistency between the controls within the CLEP 2015 for the R3 – Medium Density Residential Zone. The submission suggested an alternative typology of housing, namely 'town homes', in order to achieve the desired density and height outcomes in the Glenfield East precinct.

As a result of the amendment that was undertaken by the State Government to the CLEP as part of the Glenfield Precinct rezoning work, some areas that have been rezoned for R3 Medium Density Residential, have also been assigned a maximum building height of 18 m. However, apartment buildings are not currently permissible under the CLEP within these areas/R3, and as such, the anticipated densities within these areas will not be realised until an amendment to the CLEP that permits residential flat buildings is undertaken and implemented.

The matters raised in the submission are considered legitimate, however are not able to be resolved through the draft DCP. Instead a Planning Proposal would be required to amend the provisions of CLEP 2015. This matter will be addressed as part of Council's implementation of the Local Housing Strategy.

### **Government Agency Submission - Transport for NSW (TfNSW)**

TfNSW were notified of the proposal and provided a response which raised several issues relating to transportation, land use integration and the future envisaged character of the Glenfield East precinct. Some minor changes are now proposed to the draft DCP following consideration of the TfNSW submission.

The following Table provides a summary of all the matters raised by TfNSW and how have been subsequently addressed in a further revision to the draft DCP.

TfNSW Comments	Council Response
<p>(1) Recommend greater detail be provided in the DCP to guide the coordination of land use and transport, particularly within close proximity to the TfNSW's proposed 'Cambridge Avenue Upgrade' (CAU) project, to better inform how it progress through the various stages of this project.</p>	<p>To address this matter it is recommended that Section 15.4.3.3 of the draft DCP be amended by adding the following development control:</p> <p style="padding-left: 40px;">4. For all new development applications that will be potentially impacted by the proposed Cambridge Avenue Upgrade and involve the construction of new buildings, the applicant shall provide evidence to Council of consultation with TfNSW on the required setbacks as part of the development applications.</p> <p>The above proposed clause will ensure that any proposed setbacks will align with TfNSW proposal to upgrade Cambridge Avenue as that proposal is developed and a preferred design adopted.</p> <p>A note is also proposed to be included in the DCP providing a link to the proposed Cambridge Avenue Upgrade on the TfNSW website.</p> <p><a href="https://www.transport.nsw.gov.au/projects/current-projects/cambridge-avenue-glenfield-upgrade">https://www.transport.nsw.gov.au/projects/current-projects/cambridge-avenue-glenfield-upgrade</a></p>
<p>(2) "Council's desired future character for Glenfield, both built form and public domain. This is relevant to the entries to the Centre along Railway Parade and Canterbury Road. These two streets, plus the new intersections (as part of the Cambridge Avenue Upgrade Project) form the primary visual and physical access into Glenfield and would be expected to accommodate pedestrian movements between the centre and residential areas to the north as well as parklands surrounding the centre.</p> <p>This primary visual and physical access will be important in contributing to the character of the centre, as well as assist in orienting people arriving to the</p>	<p>Recommend that an additional clause be inserted into the following Section of the DCP to read:</p> <p>(a) 15.2.2 Glenfield East: Vision Desired Future Character and Development Principles (Vision and Desired Future Character Areas)</p> <p>"An entry statement to Glenfield East precinct shall be provided in a suitable location at the Railway Parade and Canterbury Road entry points (north and south of precinct) that defines the locality and provides a welcoming character setting by use of appropriate signage, wayfinding information for pedestrians and motorists and incorporates suitable materials and landscaping theme. This could take the form of a public art installation or structure."</p>

area from Cambridge Avenue and is worthy of further design consideration."	
(3) "Inclusion of a town centre and surrounding local and regional pedestrian and cycle plan maps would greatly assist in understanding the strategic public domain structure for Glenfield as a high growth area and inform the CAU project as to where to focus supporting infrastructure."	The provision of local pedestrian and cycle paths will be addressed in Council's Glenfield Public Domain Plan which is anticipated to commence preparation after adoption of the subject DCP.
(4) "Recognition of the ultimate CAU project boundary which is likely to encroach into areas allocated for medium density housing in the draft DCP around the CAU intersections on Railway Parade and Canterbury Road and will require more land take than indicated in the draft plan."	The final design for the CAU has not been determined. It is proposed to highlight this potential issue in the DCP by the addition of clauses relating to the CAU as identified in the response to line 1 of this table above.
<p>(5) "In addition to the above, the following matters should also be considered by Council: -</p> <ul style="list-style-type: none"> <li>• Controls relating to noise attenuation measures that mitigate road and rail infrastructure noise impacts to surrounding residential dwellings."</li> </ul>	<p>Recommend that an additional clause be inserted into the 'General Controls' section of the DCP (section 15.3.2 Movement Network), which states that: -</p> <p>Any development adjacent to the rail corridor and/or on Railway Parade shall consider the provisions of the NSW Department of Planning's "Development near Rail Corridors and Busy Roads – Interim Guideline dated December 2008 for any development on land in or immediately adjacent to a rail corridor"</p>
(6) "Landscape setbacks and separation from the CAU intersections on Railway Parade and Canterbury Road".	These matters will in part be addressed in the Glenfield Public Domain Plan which is anticipated to commence preparation after adoption of the subject draft DCP. The inclusion of the proposed clause under point 1 of this table which requires the applicant to consult with TfNSW prior to lodging an application for Council will also help address this matter pending the completion of a design for the CAU.
(7) "Future active transport linkages from Glenfield Town Centre to Glenfield on the northern side of the CAU project should be contemplated."	This matter is for TfNSW to address in its determination of the preferred design for CAU.

<p>(8) "As part of the Future Transport Strategy 2061, a metro line between the Western Sydney Aerotropolis Line to Glenfield via Leppington was identified as an initiative for investigation. In June 2020, TfNSW protected transport corridors in the Western Parkland City to enable this future connection. Glenfield station is a focal point for the Glenfield town centre and is the primary transport infrastructure servicing Glenfield East.</p> <p>The Glenfield Place Strategy leverages a level of accessibility provided by the station and provides for density supported by sustainable travel options. Clear consideration of how the station sits within the local context and is acknowledged by new development will be essential in delivering a positive place experience, a 30 minute city and 15 minute neighbourhoods, where people can catch public transport and easily access local services safely.</p> <p>It is recommended that the draft DCP should reflect the fundamental objectives that will assist in encouraging the integrated transport outcomes in Glenfield East, both for existing and future active and public transport to achieve this outcome."</p>	<p>It is considered that these requirements have been achieved in the exhibited Draft DCP, specifically in Sections –</p> <ul style="list-style-type: none"> <li>• 15.2.2 Glenfield East: Vision Desired Future Character and Development Principles – (Vision and Desired Future Character Areas);</li> <li>• 15.3.1 Provisions of Height and Density – CLEP 2015 – (Objectives);</li> <li>• 5.3.2 Movement Network – (Objectives);</li> <li>• 5.4 Area A – Station East – (B4 Mixed Use Zone);</li> <li>• 15.4.1 Desired Future Character Statement; and</li> <li>• 15.4.5 – Open Space and Landscaping</li> </ul>
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**Comment:** Addressing all the traffic issues raised by TfNSW in response to the draft DCP will require a comprehensive approach which incorporates landscape setbacks, noise attenuation measures, rail connectivity and land use integration, and clear consideration of how Glenfield station sits within the local context. By promoting sustainable transport options and transit-oriented development, it may be possible to reduce car dependency and create a more liveable and sustainable community in Glenfield East.

However, some of the above matters are considered to be beyond the scope of this development control plan. Council will be preparing a Public Domain Plan for the Glenfield East Precinct, where some of the above matters will be considered.

## Conclusion

A draft amendment to Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015, being "Part 19 - Glenfield East," was publicly exhibited from 1 March 2023 to 31 March 2023.

Following consideration of the submissions received (2 of), some additional clauses have been proposed, as discussed in the report.

It is now recommended that Council adopt the revised draft site-specific DCP for Glenfield East (Rev. F) and incorporate it into Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015.

This draft amendment will form "Part 19 - Glenfield East" of Volume 2.

The adopted DCP will commence once it has been notified on Council's website in accordance with the Environmental Planning and Assessment Regulation 2021.

Subject to Council's decision, it is intended to notify all landowners in the Glenfield East precinct of the Council's decision.

## Attachments

8.6.1 Draft Glenfield East DCP (contained within this report) [↓](#)



**DRAFT Campbelltown (Sustainable City)**  
**Development Control Plan 2015**

**VOLUME 2**

**Site Specific DCPs**

**Part 15: Glenfield East**

**Document Control**



**Document Information**

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**Document History**

Version	Effective Date	Description of Revision	Prepared by	Reviewed by
Rev A	10/08/2022	Draft Issue for client review	Charlotte Startari, Nadine Page	Elaine Treglown
Rev B	07/09/2022	Draft Issue for client review	Nadine Page	Nadine Page
Rev C	26/10/2022	Draft Issue for client review	Nadine Page	Elaine Treglown
Rev D	28/10/2022	Final Draft – pre-exhibition	Nadine Page	Elaine Treglown
Rev E	12/01/2023	Final Draft 2 – pre-exhibition	Nadine Page	Elaine Treglown
REV F	03/02/2023	Final Draft - Council Meeting	Rana Haddad	Campbelltown City Council

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## 15.1

### Application

#### 15.1.1 Glenfield Precinct

This Part applies to the Glenfield East Precinct. The Glenfield East Precinct mainly consists of low -density residential communities and includes a local shopping centre, two schools and several active recreation areas.

The entire Glenfield Precinct comprises the existing land areas located on both sides of the railway line. Hurlstone Agricultural High, Glenfield Park, Ajuga and Campbell House Schools are the primary land uses in the west of the Precinct while the intersection of the Hume Highway and Campbelltown Road delineates the Precinct's western boundary with Glenfield Road being the northern boundary.

#### 15.1.2 Land to which this part applies

The land where this Part of Volume 2 Site Specific Development Control Plans of the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP) applies is shown in Figure 15.1.2.1 below. This site is a triangular-shaped Precinct located within Eastern Glenfield ("Glenfield East Precinct"). This precinct is bounded by the railway line to the west, Canterbury Road to the east, and Fawcett Street to the south.

The Glenfield East Precinct is mapped as an 'Urban Release Area' within the Campbelltown Local Environment Plan 2015 (CLEP 2015) and has been identified for future urban redevelopment and intensification. This is largely due to the precinct's proximity and accessibility to the Glenfield Railway station and amenities.



Figure 15.1.2.1 - Land to which this site specific DCP Applies - Glenfield East Precinct

### 15.1.3 Background and purpose of this part

This Part has been prepared in accordance with Part 6 ‘Urban release areas’; Clause 6.3 (Development Control Plan) and Clause 8.3 (Car parking in ‘Area A’ of the CLEP 2015. The purpose of this Part is to provide a set of development controls and requirements which:

- Ensures that future development in the Glenfield East Precinct aligns with the ‘Glenfield Place Strategy’ and ‘Glenfield Structure Plan’ as prepared by the Department of Planning, Industry and Environment.
- Facilitates the redevelopment of this Precinct in line with the maximum building height and floor space controls, nominated in Clauses 4.3 (Height of Buildings) and 4.4 (Floor space ratio) of the CLEP 2015.
- Facilitates future development that include provisions of appropriate infrastructure including improvements to pedestrian connectivity throughout the Precinct; and
- Delivers best practice design through a Design Excellence provision which will apply to a majority of development applications proposed in this precinct.

### 15.1.4 Background: A New Vision, Place Strategy and Structure Plan for Glenfield

On 16 July 2021 the Department of Planning, Industry and Environment (DPIE) finalised a wider rezoning of Glenfield, which included the Glenfield East Precinct in addition to extensive land holdings located on the western side of the railway line and Hurlstone Agricultural High School.

The rezoning involved amendments to a number of key provisions in the CLEP 2015, including land use zones, maximum building heights and floor space ratio controls, which also facilitated bringing the vision highlighted in the ‘Glenfield to Macarthur Corridor Strategy’ and ‘Western City District Plan’ to fruition.

As part of the planning documentation for the Glenfield East Precinct, the ‘Glenfield Place Strategy’ (GPS) was also finalised in July 2021 and included a Structure Plan which is shown in Figure 15.1.4.1 of this Part. The GPS aims to achieve better urban design outcomes and deliver sufficient infrastructure to support the intensification of future development proposed within this Precinct. It is envisaged that the redevelopment of Glenfield as per the GPS will facilitate the provision of approximately 7,000 additional homes, 2,900 new jobs, increased open space/recreational facilities and an extensive upgrade to Hurlstone Agricultural High School.

## 15.1

### Application



15.1

Application

The GPS outlines the following broad **Vision** for Glenfield:

*In 2040, the suburb of Glenfield will be South West Sydney’s premier local sporting and education destination. Glenfield will be a connected, inclusive community, where people come together to enjoy parks and playing fields, green cover and abundant open space. Its educational heritage will be protected and enhanced, with existing schools retained, Hurlstone Agricultural High School upgraded, and a potential future primary school built. Revitalised retail and commercial areas will make Glenfield a self-contained new centre that offers jobs closer to home. A variety of housing will meet the community’s changing needs, whether people are downsizing or starting a family. (Adapted from Glenfield Place Strategy (p13).*

The red boundary shows the Glenfield East Precinct to which this part applies (East of the Rail line)



Figure 15.1.4.1 - Glenfield Structure Plan (Source: DPIE & Group GSA, 2020)

The main focus of the GPS is the future redevelopment of land located on the western side of the railway line which includes the five designated character areas nominated in this Strategy. The GPS also states that *“further character areas may be developed for east Glenfield as detailed planning progresses as part of the Development Control Plan stage of the process” (p20).*

This site specific DCP is only applicable to the Glenfield East Precinct, and also:

- accords with the new CLEP 2015 provisions and overarching Structure Plan;
- outlines a future ‘Vision’ for this precinct; and
- identifies new Character Areas within the precinct.

## 15.1 Application

### 15.1.5 Relationship to Campbelltown (Sustainable City) DCP

The design requirements contained within this part are to be read in conjunction with the relevant provisions contained in Volume 1 of the SCDCP. When development controls/requirements are not specified in this Part, development should be consistent with all other relevant controls/provisions provided in Volume 1 of the SCDCP.

The Parts of Volume 1 of the SCDCP listed below are relevant to Glenfield East as this precinct also includes areas zoned for Business (B4) and Residential (R3 and R4) purposes:

Part 2: Requirements Applying to All Types of Development  
 Part 3: Low and Medium Density Residential Development  
 Part 5: Residential Flat Buildings and Mixed-use Development  
 Part 6: Commercial Development

Where this Part does not include specific development controls for a certain type of development (example child care centres), the development controls nominated in Volume 1 shall be used to assess the development applications received by Council for that type of land use.

Where there is an inconsistency between this Part and Volume 1 of the SCDCP, the provisions under this Part shall prevail to the extent of the inconsistency.

Development Applications (and accompanying Statement of Environmental Effects) shall address the relevant controls within both Volume 1 of the SCDCP and this Part.

The arrangement of controls in this section does not represent any particular order of priority or importance. Some of the maps and diagrams in this Part are indicative only.

Glenfield East has been identified as an “Urban Release Area”, in the CLEP 2015 and clause 6.3 of the CLEP 2015 requires a DCP to be prepared for the land that includes certain provisions and controls. This DCP satisfies the requirements of Clause 6.3 as detailed in Table 15.1.

## 15.1

### Application

Table 15.1 - Clause 6.3 CLEP 2015 Considerations (DCP's in Urban Release Areas) - Glenfield Structure Plan

CLEP 2015 Clause 6.3 Requirement	How addressed in this DCP
<i>(a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,</i>	<p>A Staging Plan has been included under Section 15.3.1 of this DCP.</p> <p>The Glenfield East Precinct is an existing serviced urban area. There are provisions in CLEP 2015 (Clause 6.2 Public utility infrastructure) that require Council to be satisfied that essential infrastructure is available or can be provided - prior to granting approval.</p>
<i>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</i>	<p>The existing road hierarchy will remain in terms of jurisdiction and function. Some new laneway and pedestrian pathway connections are proposed by controls within this DCP.</p>
<i>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</i>	<p>This DCP contains controls encouraging the retention of existing vegetation and landscaping within all the development sites located in this Precinct. Once adopted, the Glenfield Public Domain Plan will detail the landscaping requirements proposed in the public domain.</p>
<i>(d) a network of active and passive recreation areas,</i>	<p>The existing active and passive recreation areas are considered to be sufficient for the existing and future residents of this Precinct and are shown in Figure 15.3.1.1</p>
<i>(e) stormwater and water quality management controls</i>	<p>An adequate stormwater system exists within this Precinct and any future development in Glenfield East will be required to demonstrate compliance with the Campbelltown City Council Engineering Design Guide for Development.</p>

## 15.1

### Application

<i>(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</i>	<p>A large majority of the Precinct is free from known natural and environmental hazards.</p> <p>The south-western portion of the Precinct, however, is flood-affected as identified in the <i>Bow Bowing Bunbury Curran Creek Strategic Floodplain Risk Management Study and Plan</i>. Development applications on flood-affected land are subject to Clause 5.21 of the CLEP 2015, as well as addressing flood information/controls nominated in this Part.</p>
<i>(g) detailed urban design controls for significant development sites,</i>	No significant development sites were identified in this precinct, however, appropriate urban design controls have been included for all the B4 Mixed-use zoned land.
<i>(h) measures to encourage higher density living around transport, open space and service nodes</i>	The zoning of the land provides for high density living located within close proximity to existing open space areas, the Glenfield Railway Station and bus transport linkages. This Part reflects the zoning arrangement.
<i>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</i>	The B4 Mixed-use zone within the Precinct provides for a range of land uses while Clause 7.9 of CLEP 2015 requires the ground floor level of any buildings proposed in this zone to be solely utilised for business and retail uses only. The provisions of Section 15.4 of this Part are consistent with this requirement.
<i>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</i>	These controls are detailed in Sections 15.3.3 (Transport Movement Hierarchy); 15.3.4 (Parking) and 15.4.4 (Services, Safety and Amenity for Area A).



## 15.2

### Strategic Context and Vision

#### 15.2.1 Existing Character: Glenfield East

The Glenfield East Precinct is a predominantly low-density residential community which mainly comprises one to two storey detached dwellings of varying age and quality. Some larger blocks contain existing multi-dwelling housing developments that were constructed in the 1970s and 1980s which have also been strata-subdivided. The ownership pattern of land is fragmented while the residential street pattern is typified by angled perimeter/collector roads with east-west connections, and includes several interior cul-de-sacs. This pattern results in many properties having splayed boundaries and irregular block shapes.

A small neighbourhood centre located opposite Glenfield Railway Station comprises several convenience shops and a commercial premises which currently services the local community. These premises are typically one and two storey aging structures which all share a collective frontage to Railway Parade; and the corners of Hosking Crescent and Trafalgar Street. Magee Lane allows rear access to some of these premises with a nearby existing Council owned car park which also provides suitable vehicular access to/from Railway Parade.

Glenfield Public School is located to the north of the shopping centre and is accessed from both Railway Parade and Waterloo Place.

The Glenfield East Precinct has two large open space areas and includes Seddon Park which comprises several active recreation fields located on the south-western edge of the Precinct, in close proximity to the railway station. Nearby Glenfield Park is also proposed to provide additional passive open recreational space which incorporates stands of mature trees and a children's playground.

The precinct contains some scattered vegetation consisting of isolated/remnant mature trees which are interspersed throughout the neighbourhood. Street tree planting also appears limited with overhead electricity poles and wires currently constraining growth to the existing vegetation while there are very few opportunities for further planting within the road reserve.



Figure 15.2.1.1 - Looking west along Hosking Crescent, showing existing commercial properties and Council car park fronting Railway Parade (at far left). Taken from Glenfield Railway Station overpass.

## 15.2

### Strategic Context and Vision



Figure 15.2.1.2 - Existing commercial premises fronting Railway Parade.



Figure 15.2.1.3 - Glenfield East Precinct: Examples of typical existing low density residential street character and existing housing.



Figure 15.2.1.4 - Children's Playground, Glenfield Park.

#### Important Note:

Council is in the process of preparing a Glenfield East Public Domain Strategy for the Glenfield East Precinct (GE PDS). The GE PDS will provide detailed information in relation to tree plantings, street furniture, pavements and the like.

The GE PDS will be placed on public exhibition prior to it being formally adopted by Council.

Any reference to the a public domain strategy in this Part, is a reference to this the GE PDS . Any requirements related to the GE PDS will have effect, only upon the adoption of the GE PDS by Council.

## 15.2

### Strategic Context and Vision

#### 15.2.2 Glenfield East: Vision Desired Future Character and Development Principles

##### Vision

The acquired Vision for Glenfield East is that it transforms into a specialised higher density precinct which has the potential to accommodate much higher 'mixed-use' built forms, in close proximity to the Glenfield Railway station.

The population of the Glenfield East Precinct is anticipated to grow and be accommodated in a variety of housing types such as multi-storey apartments, medium density housing and lower density detached dwellings with increased affordable housing options.

This precinct is also proposed to contain a high quality public domain and vibrant commercial district with retail premises, schools and open spaces all located within close walking distance to the railway station. Pedestrian and bicycle linkages to the new Glenfield west employment precincts and amenities will provide excellent alternative access to rail transport, including facilitating vital connections to other major centres and the Airport.

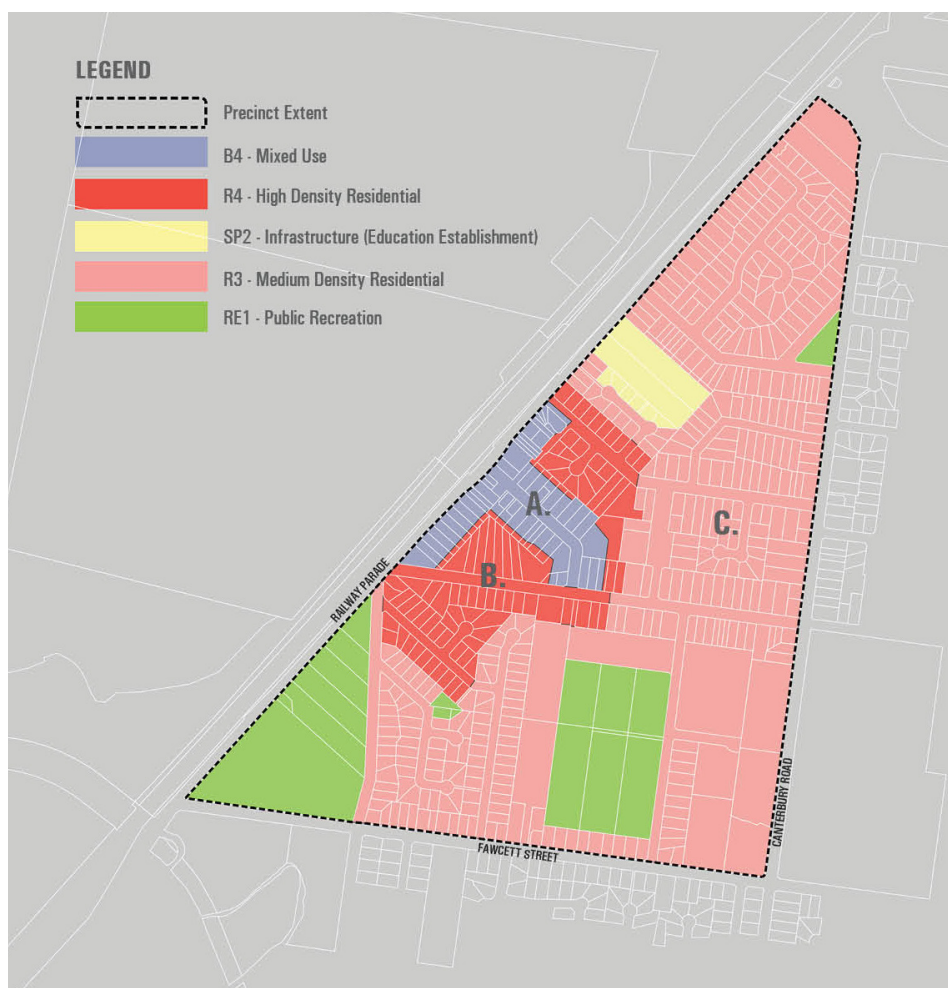
##### Desired Future Character Areas

Figure 15.2.2.1 illustrates the three Desired Future Character Areas within Glenfield East Precinct. Character Statements and Controls for each are provided later in this Part. In summary the character areas reflect the land use zoning for the land and comprise:

- Area A - Station East - will experience the most transformation with mixed-use buildings up to 12 storeys with active street frontages adjacent to the Railway Station.
- Area B - High Density Residential - will contain high quality residential apartment buildings up to 8 storeys with a high level of amenity and accessibility to services and transport.
- Area C - Medium Density Residential will provide a range of housing choice and types at a lower scale with convenient connections to amenities within the suburb.

An entry statement to Glenfield East precinct shall be provided in a suitable location at the Railway Parade and Canterbury Road entry points (north and south of precinct) that defines the locality and provides a welcoming character setting by use of appropriate signage, wayfinding information for pedestrians and motorists and incorporates suitable materials and landscaping theme. This could take the form of a public art installation or structure.





## 15.2

### Strategic Context and Vision

Figure 15.2.2.1 - Desired Future Character Areas

## 15.2

### Strategic Context and Vision

Principles	Guiding Principle
A well designed place	Streets will be designed to incorporate a human scale with buildings being setback to encourage alfresco dining in key locations and to minimise any potential overshadowing and privacy impacts. Building heights will be reduced along the interfaces with schools with pedestrians being prioritised by discouraging all private vehicles from entering the main street and redirected to the laneways adjoining these school sites.
A green place	Streets will be lined with trees with quality open space areas that are located within 400m walking distance of all residents.
Deliver affordable and diverse housing	New homes will include a mix of dwelling types and sizes which provide a greater choice for future residents located within walking distance to public transport and community facilities. Density will be highest near the station and gradually transition down as the distance increases away from this area.
Two vibrant and connected centres	To the west of Glenfield Station, a mixed-use, vibrant commercial core and residential precinct will create new homes, jobs, schools and open space, with a proposed high street that facilitates better access to public space and transport. There will be pedestrian and cycling connections with view corridors being implemented between the two centres which are intended to further increase the sense of connectivity around the Glenfield East Precinct.
Create opportunities for new jobs	Mixed-use development around the station will support health and community services in addition to activating the main commercial street. A lively employment hub around Glenfield station will be easy to access and provide greater potential to create passing trade for local businesses.
An accessible place	Glenfield East is an important meeting place which is accessible by two-train lines that provides direct links to other major centres and airports. It is also anticipated that higher density development within this precinct will deliver more people in closer proximity to amenities by locating these structures within walking distance to services and other important infrastructure such as open-space and high-frequency public transport.

Table 15.2 - Guiding Urban Design Principles (Adapted from Glenfield Place Strategy, DPIE p14)

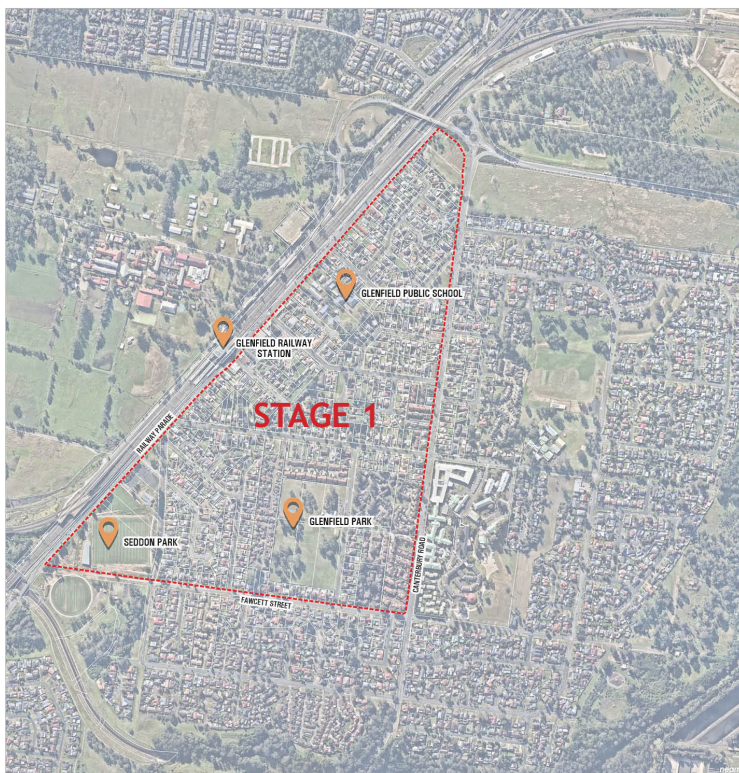
### 15.3.1 Staging Plan

## 15.3

### General Controls

#### Controls

1. The development of this precinct will occur in one stage.



### 15.3.2 Provisions of Height and Density - CLEP 2015

#### Objective:

- Provide an urban form that reflects the future context and character envisaged for Glenfield East by providing a transition in space and typologies which focuses on higher built densities with mixed-use in close proximity to the railway station, before scaling down toward the lower scale residential Precincts located further away from the railway station.

#### Controls

1. Any development proposed in the Glenfield East Precinct shall reflect compliance with Clauses 4.3 (Building Height) and 4.4 (Floor space ratio) of the Campbelltown Local Environmental Plan (CLEP) 2015 for each zone, as indicated in the following Table (15.3) and Figure 15.3.1.1.
2. Where development is located within or adjacent to a site containing a change in zone and/or building height/FSR, an increased building setback and/or stepping down between the two height controls is required. Refer to relevant Precinct(s) for numerical controls.

# 15.3

## General Controls

CLEP 2015 Land Use Zones	Maximum Building Height	Maximum Floor Space Ratio
Clause 2.3 - CLEP 2015	Clause 4.3 - CLEP 2015	Clause 4.4 - CLEP 2015
B4 Mixed-use	43m, 33m and 9m	4:1 and 2.56:1
R4 High Density Residential	33m and 9m	2.56:1
R3 Medium Density Residential*	18m and 11m	1.3:1 and 1.6:1

Table 15.3 - Zoning and Key Development Controls in Glenfield East

**\*Important Note:**

*The R3 Medium Density Zone in the CLEP 2015 prohibits residential flat buildings (RFBs).*



Figure 15.3.1.1 - Zoning, Building Height and Floor Space Ratio - CLEP 2015



15.3.3 Movement Network

15.3

General Controls

Objectives:

- To reinforce the railway and existing road network, in addition to improving the existing infrastructure and enhancing connectivity for future residents of Glenfield East
- To provide for an efficient, connected and attractive street/footpath network which improves vehicular, pedestrian and cycling access through this Precinct.
- To reduce reliance on private vehicles and encourage people to use alternative transport modes such as walking, cycling and public transport.

Controls

1. New development shall provide proposed service laneways and pedestrian pathway connections as indicated in the Glenfield Structure Plan in Figure 15.3.2.1 and in Figure 15.4.3.1 of this Part

2. Existing Magee Lane and new service laneways shall be maintained for the provision of vehicular access to new buildings in the Station East Precinct and adjacent High Density Residential Precinct. Each laneway is to be a minimum of 9 metres wide.

3. Laneways shall be inviting and will provide convenient and safe pedestrian linkages as well as vehicular access to mixed use and multi-storey residential development.

4. Any floor level higher than two storeys of a mixed use building that is proposed adjacent to a residential area shall be set back as per the configuration in Figure 15.3.2.2 - typical section between the B4 Mixed-Use and R4 Medium Density Zones.

5. New pedestrian pathways shall have a minimum of 3 metres width and shall be landscaped and finished in material

specified in Council’s Glenfield East Public Domain Plan.

6. The technical design of all streets and pathways shall be in compliance with the Campbelltown City Council’s ‘Engineering Design Guide for Development’ and the Public Domain Plan.

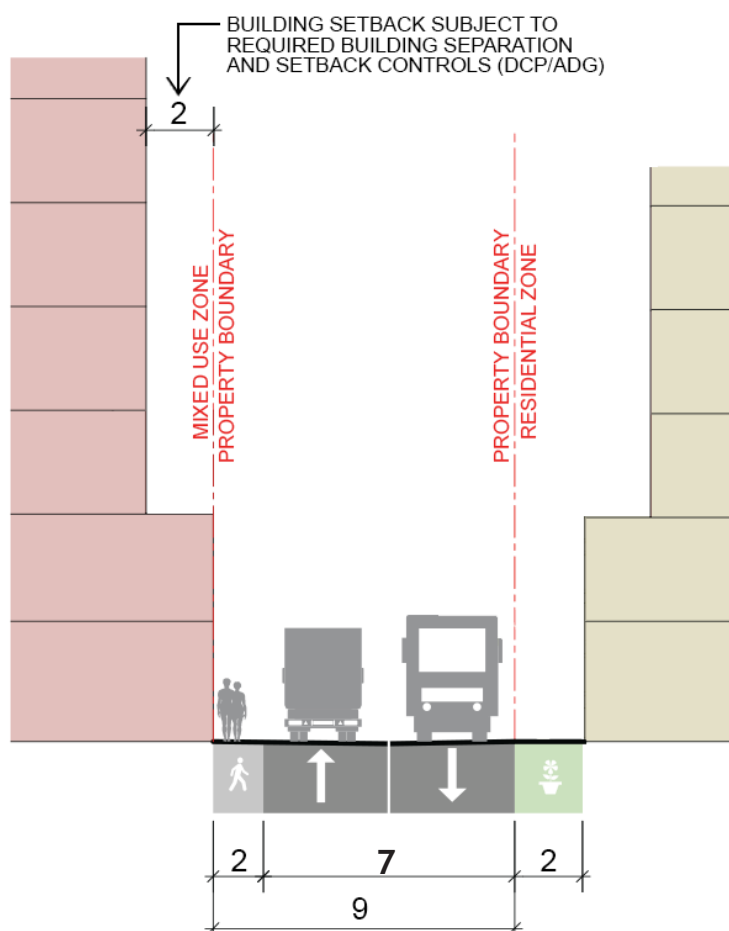


# 15.3

## General Controls



Figure 15.3.2.1 - Excerpt from the Glenfield Structure Plan showing proposed laneway and pathway connections



## 15.3

### General Controls

Figure 15.3.2.2 - Typical Laneway Section - B4 Mixed-use Zone to R4 Medium Density Residential Zone

15.3

General Controls

15.3.4 Car Parking - Glenfield East Precinct

- Objective:
- Ensure appropriate off-street car parking facilities are available within Glenfield East Precinct to assist in reducing the amount of traffic congestion and promoting sustainable travel within this Precinct.

Controls

15.3.3.1 On-site Parking Rates

1. The minimum car parking rates shall be in accordance with the relevant sections of Campbelltown Sustainable City DCP Volume 1.
2. Where the minimum car parking rates under Campbelltown Sustainable City DCP Volume 1 equal or exceed the maximum car parking rates required under Clause 8.3 of the CLEP 2015, the CLEP’s 2015 rate shall be taken as the minimum required car parking rate.
3. Development within the B4 and R4 Zones shall provide on-site parking within a basement and/or integrated within the site and associated building design.

Note:

Refer to Clause 8.3 (Carparking in Area A) in CLEP 2015 which provides the maximum carparking rates within Area A of the Glenfield East Precinct.

Area A includes land zoned R4 and B4 within the Glenfield East Precinct.

## 15.3

### General Controls

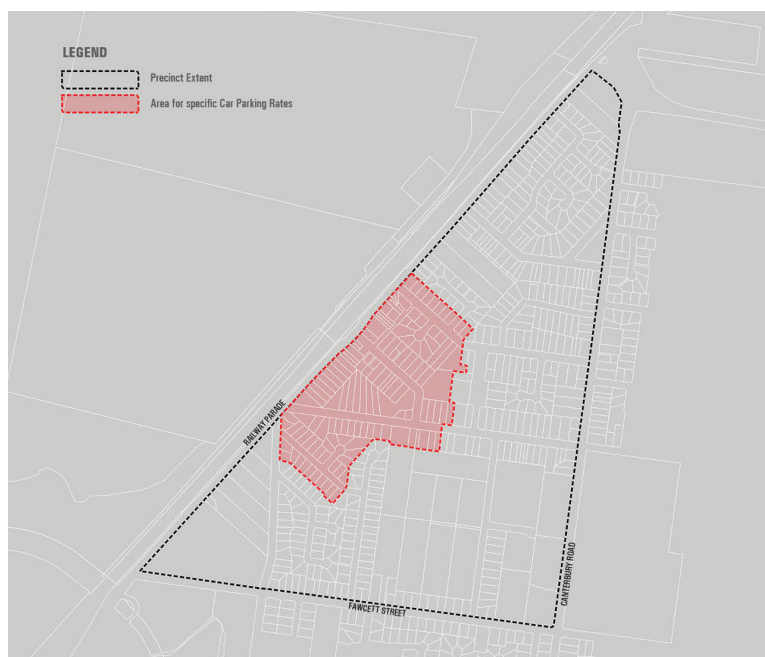


Figure 15.3.3.1 - Area for specific Car Parking Rates - CLEP2015

Column 1 Proposed Use	Column 2 Maximum number of parking spaces
Centre-based child care facility	1 parking space for every 10 child care places plus 1 parking space for every 2 members of staff
Commercial premises other than retail premises	1 parking space for every 25 square metres of gross floor area
Recreation facility (indoor)	3 parking spaces for every 100 square metres of gross floor area
Residential flat building	<ul style="list-style-type: none"> <li>1 parking space for a studio apartment;</li> <li>1 parking space for a 1 bedroom apartment;</li> <li>1 parking space for a 2 bedroom apartment;</li> <li>2 parking spaces for an apartment with 3 or more bedrooms;</li> <li>1 visitor parking space for every 5 apartments</li> </ul>
Retail premises with a gross floor area of up to 10,000 square metres	6.1 parking spaces for every 100 square metres of gross floor area
Retail premises with a gross floor area of more than 10,000 square metres but not more than 20,000 square metre	5.6 parking spaces for every 100 square metres of gross floor area
Retail premises with a gross floor area of more than 20,000 square metres but not more than 30,000 square metre	4.3 parking spaces for every 100 square metres of gross floor area
Retail premises with a gross floor area of more than 30,000 square metres	4.1 parking spaces for every 100 square metres of gross floor area

Table 15.4 - Maximum Car Parking rates: Clause 8.3 of the CLEP 2015

## 15.3

### General Controls

#### 15.3.5 Landscape Strategy and Character

##### Objectives:

- Retain and enhance the leafy character of the Glenfield East Precinct by retaining existing vegetation which is considered significant to the local area.
- Add value and quality of life for future residents and occupants proposing to live in the Precinct's high and medium density areas
- Enhance residential amenity including privacy, outlook, views and recreational opportunities.
- Provide improved environmental outcomes which improve air and stormwater quality through reduced runoff and the implementation of suitable biodiversity principles.
- Improve the streetscape within the Precinct.

##### Controls

1. Remnant native vegetation shall be retained, managed and incorporated into the landscape design, wherever practicable, including any significant trees that exist on-site.
2. Works on public land is to be in accordance with the Glenfield East Public Domain Plan, which includes new street trees, footpath upgrades and improvements to existing open space areas.
3. A landscaping plan showing proposed landscaping on site and in any adjacent public domain shall be submitted with any development application



Figure 15.3.4.1 - Existing vegetation retained and incorporated into Landscape design (source: DPE ADG, 2015)



Figure 15.3.4.2 - Enhancing open spaces through existing established vegetation (source: DPIE, 2021)

### 15.3.6 Flood-Affected Land

## 15.3

### General Controls

#### Objectives:

- To ensure that developments on flood-affected land are sited and designed so that they only have a minimal risk from flooding, have reliable vehical access and do not result in unreasonable impacts upon the amenity or ecology of this precinct.
- To minimise the risk to life and property during any flooding event.

#### Controls

1. Development applications proposed on flood liable land shall include a flood study prepared by a suitably qualified and experienced person which satisfactorily addresses all of Council's flood requirements.
2. Basements shall be designed so that they are protected from the 100-year ARI flood inundation level (or greater).
3. To mitigate visual impacts from raised basement walls and/or podiums, the facades of the buildings shall be designed using various design techniques. This may include well-proportioned ground level articulation, the use of mixed finishes and materials, as well as terracing and/or dense landscaping

#### Note:

The *Bow Bowing Bunbury Curran Creek Strategic Floodplain Risk Management Study and Plan (Molino Stewart, March 2019)*, indicates some land in the south-western corner of the Glenfield East Precinct is flood affected.



## 15.4

### Station East (B4 Mixed Use Zone)

#### 15.4 Area A - Station East (B4 Mixed Use Zone)

##### 15.4.1 Desired Future Character Statement - Area A

‘Area A’ will experience the most transformation within Glenfield East, where building heights up to 12 storeys can be supported in the Precinct’s B4 Mixed-Use zoned area. Quality urban design outcomes with active street frontages in this precinct are envisaged. Upper levels of buildings will be set back to create a more human scale feeling at the street level.

Railway Parade and Hoskings Crescent will be pedestrian friendly and form the heart of the Precinct while future ground floor retail and commercial uses will activate this area with residential uses located above.

Alfresco dining on footpaths with street-tree planting also needs to be delivered which will facilitate forming the acquired character in ‘Area A’. The proposed public domain will provide an attractive and pedestrian friendly main street with the other nearby roadways also serving as invaluable connections to the railway from different areas within the Precinct. Vehicle and service access via new rear laneways have also been provided which facilitates safe ingress and egress to/from these properties.



Figure 15.4.1.1 - Example of desired character of Area A Station East (B4 Mixed Use Zone) (source: DPIE & Group GSA, 2020)

### 15.4.2 Site Requirements - Area A

#### Objectives:

- To encourage the amalgamation of lots.
- To provide sites with dimensions and an area that can accommodate a high rise building
- To prevent the formation of isolated lots.

## 15.4

Station East  
(B4 Mixed Use  
Zone)

#### Controls

##### 15.4.2.1 Minimum Site Width and Depth

1. Mixed-use buildings shall only be permitted on allotments which have the following dimensions:
  - b. a minimum width of 30 metres, measured at the front property boundary.
  - c. a minimum depth of 40 metres, measured along the side property boundaries.
2. Sites shall be amalgamated to achieve the required site width and depth requirements.
3. Mixed-use developments are not permitted on battleaxe lots.

##### 15.4.2.2 Minimum Site Area

1. Mixed-use buildings shall only be permitted on sites which have a minimum area of 1,200sqm. Existing sites which do not meet the minimum area requirement shall be amalgamated to achieve the required area.

2.

##### 15.4.2.3 Isolated Lot

1. Mixed-use development shall not result in the creation of an isolated allotment. For the purpose of this clause, an 'isolated allotment' is a lot (including a battleaxe lot) that has a site area of less than 1,200sqm and/or a width at the front boundary of less than 30 metres, that has no immediate potential for amalgamation with any other adjoining lots to achieve the required site area and frontage dimension. Amalgamation of allotments will be required in the circumstance where an isolated allotment would otherwise be created.
2. Council shall only permit development which results in the creation of an isolated allotment, where it is demonstrated that:
  - a. Written negotiations to purchase the isolated allotment have been entered into but have been unsuccessful; and
  - b. The isolated allotment is capable of accommodating a similar mixed-use development.



## 15.4

### Station East (B4 Mixed Use Zone)

#### 15.4.3 Built Form -Area A

##### Objectives:

- To mitigate the visual effects of tall buildings on the street.
- To delineate the commercial aspect of a building from the residential by encouraging further front setbacks.
- To ensure that Glenfield East is a vibrant and attractive commercial centre.
- To encourage the activation of the streetscape by providing only retail/commercial uses at the ground floor level.
- To ensure all building facades are well articulated and appropriately designed to activate the streetscape.
- To coordinate building massing along streets and across blocks.
- To provide appropriate transition and minimise amenity impacts to adjacent residential development.
- To integrate appropriate services within the design of the building.
- To reduce/manage the occurrence of wind tunnels as a result of high rise development.

##### 15.4.3.1 Built Form and Setbacks

1. To achieve the desired built form and character envisioned for Glenfield East, any development proposed within this Precinct shall adhere to the Built Form and Setbacks Plan contained in Figure 15.4.3.1.

##### 15.4.3.2 Active Street Frontages

1. Buildings located on active street frontages, as nominated on the Built Form and Setbacks plan in Figure 15.4.3.1 of this DCP, shall only provide commercial/business uses on the ground level facing the street.
2. Development at the ground floor level

shall incorporate a finished floor level no greater than 500mm above the adjacent footpath level where appropriate.

3. Where possible, other commercial uses which do not attract a high level of pedestrian movement shall be located on the building's first floor level or above.
4. The first floor of any proposed mixed-use buildings located on Railway Parade and Hosking Crescent shall be designed with a minimum floor to ceiling height of 3.3 metres to allow for future adaptation for commercial uses.

##### Note:

All residential flat buildings and mixed-use development containing 3 or more storeys and 4 or more dwellings shall satisfy the standards of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (NSW Department of Planning and Environment, July 2015). SEPP 65 and the ADG shall prevail in the event of any inconsistency with this DCP.



## 15.4

### Station East (B4 Mixed Use Zone)

Figure 15.4.3.1 Built Form and Setbacks - Area A: Station East



Figure 15.4.3.2 - Example of mixed use development with active street frontages (source: DPE ADG, 2015)



Figure 15.4.3.3 - Commercial offices at ground floor of a mixed use building (source: DPE ADG, 2015)

## 15.4

### Station East (B4 Mixed Use Zone)

#### 15.4.3.3 Setbacks

1. Front, side and rear setbacks from streets and laneways shall be in accordance with the Built Form and Setbacks Plan at Figure 15.4.3.1 of this DCP.
2. A continuous street line/zero side setback is required for mixed-use development. A two storey street wall height is applicable where indicated in Figure 15.4.3.1 and as illustrated at Figure 15.4.3.5.
3. The side and rear building setback for any mixed-use development which adjoins land zoned R4 High Density Residential shall be:
  - a. For buildings up to 4 storeys: 3m for a blank wall or non-habitable room, and 6m to a defined 'habitable room' or balcony;
  - b. For buildings 5 to 8 storeys: 4.5m to a blank wall or non-habitable room, and 9m to 'habitable room' or open balcony.
3. Blank walls with minimal articulation which face any boundary will not be permitted.

#### 15.4.3.4 Building Design

4. The design of roof plant rooms and lift overruns shall be integrated into the overall architecture of the building.
5. For development in close proximity to the rail corridor, balconies and windows shall be designed to prevent objects being thrown onto RailCorp's facilities, as required by the relevant Building Code of Australia (BCA) and RailCorp Electrical Standards

#### 15.4.1.4 Awnings

1. Buildings located on active street frontages as labelled on the Built Form and Setbacks Plan in Figure 15.4.3.1 shall provide an awning over the

footpath for the full width of the street frontage.

2. Awnings shall have a minimum width of 3 metres.
3. Under awning lighting shall be provided to illuminate the footpath area below

#### 15.4.3.5 Entrances to Buildings

1. Main entrances and exits are to be located at the front of the site and be visible from the street.
2. Entrances and exits shall be incorporated into the overall architectural design of a development.
3. Entrances are not to be obscured by landscaping or other obstacles and shall have clear sight lines.
4. Entrances shall be clearly identifiable to reduce confusion and unintentional entry by incorporating measures such as:
  - Architectural features and articulation;
  - Awnings;
  - Variations in colours and materials;
  - Changes in paving; and
  - Landscaping.

These measures shall be shown on the building plans and the landscaping plan.



Figure 15.4.3.4 - Example of mixed-use building with two storey street wall height and upper level setback

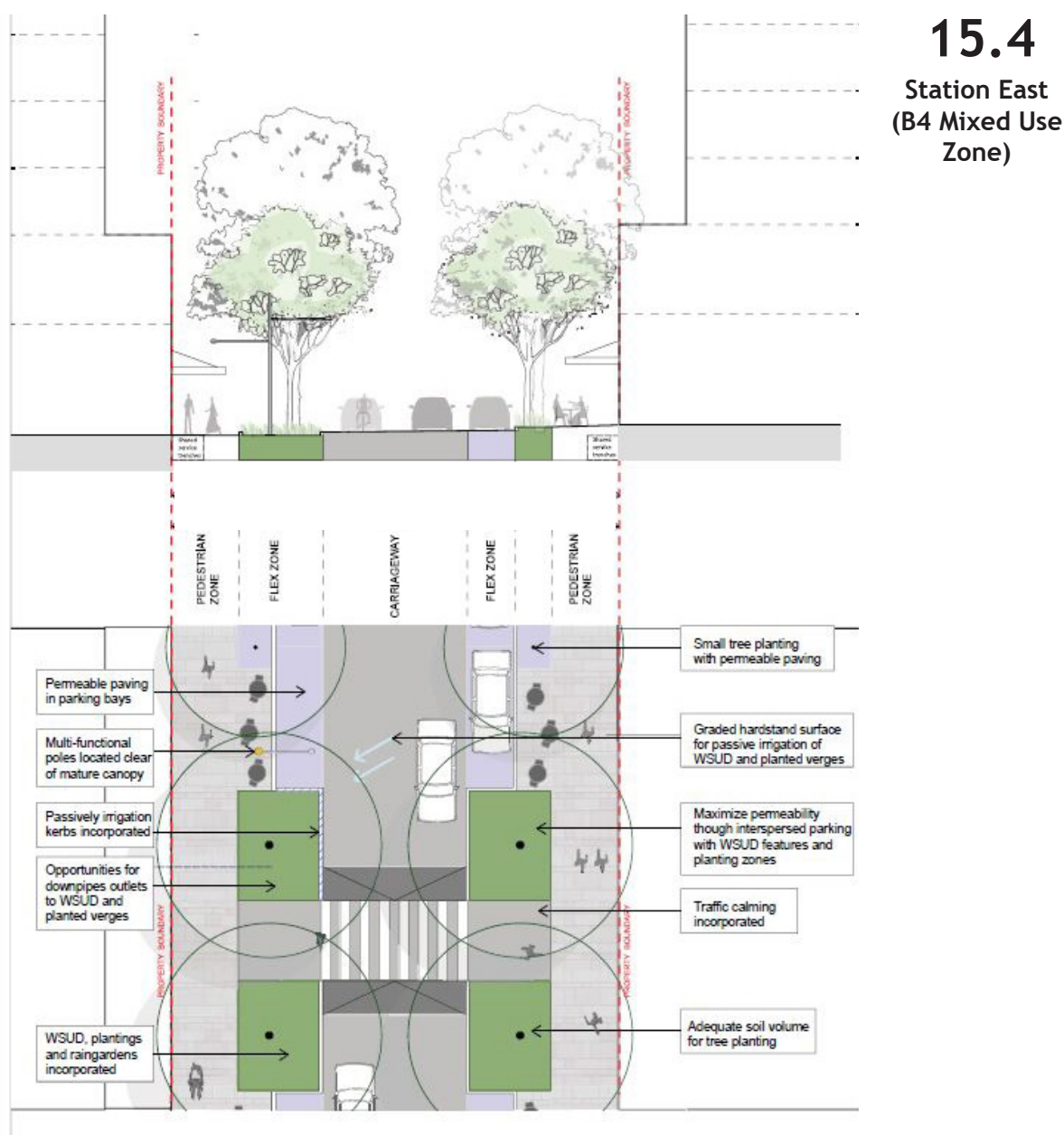


Figure 15.4.3.5 - Hosking Crescent Typical Plan and Section showing street character including two storey street wall height (zero setback)

## 15.4

Station East  
(B4 Mixed Use  
Zone)

### 15.4.4 Services, Safety and Amenity - Area A

#### Objectives:

- To provide safe spaces for occupants through suitable design solutions.
- To ensure that site services are not visually obtrusive.
- To ensure that new development reduces and mitigates wind impacts in the public domain.

#### 15.4.4.1 Safety and Security

1. Where practicable, lift lobbies, stairwells and corridors shall remain visible from all public areas through the installation of transparent glass panels or openings.
2. For large scale retail and commercial development that exceed 4 storeys, in height or comprise two or more separate towers, a 'Safety by Design' assessment shall be prepared by a suitably qualified consultant in accordance with CPTED principles and submitted with the DA.

#### 15.4.4.2 Wind Mitigation

1. Development Applications which proposes any buildings exceeding 8 storeys in height shall be accompanied by a Wind Effects Report prepared by a suitably qualified consultant to confirm that the building will not create uncomfortable or unsafe wind conditions in the public domain.

#### 15.4.2.3 Services

1. At the developer's expense, any existing above ground power lines which traverse the property's frontage shall be relocated underground. Further, any proposed electrical substation shall be located internally within the building or in a position which is not visible from the street frontage. To facilitate this requirement, the applicant shall liaise with the relevant power authority.



### 15.4.5 Landscaping - Area A

## 15.4

Station East  
(B4 Mixed Use  
Zone)

#### Objectives:

- To encourage a high standard of landscape design which enhances the streetscape and amenity of the zone.
- To encourage innovative landscape design throughout the built form by enhancing opportunities for rooftop landscaping.

#### 15.4.5.2 Landscaping

1. Green roofs are encouraged on all buildings (including alterations and additions) which have a total gross floor area exceeding 2,000sqm. The required size of the green roof area, inclusive of any area for solar panels or the like, shall be in accordance with the following site areas:
  - b. 2,000 to 4,999m<sup>2</sup>—20% of roof space;
  - c. 5,000 to 9,999m<sup>2</sup>—30% of roof space;
  - d. 10,000 to 14,999m<sup>2</sup>—40% of roof space;
  - e. 15,000 to 19,999m<sup>2</sup>—50% of roof space; and
  - f. 20,000m<sup>2</sup> or greater—60% of roof space.
2. Green roof areas proposed to be used for communal open space shall be designed to a high standard in order to enhance the aesthetics of the building and include enough soil depth for planting.

Note: Volume 1 of the SCDCP and the Apartment Design Guide have additional landscaping requirements.



Figure 15.4.5.1 - Example of urban square integrated with mixed use building (source: DPE ADG, 2015)

## 15.4

Station East  
(B4 Mixed Use  
Zone)

### 15.4.6 Access and Connectivity - Area A

#### Objectives:

- To encourage pedestrian building access from the streetscape and vehicular access at the rear.
- To improve local pedestrian access and connectivity.
- To contribute to the creation of an interesting and attractive streetscape.

#### Controls

##### 15.4.6.1 Building Access

1. Car park entries and exits shall not be located along primary street frontages.
2. The primary means of pedestrian access to retail, commercial and upper floor residential uses shall be undertaken from the street frontage, rather than from the rear of the building.

##### 15.4.6.2 Connectivity

1. Development shall provide local vehicular, pedestrian and cycle connections which are consistent with Part 15.3.2 Movement Network of this DCP.
2. Existing publicly and privately owned pedestrian links shall be retained where possible.

## 15.5 Area B - High Density Residential Character Area (R4 Zone)

### 15.5.1 Desired Future Character Statement - Area B

The areas adjacent to the B4 Mixed-use zone will provide high density residential development in the form of multi-storey apartment buildings up to 8 storeys in height. This area's transformation will require the coordinated consolidation of properties to accommodate the scale of buildings proposed and intended densities. In addition, appropriate amenity for future residents is also required in terms of better solar access, additional communal open space and maintaining existing significant vegetation in the Precinct. Streets will be lined with trees and good pathway connections are proposed which are intended to provide better accessibility to transport, schools and quality open space areas located within 400m walking distance.

#### Objectives:

- To provide building forms that have a high level of architectural merit and make a positive contribution to the local area.
- To provide appropriate transition and minimise amenity impacts adjacent to lower density development.
- To encourage a diversity of high density residential forms.
- To facilitate residential forms that provide high quality residential living environments.
- To provide integration with high intensity public transport forms and fine grained pedestrian/ cycleway networks.
- To encourage a high quality public domain.
- To provide articulated front facades with balconies and deep soil planting and landscaping of street frontages.

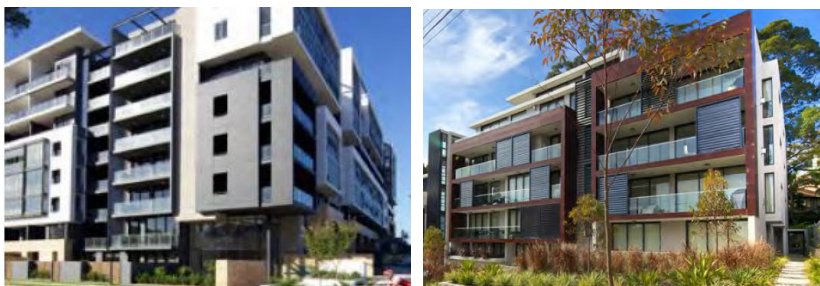


Figure 15.5.1.1 - Examples of High Density Residential Apartment Buildings  
(source: DPE ADG, 2015)



15.5

High Density Residential (R4 Zone)

Controls

15.5.1.1 General

- 1. Residential development within the R4 High Density residential zone shall be designed to reflect full compliance with Part 5: Residential Flat Buildings and Mixed-use Development of the Campbelltown (Sustainable City) Development Control Plan 2015.

15.5.1.2 Built Form and Setbacks

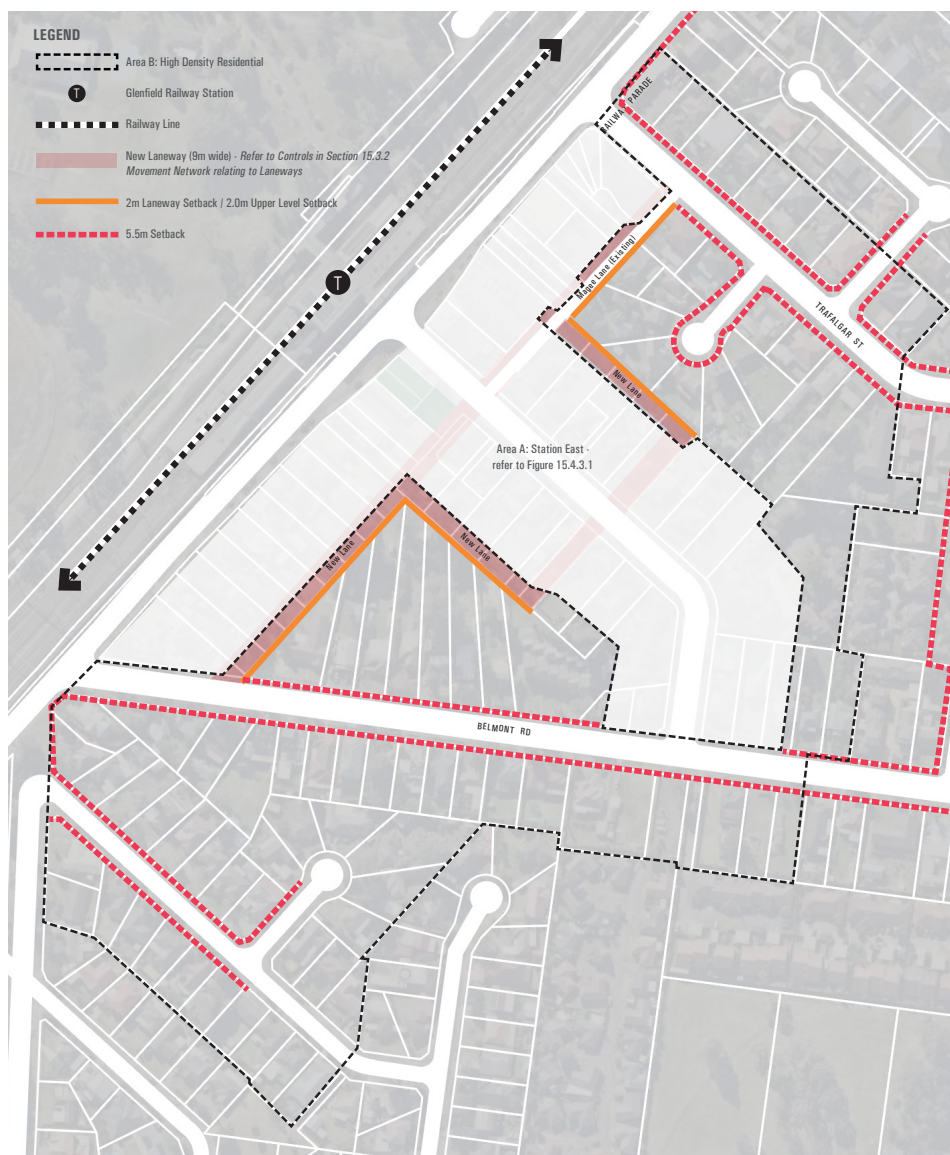
- 1. Front, side and rear setbacks from laneways shall be in accordance with the Built Form and Setbacks Plan at Figure 15.5.1.2 of this DCP.
- 2. Provide increased setbacks (+3m) when adjacent to an R3 Medium Density Residential zone to address amenity impacts and allow for additional landscaping. Refer to Figure 15.5.1.3. Setbacks shall be provided in accordance with the following:
  - a. For buildings up to 4 storeys: 6.0m for a blank wall or non-habitable room, and 9m to a defined ‘habitable room’ or balcony;
  - b. For buildings 5 to 8 storeys: 7.5m for a blank wall or non-habitable room, and 12m to ‘habitable room’ or balcony.
- 3. Amalgamation of sites will typically be required to achieve the required setbacks. Variation to the above setbacks will only be considered where built form modelling is undertaken which demonstrates an appropriate transition between the proposed development and existing/future

development on adjacent lands.

- 4. Blank walls with minimal articulation which face any boundary will not be permitted.

**Note:**

Any permitted form of residential development containing 3 or more storeys and 4 or more dwellings shall satisfy the standards of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (NSW Department of Planning and Environment, July 2015). SEPP 65 and the ADG shall prevail in the event of any inconsistency with this DCP.



## 15.5 High Density Residential (R4 Zone)

Figure 15.5.1.2 Built Form and Setbacks - Area B - High Density Residential

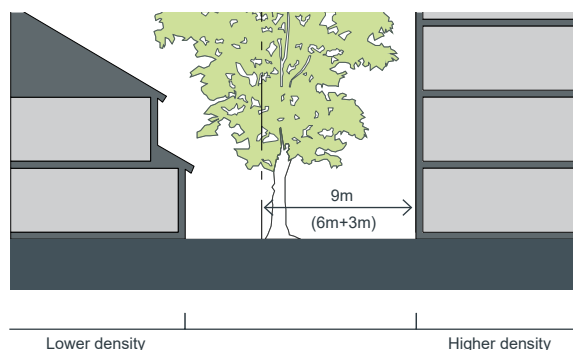


Figure 15.5.1.3 - Increased setback adjacent to R3 Zone (source: DPE, ADG 2015)

## 15.6

### Medium Density Residential (R3 Zone)

#### 15.6 Area C - Medium Density Residential Character Area (R3 Zone)

##### 15.6.1 Desired Future Character Statement - Area C

The remaining areas within the Glenfield East Precinct are located in the R3 Medium Density Residential Zone. This will lead to the replacement of the aging dwelling stock within Area C with contemporary building forms which exhibit the highest levels of quality design. Consolidation of properties will also be encouraged to further facilitate providing a wider range of housing choices, in addition to creating further opportunities for attached dwellings and multi-dwelling housing to be constructed within this precinct. Safe, convenient pedestrian and suitably designed cycle connections will be constructed along key streets to the Glenfield railway station, school and nearby open-space areas while planting will further enhance Glenfield East as an attractive and liveable precinct.

##### Objectives:

- To provide medium density housing comprising two storey attached dwellings and multi dwelling housing in a landscaped setting with additional habitable areas provided within the roof space.
- To provide appropriate transition in built form and reduce amenity impacts where a change in building height occurs.
- To require development footprints that are sited to achieve setbacks to boundaries and provide for quality landscaping and private open space.
- To encourage articulated front facades where garages and car parking spaces are setback and do not dominate the streetscapes.
- To encourage active residential facades with balconies.
- To promote soft landscaping along communal driveways and the front boundary.
- To encourage a high standard of architectural merit with quality designed buildings.
- To provide development that incorporates a mix of dwelling sizes to provide further housing choice.

*Note: the R3 Medium Density Zone prohibits residential flat buildings (RFBs).*

## Controls

## 15.6.1.1 General

1. Residential development within the R3 Medium Density zone shall be designed in accordance with all the requirements specified in 'Part 3: Low and Medium Density Residential Development and Ancillary Structures' of the Campbelltown (Sustainable City) Development Control Plan 2015.

15.6.1.2 Side and Rear Setbacks - For any proposed development containing 3 or more storeys

1. The side and rear building setback shall provide the following setbacks to reduce amenity impacts and allow for additional landscaping:
  - b. For buildings up to 4 storeys: 3.0m for a blank wall or non-habitable room, and 6m to a 'habitable room' or balcony;
  - c. For buildings of over 5 storeys: 4.5m for a blank wall or non-habitable room, and 9m to a 'habitable room' or balcony.
2. Amalgamation of sites may be required to achieve the required setbacks. Variation to the above setbacks will only be considered where built form modelling is undertaken which demonstrates an appropriate transition between the proposed development and existing/future development on adjacent lands.
3. For all new development applications that will be potentially impacted by the proposed Cambridge Avenue Upgrade and involves the construction of new buildings, the applicant shall provide evidence to Council of consultation with TfNSW on the required setbacks as part of the development applications.

**Note:**

Any permitted form of residential development containing 3 or more storeys and 4 or more dwellings shall satisfy the standards of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (NSW Department of Planning and Environment, July 2015). SEPP 65 and the ADG shall prevail in the event of any inconsistency with this DCP.

## 15.6

### Medium Density Residential (R3 Zone)

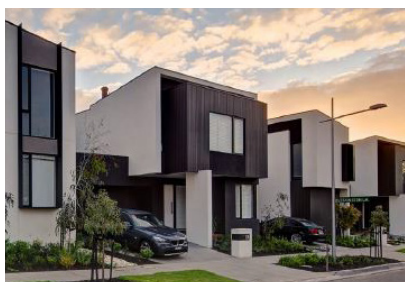


Figure 15.6.1.1 - Examples of Medium Density Residential Development (source: DPIE, 2020)

**Note:**

For further information on the proposed Cambridge Avenue upgrade, please refer to the below link on the Transport for NSW website.

<https://www.transport.nsw.gov.au/projects/current-projects/cambridge-avenue-glenfield-upgrade>

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## 8.7 Glenlee Estate (Glenlee House) Planning Proposal

### Reporting Officer

Acting Executive Manager, Urban Release and Engagement  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
2 Places For People	2.3.1 Ensure all people in Campbelltown have access to safe, secure, and affordable housing

### Delivery Program

Principal Activity
2.3.1.1 Protect the City's heritage through sound planning decisions
2.3.1.2 Lead and build partnerships to achieve diverse and affordable housing options

### Officer's Recommendation

1. That Council endorse the Planning Proposal at attachment 1 which seeks to amend the Campbelltown Local Environmental Plan 2015, as it relates to land comprising "Glenlee Estate", No. 60 Menangle Road Menangle Park.
2. That subject to recommendation no.1, the Planning Proposal be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.
3. That subject to the Minister determining that the Planning Proposal may proceed, public exhibition be undertaken in accordance with the Gateway Determination.
4. That Council request the Minister delegate the authority for the making/finalising of the Planning Proposal to the General Manager.
5. That following the completion of 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.

## Executive Summary

1. Council at its ordinary meeting of 8 June 2021 supported a Planning Proposal to rezone the subject land to permit limited environmental living opportunities (with attendant reduction in maximum building height), realise dedication of a strategic ridge as open space (at no cost), ensure a long term conservation strategy, including restoration works.
2. The subject Planning Proposal (PP) was deemed to exhibit strategic and site specific merit and had received prior qualified support from the Local Planning Panel.
3. The PP was referred to the Department of Planning and Environment (DPE) for a Gateway Determination.
4. A Conditional Gateway Determination (GD) was issued that required prior consultation with Heritage NSW over a limited 4 month period.
5. The Heritage Council Approvals Committee met outside the 4 month time horizon and resolved to not support the PP in the form submitted and to form a subcommittee to further workshop heritage matters with Council staff and the proponent.
6. The DPE “rescinded” the GD on 9 March 2022 in response to Heritage NSW’s concern and the likely timeframe to resolve heritage matters. An invitation was also issued to reapply for a new GD, having resolved issues with Heritage NSW.
7. After several iterations a revised Concept Plan was considered by the Heritage Council Approvals Committee (HCAC) on 1 November 2022 who issued conditional support to the revised Concept Plan.
8. Council staff prepared an Advancement Strategy to facilitate the incremental and timely progress of an amended PP. This was accepted by Heritage NSW on 21 December 2022.
9. The revised PP and Concept Plan is considered to be consistent with the principles which underpinned Council’s support of the former draft PP and potentially represents a different nuanced response to the site’s unique heritage qualities.
10. The revised PP is accompanied by a VPA that proposes dedication of the ridge and conservation of the heritage elements.
11. Council is in a position to forward the revised PP to DPE for a new Gateway Determination and that post Gateway a new DCP Chapter should be prepared and accompany public exhibition/consultation.

## Purpose

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

<b>Property Description</b>	Lots 1, 2 and 3 DP 713646, Known as Property No. 60 Menangle Road, Menangle Park (Glenlee Estate)
<b>Application No</b>	2527/2016
<b>Applicant</b>	Premise Australia Pty Ltd.
<b>Owner</b>	Mrs Patricia Maree Wilson and Mr William David Wilson
<b>Provisions</b>	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)

## History

Council supported a Planning Proposal (PP) at its ordinary meeting of 8 June 2021 to rezone the subject land to permit the indicative creation of a total of 77 lots comprising 66 x 600 m<sup>2</sup> allotments and 11 x 2000 m<sup>2</sup> allotments, the dedication of the prevailing ridge as open space at no cost and the creation of a residue Homestead allotment and an ongoing conservation strategy of the important heritage elements and setting of the state significant holding.

The Proposal also entailed a reduction in the building height from 8.5 m to 5.0 m in respect of the development precincts.

The subject decision was based on a view that the proposal demonstrated strategic and site specific merit by providing for an undersupplied housing type in a manner that fulfilled the draft Housing Strategy of the day and objectives and principles of the Local Strategic Planning Statement, in a manner that respects the environmental sensitivities of the site including its unique heritage.

Council's view was further influenced by the proposed dedication of the strategic ridge and long-term conservation strategy.

The decision also had regard to the qualified support provided by the Local Planning Panel in consideration of the Proposal. (Refer to attachments 2-A and 2-B contained with attachment 2).

## Report

### Gateway Determination/Alteration

A Gateway Determination (GD) was issued by the Department of Planning and Environment (DPE) on 28 July 2021 (Refer to attachment 2-C contained with attachment 2). The subject



Determination included a requirement for prior consultation with Heritage NSW and the NSW RFS and public exhibition within 4 months of the GD. Delays occurred with Heritage NSW and the 4 month pre-exhibition consultation timeframe was not achieved.

The Heritage Council Approvals Committee (HCAC) met in December 2021 and resolved to not support the Proposal in the form submitted and to form a sub-committee to further workshop heritage matters with Council staff and the proponent.

The DPE "rescinded" the GD on 9 March 2022 in response to Heritage NSW (Refer to attachment 2-E of contained with attachment 2).

### **Concept Plan Refinement**

The draft Concept Plan was subsequently "workshopped" with the HCAC sub-committee, including the benefit of a site visit.

Several iterations of the draft Concept Plan were developed later and considered. The version at attachment 2-F of (contained with attachment 2) was formally considered at the HCAC on 1 November 2022, with the underpinning principles detailed in attachment 2-G and accompanying photo montages forming attachment 2-H. Both are contained with attachment 2.

The amended proposal includes in brief:

- Approximately 50 lots, including 26 environmental living lots (zoned C4) with a 600 m<sup>2</sup> lot size and 1,200 m<sup>2</sup> lot size.
- Approximately 24 small terraces houses (zoned R3) with a 200 m<sup>2</sup> lot size.
- The Environmental living lots (C4) with a 1,200 m<sup>2</sup> minimum lot size are to be restricted to a maximum site coverage of 30 per cent.
- Dedicated ridgetop park zoned RE1 (at no cost).
- Balance of site (including heritage item and outbuildings, gardens and curtilage) to be zoned C3 – Environmental Management.
- Building Height in C4 zoned land to be reduced to 5.0 m.
- Building Height in C3 zoned land to be retained at 8.5 m.

### **HCAC Conditional Support**

The HCAC issued conditional support to the revised draft Concept Plan (rdCP) at its meeting of 1 November 2022 (Refer to attachment 2-I contained with attachment 2).

### **Advancement Strategy**

Council staff prepared an Advancement Strategy to facilitate the incremental and timely progress of an amended PP (Refer to Attachment 2-J contained with attachment 2). This strategy was accepted by Heritage NSW on 21 December 2022 (Refer to Attachment 2-K contained with attachment 2).

An amended PP, consistent with the rdCP has been compiled and forms attachment "B". It provides the statutory planning framework to realise development of the nature depicted in the PP. With respect to the other short term actions it is noted:

- The Conservation Management Plan (CMP) has been finalised and forwarded to Heritage NSW for information.
- An amended draft Voluntary Planning Agreement (dVPA) has been compiled and accompanies the amended PP. The principal commitments contained in the dVPA include:
  - Dedication to Council of the ridgetop open space reserve at no cost to Council
  - Restoration of the Gatehouse to the standard detailed in the Conversation Management Plan
  - Ongoing maintenance works of the existing main residence known as "Glenlee House" and the Gatehouse, in accordance with the Conservation Management Plan

It is noted that SEPP (Exempt and Complying) does not apply to the C4 zone (and also would not apply given the State Heritage Listing); whilst the State Heritage listing would preclude the SEPP's application to the R3 zone.

Additionally, it is noted that the proposed LEP amendment will have minimum lot provisions that preclude further subdivision. Additionally, in respect of the C4 zone, the order of magnitude of any lot size variation would be unable to utilise clause 4.6 of CLEP 2015.

Furthermore, the layout of proposed lots closest to the heritage buildings on the southern slopes has been amended to ensure visual suppression relative to the ridge. This reflects a lot size recently adapted in the Glenfield rezoning in the vicinity of Macquarie Fields House.

### **Request for New Gateway Determination**

After the lengthy and comprehensive analysis and design process it is considered that the amended PP and supporting VPA do not depart from the principles which underpinned Council initial support of the rezoning proposal and represents a different nuanced response to the site's unique heritage qualities.

Council is accordingly in a position to forward the amended PP for a Gateway Determination. It should be noted that post Gateway a relevant DCP will need to be compiled as a Chapter amendment to Campbelltown (Sustainable City) DCP 2015 and accompany public exhibition of the draft PP and further engagement with Heritage NSW.

Ultimately, a decision to finalise the PP, having regard to the exhibition/engagement process outcomes, would be accompanied by a recommendation to adopt the DCP Chapter addition and execute the VPA; whilst at the Development Application stage further visual analysis, a revised Heritage Impact Statement (HIS) and detailed Landscape Masterplan (LMplan) would be requirements reinforced in the DCP.

The amended PP importantly remains consistent with the Greater Sydney Region Plan (GSRP), the Western City District Plan (WCDP), the Local Strategic Planning Statement (LSPS), the Community Strategic Plan (CSP), Council's revised Housing Strategy particularly in respect of relevant Section 9.1 Directions and SEPPs, and is accordingly considered to exhibit strategic merit and site specific merit (as documented elsewhere).

## Conclusion

The draft PP initially supported by Council on 21 June 2021 has been subject of extensive consultation with the HCAC which has resulted in amended Indicative Concept Plan and revised PP. The amended proposal is considered to produce an equally, although slightly different sensitive heritage outcome, fulfils a niche housing market, provides a long term conservation strategy and realises public ownership of a strategic local ridge (at no cost).

Council should accordingly request a new Gateway Determination from the DPE.

## Attachments

8.7.1 Glenlee Planning Proposal (contained within this report) [↓](#)

8.7.2 Glenlee Planning Proposal Overview (contained within this report) [↓](#)



## **Planning Proposal**

### **Glenlee House, Menangle Park**

## **Proposed amendment of Campbelltown Local Environmental Plan 2015**

**Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015****GLENLEE HOUSE PLANNING PROPOSAL****Definitions and abbreviations**

*CLEP 2015* means Campbelltown Local Environmental Plan 2015

*DCP* means Development Control Plan

*DPE* means Department of Planning and Environment

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

*GSC* means Greater Sydney Commission

*LGA* means local government area

*M* means metres

*MPURA* means Menangle Park Urban Release Area

*PP* means Planning Proposal

*PPR* means Planning Proposal Request

*SEPP* means State Environmental Planning Policy

*SQM* means square metres

**Subject Site**

The land subject to the Planning Proposal (PP) is identified as Glenlee Estate, known as 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.

**Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015****GLENLEE HOUSE PLANNING PROPOSAL**Immediate Planning Background

Council at its ordinary meeting of 8 June 2021 supported a Planning Proposal to rezone the subject land to permit limited environmental living opportunities (with attendant reduction in maximum building height), realise dedication of a strategic ridge as open space (at no cost), ensure a long term conservation strategy, including restoration works.

The Planning Proposal (PP) in its previous form was deemed to exhibit strategic and site specific merit and had received prior qualified support from the Local Planning Panel and was granted a conditional Gateway Determination (GD) upon referral to the Department of Planning and Environment (DPE).

The Conditional Gateway Determination (GD) issued required prior consultation with Heritage NSW over a limited 4 month period. The Heritage Council Approvals Committee met outside the 4 month time horizon and resolved to not support the PP in the form submitted and to form a subcommittee to further workshop heritage matters with Council staff and the proponent.

The DPE "rescinded" the GD on 9 March 2022 in response to Heritage NSW's concern and the likely timeframe to resolve heritage matters. An invitation was also issued to reapply for a new GD, having resolved issues with Heritage NSW.

The Concept Plan underwent numerous iterations prior to receiving conditional support from the Heritage Council Approvals Committee (HCAC) on 1 November, 2022.

Council staff prepared an Advancement Strategy to facilitate the incremental and timely progress of an amended PP. This was accepted by Heritage NSW on 21 December 2022.

The revised PP and draft Concept Plan is considered to be consistent with the principles which underpinned Council's support of the former draft PP and potentially represents a different nuanced response to the site's unique heritage qualities.

The amended proposal includes in summary:

- Approximately fifty (50) lots, including twenty four (24) environmental living lots (zoned C4) 1,200m<sup>2</sup> lot size.
- Approximately twenty four (24) small terraces houses (zoned R3) with a 200m<sup>2</sup> lot size.
- The Environmental living lots (C4) with a 1,200m<sup>2</sup> minimum lot size are to be restricted to a maximum site coverage of 30%.
- Dedicated ridgetop park zoned RE1 (at no cost).
- Balance of site (including heritage item and outbuildings, gardens and curtilage) to be zoned C3 – Environmental Management.
- Building Height in C4 zoned land to be reduced to 5.0m.
- Building Height in C3 zoned land to be retained at 8.5m.

The revised PP is accompanied by a VPA that proposes dedication of the ridge and conservation of the heritage elements.

**Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015****GLENLEE HOUSE PLANNING PROPOSAL**

Council is in a position to forward the revised PP to DPE for a new Gateway Determination and that post Gateway a new DCP Chapter should be prepared and accompany public exhibition/consultation.

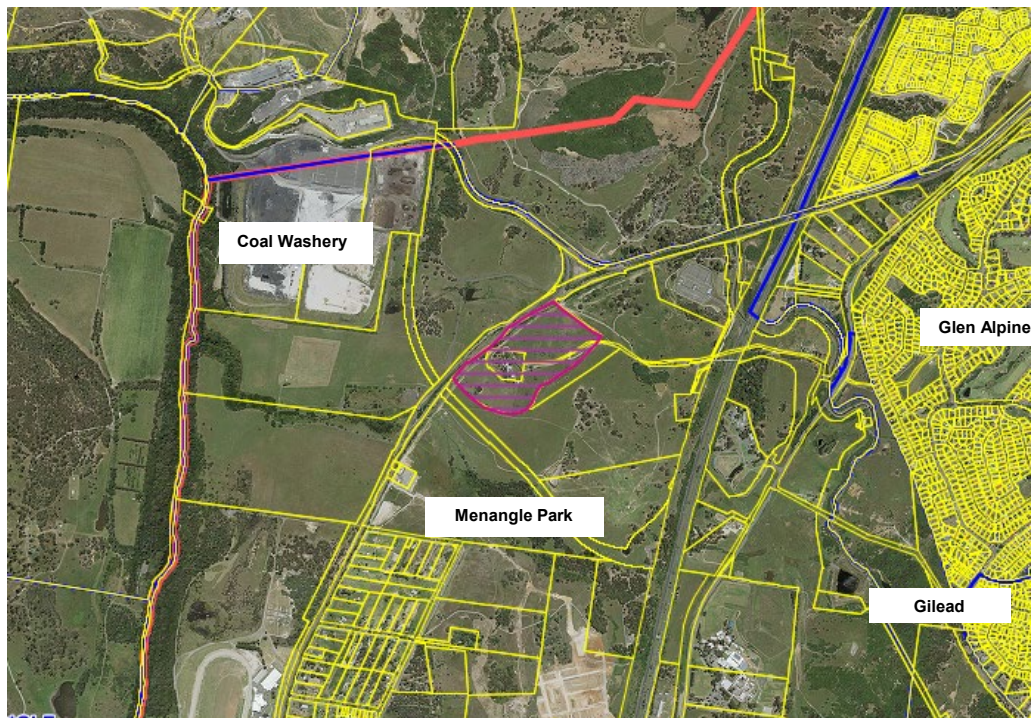


Figure 1 Subject Site and Immediate Locality

## **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 and park side 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 and park side 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 C4 – Environmental Living, part C3 – Environmental Management, part R3 – Medium Density Residential and part RE1 – Public Recreation.
- Amend the minimum lot size map from 40 ha to 200 m<sup>2</sup>, 1200 m<sup>2</sup> and 8 ha.
- Amend the minimum lot size for dual occupancy map from 40 ha to 1,200 m<sup>2</sup>.
- Amend the maximum building height from 9 m to 5 m (except for the homestead precinct- i.e the land to be rezoned C3 – Environmental Management which is to be retained at 8.5m.
- Dedicate the ridgetop park at no cost to Council.
- Introduce a maximum site coverage provision of 30% for residential accommodation in Zone C4 Environmental Living (Annexure 1(e)).

## **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.



## Proposed Amendment to Campbelltown Local Environmental Plan 2015

## GLENLEE HOUSE PLANNING PROPOSAL

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.

### **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 is being provided incrementally.

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 environmental living and park side lots.

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### 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)

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 C4 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.

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- 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 C3 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.

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**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 R3 Medium Density Residential**

**1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes.
- To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.
- To minimise overshadowing and ensure a desired level of solar access to all properties.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home occupations; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Respite day care

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centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture

**4 Prohibited**

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
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<b>Land Use Zoning Map</b>		
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"> <li>• C4 Environmental Living</li> <li>• C3 Environmental Management</li> <li>• R3 Medium Density Residential</li> <li>• RE1 Public Recreation</li> </ul>	<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’ are proposed to be zoned C4 Environmental Living Zone with the heritage sensitivities attached to the Homestead outbuildings and immediate curtilage appropriately zoned C3.</p> <p>This PP at Annexure 1 provides a consolidated C3 homestead / curtilage lot in accordance with 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 draft voluntary planning agreement from the applicant.</p>
<b>Height of Building Map</b>		
The site current has a height limit of 8.5 m.	The amended PP 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>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>The retention of the current control for the Homestead Precinct would facilitate compatible scale development.</p>
<b>Minimum Lot Size</b>		

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The minimum lot size within the subject land is 40 ha	<p>The amended PP seeks to amend the minimum lot size to the following:</p> <ul style="list-style-type: none"> <li>• 200 m<sup>2</sup></li> <li>• 1,200 m<sup>2</sup></li> <li>• 8 ha)</li> </ul>	<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 8 ha prevents further subdivision of the residue curtilage with homestead and outbuildings.</p> <p>This amended PP at Annexure 1, in a manner consistent with the consolidation of the proposed C3 zone, introduces a minimum lot size of 8 ha, so as to prevent subdivision of this Homestead Precinct.</p>
<b>Site Coverage</b>	The amended PP introduces a new site coverage provision in respect of proposed C4 Environmental Living lots.	This amended PP in accordance with the advice of the CLPP has included provisions that limit the site coverage or floor area of future dwellings in the C4 Zone to 30%, in a manner consistent with clause 8.5 in respect of the Glenfield Precinct – Macquarie Fields House.

As referenced in Table 1 above, the proposed C4 Environmental Living zone would cater for lifestyle lots within the precinct, and minimise the extent of development permissible, with a maximum 30% site coverage proposed for these lots. 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 draft Concept Plan.

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

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**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 LSPS with the specific actions relevant to the PP discussed below, with a broader overview in Table 2 of Annexure 2.

<b>LSPS Action</b>	<b>Comment</b>
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).	<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 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.</p> <p>Further, the limited areas identified for potential residential occur in locations considered less sensitive to the main vistas and cultural values of the heritage item. The revised curtilage contained within the supporting Conservation Management Plan (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 (MRA).</p> <p>The proposed development of larger lot housing on land zoned C4 Environmental Living could be considered a form of rural-residential development as envisaged by the WCDP.</p>
3.6: Identify and promote the conservation of environmental heritage and sensitive environmental areas including the Georges	<p>The specialist background 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 (with such further refined the engagement with the NSW heritage Council), and promoted in the Local Housing Strategy (LHS). The proposal also identifies significant landscape elements such as the ridge</p>



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River Corridor Landscape, Scenic Hills and Wedderburn.	which are to be retained for both resident and broader public enjoyment.  The ultimate development scenario would provide a mechanism for facilitating the long-term conservation of the important cultural heritage elements of the Estate.
5.11 Promote community management of scenic and cultural landscapes in the LGA	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.

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

**Campbelltown Local Housing Strategy 2020**

Background

The Western City District Plan (WCDP) requires local housing strategies to be prepared by all Councils in the Western City District. The approval of the Campbelltown (Local Strategic Planning Statement) by the Greater Sydney Commission, which came into effect on 31 March 2020, was an important first step in the broader LEP review process and has informed the preparation of the draft Campbelltown Local Housing Strategy.

The Campbelltown LHS was prepared by Council in 2020 in accordance with the Western City District Plan and as a required action of the LSPS. The Campbelltown LHS was endorsed by Council at its meeting on 29 September 2020.

The LHS was conditionally approved by the Department of Planning and Environment (DPE) on 8 July 2021, with an amended approval issued by DPE on 12 April 2022. It is a requirement of the amended conditions of approval from the DPE, dated 12 April 2022, that Council review and update of the Campbelltown LHS in 2022/23.

At its meeting of 13 December 2022, Council considered a comprehensive report on the draft LHS and resolved to endorse the draft LHS for public exhibition and consider a further report after the exhibition.

Following public exhibition in January / February 2023, Council resolved at its Ordinary Council Meeting of 11 April 2023, in part, to endorse the updated LHS (forming part of this attachment) and forward it to the DPE for their endorsement, with such action noted to have occurred.

Housing Diversity

The updated LHS, amongst other things, emphasises the importance of large lot housing

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and semi-rural lifestyle opportunities. In doing so, it is emphasised that the vistas to the Scenic Hills not be compromised in any such developments. Additionally, protection of the MRA from urban encroachment, as espoused by the DPE is noted.

A related action associated with such objective is:

“Action” Council will identify suitable locations for executive housing and large lot environmental living”.

The relevant extract from the LHS in this regard is produced below.

*"There is a need to attract talent to Campbelltown to support the implementation of the Reimagining Campbelltown City Centre Masterplan. Growth in the health, education and justice sectors will attract professionals and executives to the Campbelltown LGA. Providing housing stock that is attractive the needs of professional and their families will enable the LGA to capture the demand from this group."*

*"The LGA is fortunate to offer pleasant semi-rural lifestyle opportunities which, when combined with high quality housing, provides an ideal opportunity to attract professionals and executives with families. Establishing locations for large lot housing that do not detract from vistas to the scenic hills would assist the LGA to attract professional in higher incomes to the LGA. Stakeholders have identified the scenic hills as being important to the semi-rural character and identity of Campbelltown. DPE has indicated that Council must protect the Metropolitan Rural Area from encroachment of urban development."*

Conclusion

The proposal is not located in the sensitive Scenic Hills Area. Notwithstanding, it is within a sensitive visual catchment, but has importantly been refined to reflect appropriate visual and heritage sensitivity. The proposal is therefore considered to be aligned with the objectives of the Campbelltown Local Housing Strategy 2020.

**Campbelltown Community Strategic Plan – Campbelltown 2032**

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 amended PP is considered to be consistent with the CSP and would specifically facilitate delivery of the key outcomes as detailed below.

Table 2

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<b>CSP Outcome</b>	<b>Statement of Consistency</b>
<b>Outcome 1</b>	
Community and belonging	<ul style="list-style-type: none"> <li>It is proposed to zone and dedicate strategically significant scenic land and to provide public access to such land.</li> <li>There are prospects of greater public (physical and visual) access to the unique heritage qualities of the Estate.</li> </ul>
<b>Outcome 2</b>	
Places for people	<ul style="list-style-type: none"> <li>The proposed environmental living allotments would provide a niche form of housing choice that is not well represented in the locality.</li> <li>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.</li> </ul>
<b>Outcome 3</b>	
Enriched natural environment	<ul style="list-style-type: none"> <li>The Proposal aims to minimise adverse impacts on the natural environment.</li> </ul>
<b>Outcome 4</b>	
Economic prosperity	<ul style="list-style-type: none"> <li>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.</li> <li>The park side housing opportunities in the unique heritage precinct would also facilitate niche housing inspired economic outcomes.</li> </ul>

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

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

<b>Assessment Against State Environmental Planning Policies</b>		
<b>SEPP</b>	<b>Consistency</b>	<b>Evaluation</b>
State Environmental Planning Policy (Housing) 2021	Consistent	<ul style="list-style-type: none"> <li>The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing although, it is unlikely to provide an affordable housing product.</li> <li>The proposal does not preclude future merit based provisions of housing for seniors and people</li> </ul>

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		with a disability, although none is proposed.
State Environmental Planning Policy (Resilience and Hazards) 2021	Consistent	<ul style="list-style-type: none"> <li>A Preliminary Site Investigation was undertaken by Douglas Partners. A total of ten (10) Areas of Environmental Concern (AEC) were identified across the Site.</li> </ul> <p>Any future development of the site will be subject to further detailed environmental investigations with, these matters addressed as part of future development application/s. The investigation concluded that the site can be made suitable for the proposed uses.</p>
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Consistent	<ul style="list-style-type: none"> <li>The proposal is not inconsistent with the SEPP; the provisions of which would apply to future developments and indeed are envisaged to be exceeded.</li> </ul>
State Environmental Planning Policy (Transport and Infrastructure) 2021	Consistent	<ul style="list-style-type: none"> <li>Any educational establishments would be subject to development approval in accordance with the provisions of the SEPP, if proposed.</li> <li>The proposal does not constitute traffic generating development.</li> </ul> <p>Any future development in regards to Infrastructure provision on this site will be required to fulfil this SEPP at Development Application stage.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Consistent	<ul style="list-style-type: none"> <li>The proposal is not inconsistent with the SEPP and the provisions. Given the proposed C4 zoning of part of the site, the Exempt and Complying Code would not be applicable to housing development within the precinct.</li> </ul>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Consistent	<ul style="list-style-type: none"> <li>The site is not identified as potential koala habitat and accordingly not subject to the provisions of the SEPP.</li> <li>Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation.</li> </ul> <p>Little vegetation will be removed from the general pastoral landscape.</p>

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		<p>The tree canopy will be increased from the current grazing landscape through significant street tree and screen planting initiatives.</p> <ul style="list-style-type: none"> <li>The Proposal does not conflict or hinder the achievement of the SEPP aims, with the principles of NorBE underpinning water management and the proposal being removed from the iconic Nepean River landscapes.</li> </ul>
State Environmental Planning Policy (Industry and Employment) 2021	Consistent	<ul style="list-style-type: none"> <li>Any future advertising/signage will need to comply with the provisions of the SEPP.</li> </ul>
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Consistent	<ul style="list-style-type: none"> <li>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.</li> </ul>

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

The amended 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. Planning Systems		
1.3 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.
1.4 Site Specific Controls		
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Consistent	<p>The Proposal pertains to amendments to the 'standard instrument' Campbelltown LEP 2015.</p> <p>The introduction of the site specific site coverage provision is considered to be critical having regard to the sensitivities of the site.</p>
1.10 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.
1.14 Implementation of Greater Macarthur 2040		

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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).
<b>3. Biodiversity and Conservation</b>		
<b>3.1 Environmental Protection Zones</b>		
This direction seeks to ensure that environmentally sensitive areas are not compromised.	Consistent	The Proposal does not include areas of biodiversity significance as identified on the CLEP 2015 Terrestrial Biodiversity Mapping Layer.
<b>3.2 Heritage Conservation</b>		
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent	<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 amended PP is accompanied by a Conservation Management Plan (CMP), Heritage Impact Statement and draft Voluntary Planning Agreement (VPA), which supports the proposed development outcomes.</p>
<b>3.3 Sydney Drinking Water Catchment</b>		
This Direction seeks to protect water quality in the Sydney Drinking Water Catchment.	N/A	Not Applicable
<b>4. Resilience and Hazards</b>		
<b>4.1 Flood Prone Land</b>		
This Direction seeks to ensure flood hazards are appropriately managed in a development context both on and off the subject land.	N/A	<p>The site is not identified to be flood prone.</p> <p>Minor inundation is noted to occur in a limited area and is capable of being readily managed.</p>
<b>4.3 Planning for Bushfire</b>		

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<p>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.</p>	<p>Consistent</p>	<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>
<p><b>4.4 Remediation of Contaminated Land</b></p>		
<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 Proposal is accompanied by a Preliminary Site Investigation undertaken 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><b>4.5 Acid Sulphate Soils</b></p>		
<p>This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</p>	<p>N/A</p>	<p>The site is not identified to be under laid with acid sulphate soils.</p>
<p><b>4.6 Mine Subsidence and Unstable Land</b></p>		
<p>This Direction seeks to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	<p>Justifiably Inconsistent</p>	<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>

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		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.
<b>5. Transport and Infrastructure</b>		
<b>5.1 Integrated Land Use and Transport</b>		
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.	Consistent	<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>
<b>5.2 Reserving land for Public Purposes</b>		
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.
<b>6. Housing</b>		
<b>6.1 Residential Zones</b>		
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Consistent	<p>The amended PP will broaden housing choice in providing larger lot 'lifestyle housing' opportunities and unique smaller park side living, 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 minimum service requirements to be met. Further, the Proposal does not include provisions</p>



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		that reduce the permissible residential density.
<b>8. Resources and Energy</b>		
<b>8.1 Mining, Petroleum Production and Extractive Industries</b>		
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.
<b>9. Primary Production</b>		
<b>9.1 Rural Zones</b>		
This Direction seeks to protect the agricultural production value of rural lands.	Justifiably Inconsistent	The amended 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.
<b>9.2 Rural Lands</b>		
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.

## 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 some 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?**

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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 potential 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 Plan 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 may 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 draft Concept Plan 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

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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 currently under construction.

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 servicing.

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 amended PP would potentially result in short and medium term employment

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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 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.

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 (refer also to part 5 section C of this document).

The views of relevant public authorities will be obtained post Gateway in accordance with Gateway consultation requirements.

## **Part 4: Mapping**

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

<b>Table 9</b>		
<b>Item</b>	<b>Sheet Number</b>	<b>Location</b>
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

The Gateway determination will specify the duration and extent of public exhibition required and engagement with the community and public authorities/agencies.

Additionally, Council's Community Participation Plan may detail further requirements.

Part 6 Project Timeline

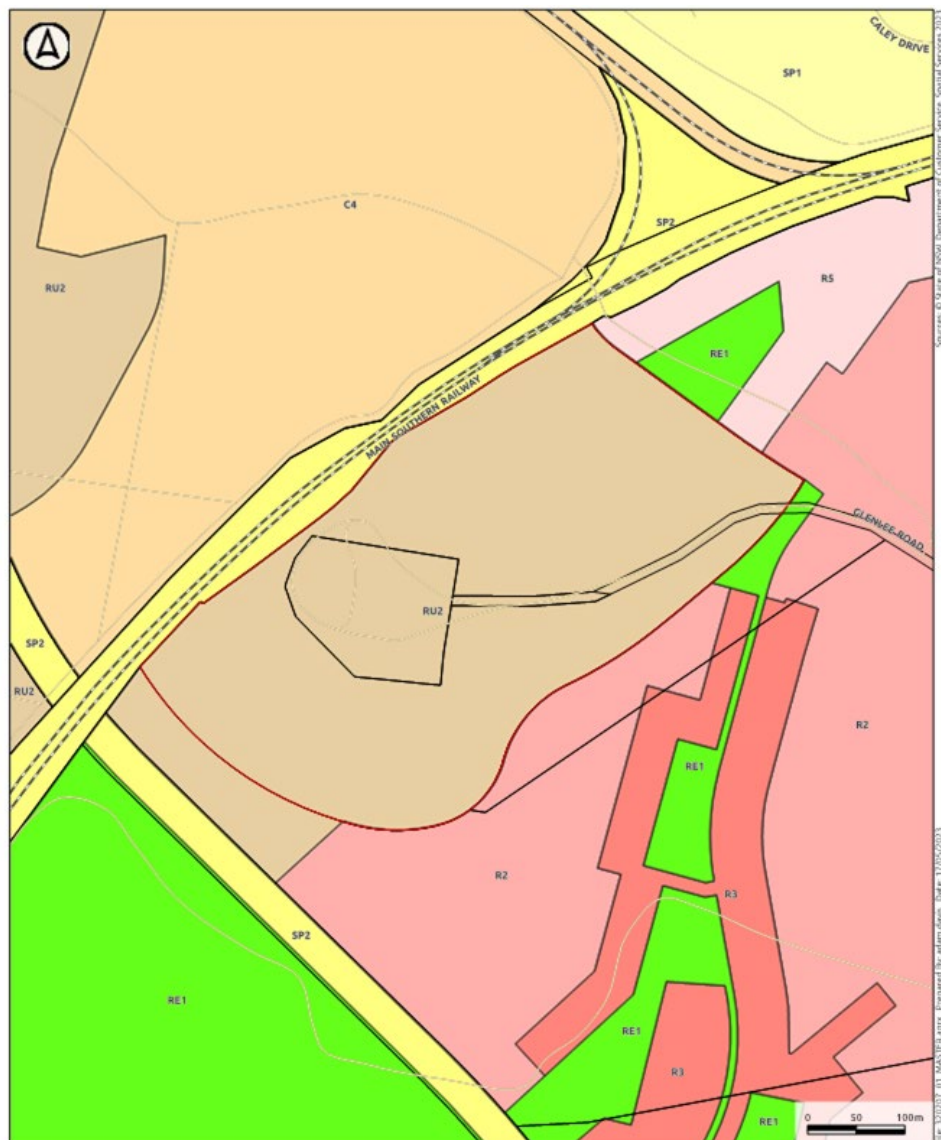
A draft project timeline has been included in the table below.

Table 10	
Milestone	Timeline
Referral to Local Planning Panel	April 2021
Council Consideration of Updated Proposal	June 2023
Referral for New Gateway Determination	July 2023
Gateway Determination	August 2023
Completion of additional supporting documentation	November 2023
Public Exhibition	January 2024
Consideration of Submissions	April 2024
Report to Council	June 2024
Finalisation of LEP amendment	August 2024

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**Annexure 1(a) Changes to Zoning Map**



**Legend**

- Site
- Cadastre
- Road
- Railway

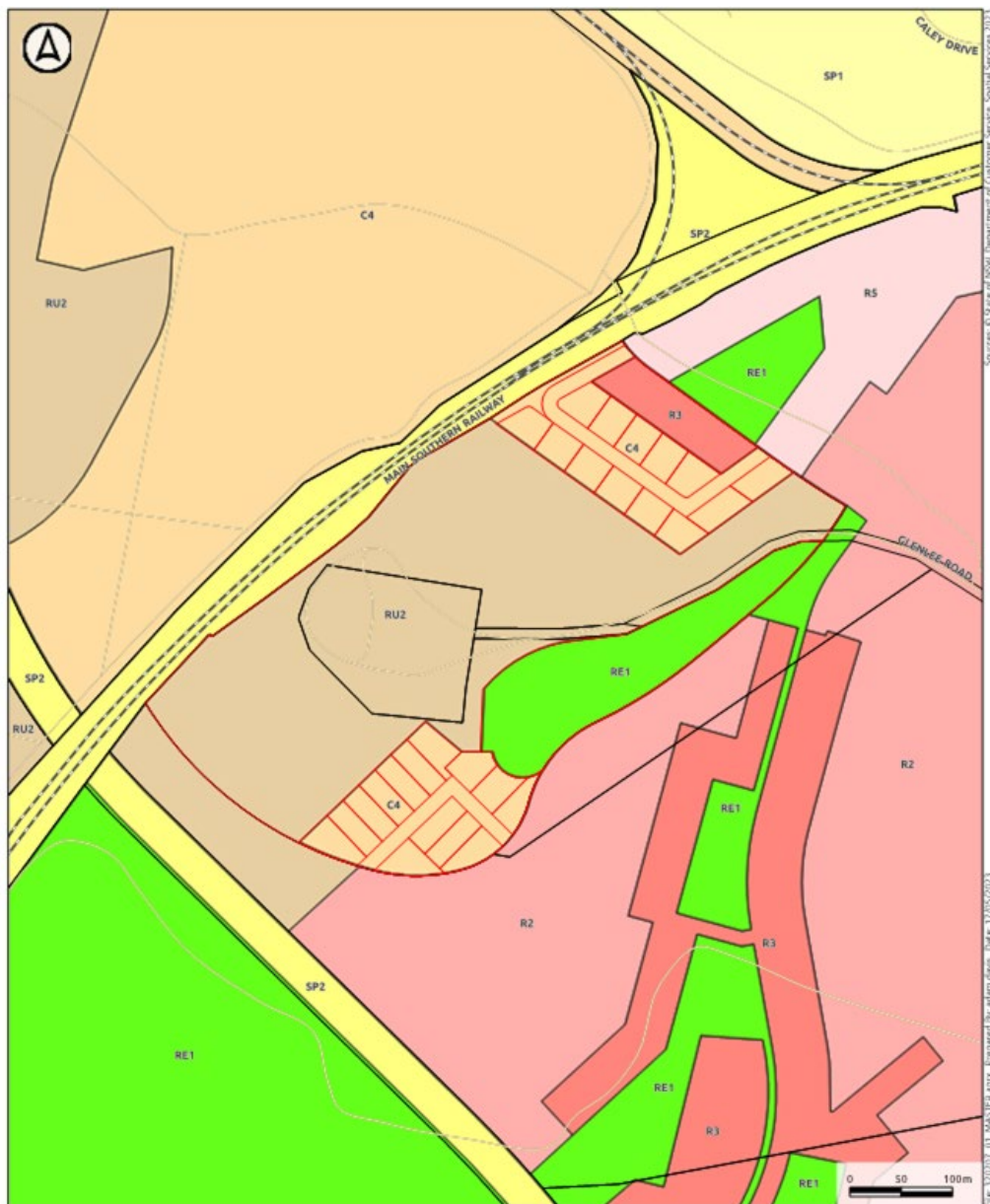
**Land Zoning (LZN)**

- C4
- R2
- R3

- R5
- RE1
- RU2
- SP1
- SP2

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**Legend**

- Site
- Cadastre
- Road
- Railway

**Land Zoning (LZN)**

- C4
- R2
- R3

- R5
- RE1
- RU2
- SP1
- SP2



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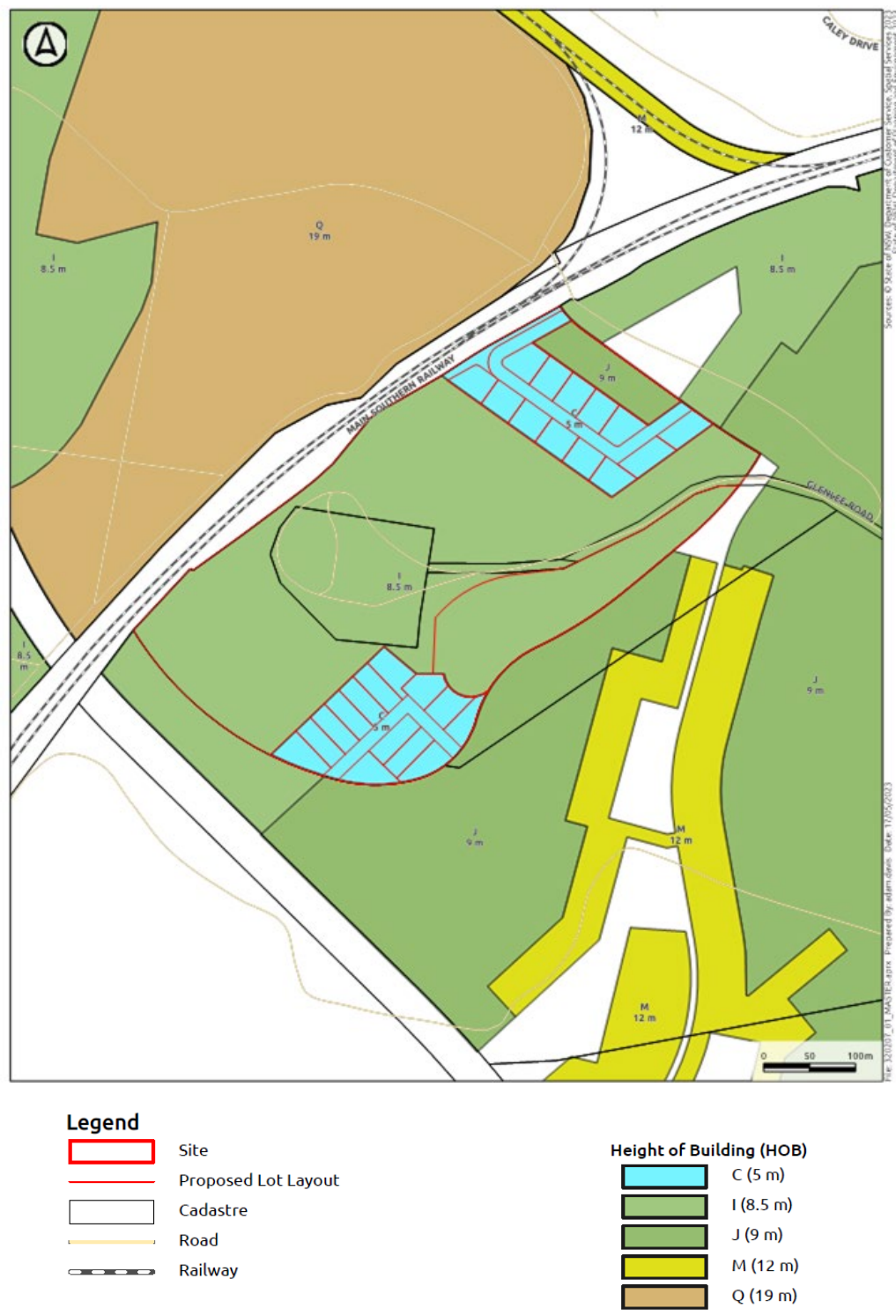
Annexure 1(b) – Changes to Height of Buildings Map





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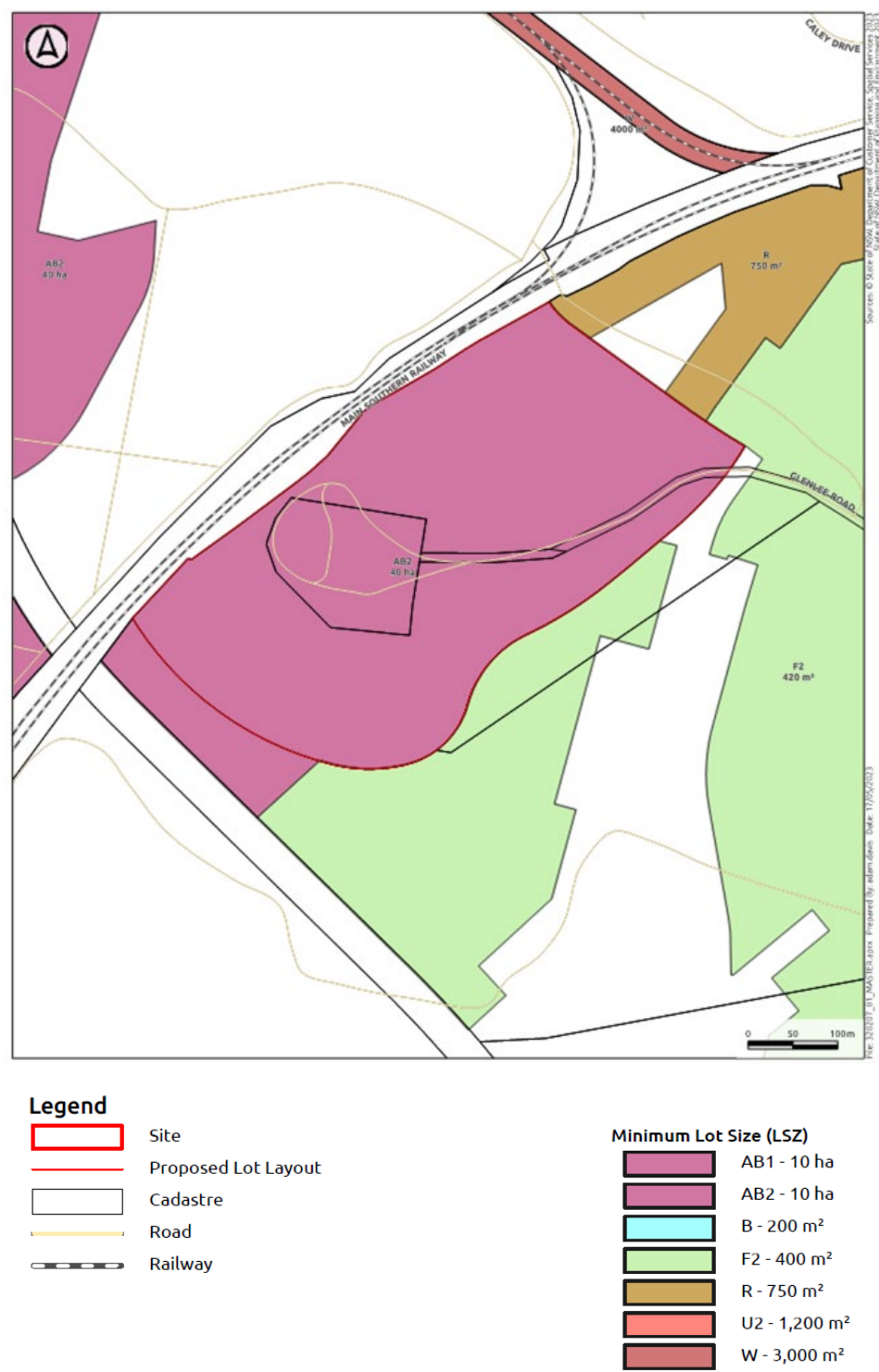
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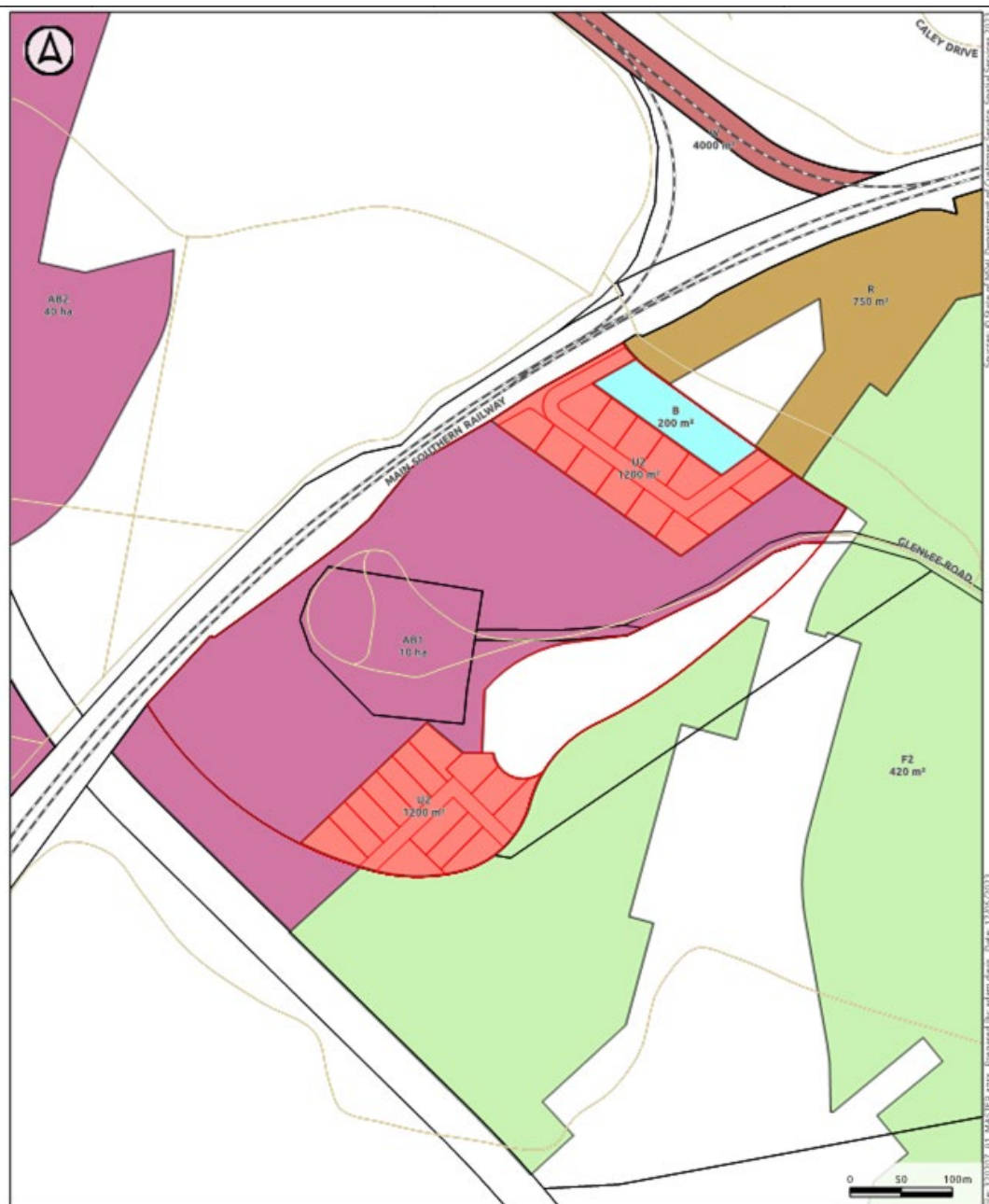
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Annexure 1(c) – Changes to Minimum Lot Size Map



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**Legend**

- Site
- Proposed Lot Layout
- Cadastre
- Road
- Railway

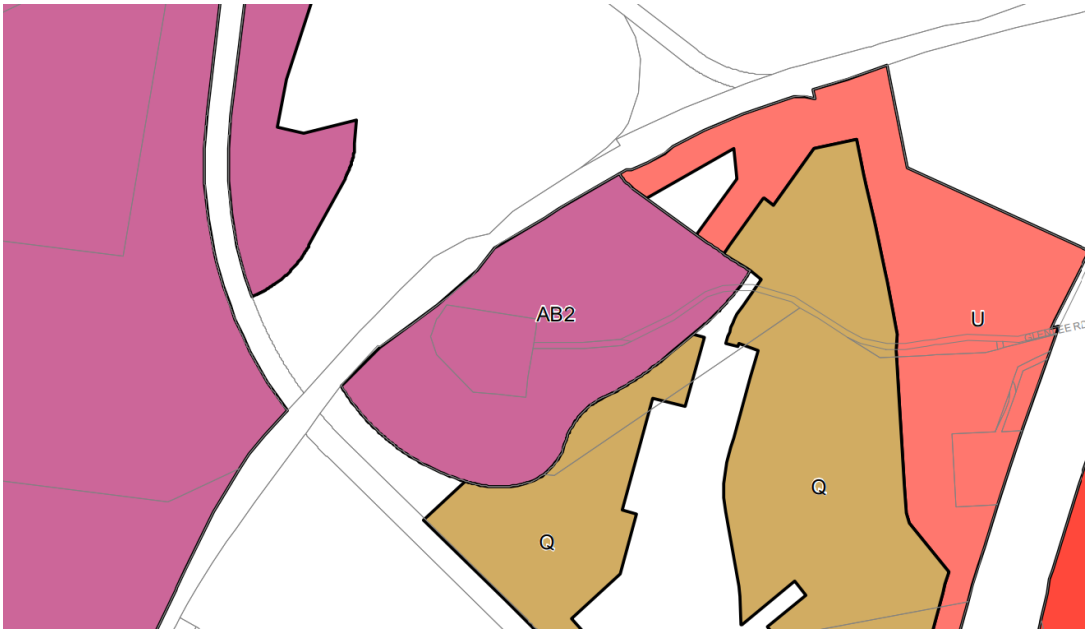
**Minimum Lot Size (LSZ)**

- AB1 - 10 ha
- AB2 - 10 ha
- B - 200 m²
- F2 - 400 m²
- R - 750 m²
- U2 - 1,200 m²
- W - 3,000 m²

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

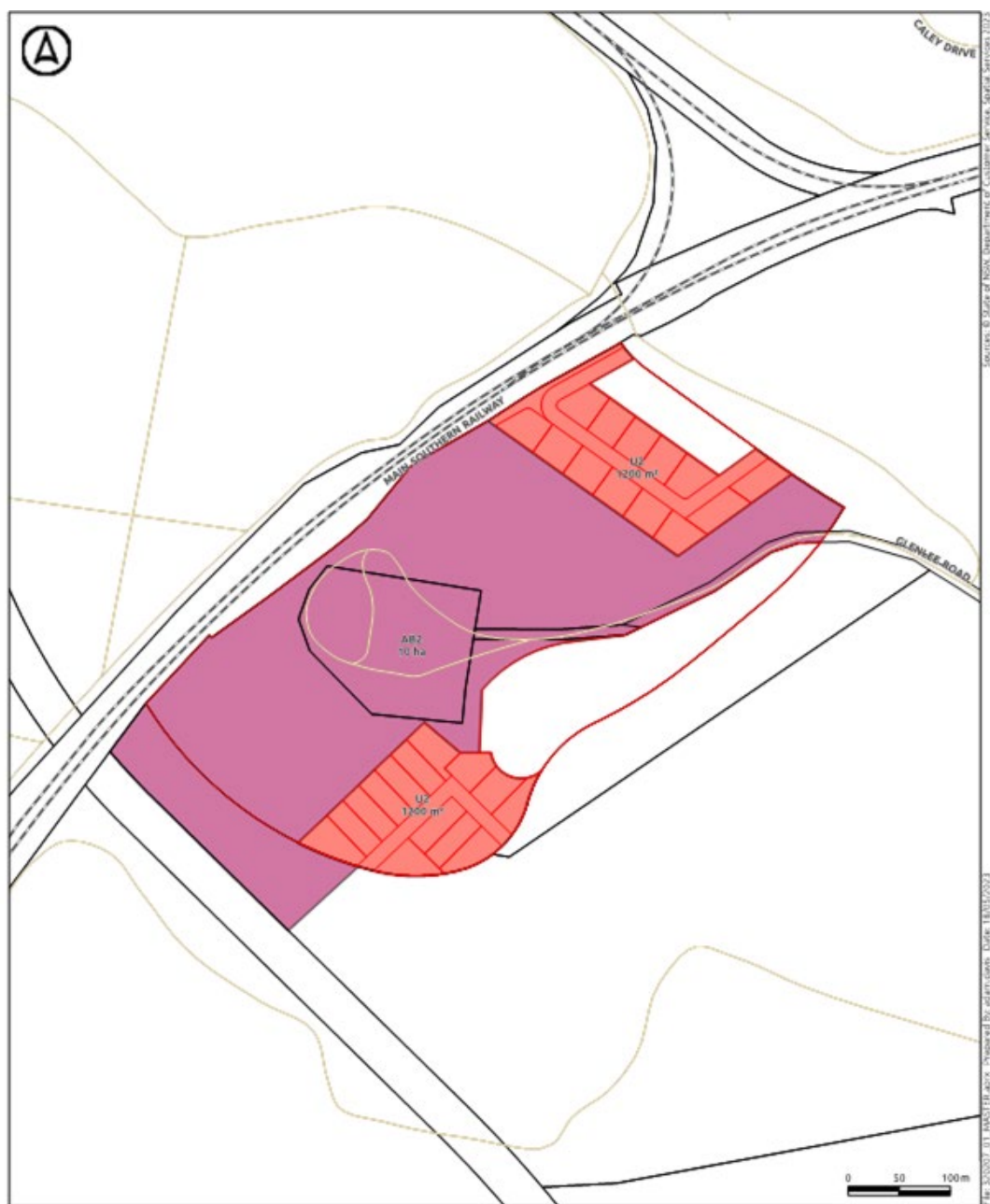


Minimum Lot Size (sq.m)

Q	700
T	950
U	1,000
V	2,000
W	4,000
Y	10,000 (1ha)
Z1	20,000 (2ha)
Z2	40,000 (4ha)
AB1	50,000 (5ha)
AB2	10ha
AA	40ha
AD	100ha

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**Legend**

- Site
- Proposed Lot Layout
- Cadastre
- Road
- Railway

**Minimum Lot Size for Dual Occupancy Development (LSZ)**

- AB2 (10 ha)
- U2 (1,200 m²)

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**Annexure 1(e) – Site coverage in Zone C4 Environmental Living**

Development consent must not be granted to development for the purposes of residential accommodation on land in Zone C4 Environmental Living in the Glenlee House Precinct if the development would result in site coverage of more than 30%.

**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			
A City Supported by Infrastructure			
<ul style="list-style-type: none"> <li>» Infrastructure supports the three cities</li> <li>» Infrastructure aligns with forecast growth - growth infrastructure compact</li> <li>» Infrastructure adapts to meet future needs</li> <li>» Infrastructure use is optimised</li> </ul>	<ul style="list-style-type: none"> <li>» Planning for a city supported by infrastructure (W1)</li> </ul>	Generally Consistent	<p>The Proposal proposes approximately 50 lots including 26 Environmental Living Lots and a further 24 medium density dwellings. 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 proposal is consistent with the objectives within the direction 'A City Supported by Infrastructure.'</p>
A Collaborative City			
<ul style="list-style-type: none"> <li>» Benefits of growth realised by collaboration of governments, community and business</li> </ul>	<ul style="list-style-type: none"> <li>» Working through collaboration (W2)</li> </ul>	Generally Consistent	<p>Whilst, the proposal is not identified in the plan as a specific Collaboration Area, the amended PP will entail compulsory community engagement and consultation with authorities/agencies in accordance with a Gateway Determination.</p> <p>Therefore, the Proposal can be considered consistent with the objectives of 'A Collaborative City'</p>
Liveability			
A City for People			
<ul style="list-style-type: none"> <li>» Services and infrastructure meet communities' changing needs</li> <li>» Communities are healthy, resilient and socially connected</li> </ul>	<ul style="list-style-type: none"> <li>» Providing services and social infrastructure to meet peoples changing needs (W3)</li> </ul>	Generally Consistent	<p>The Proposal 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>

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» <i>Greater Sydney's communities are culturally rich with diverse neighbourhoods</i>	» <i>Fostering healthy, creative, culturally rich and socially connected communities (W4)</i>		However, the Proposal provides access to proposed open space and visual access (as a minimum) to the culturally significant elements of Glenlee estate.
» <i>Greater Sydney celebrates the arts and supports creative industries and innovation</i>			Therefore, the Proposal can be considered consistent with the objectives of 'A City for People'
<b>Housing the City</b>			
» <i>Greater housing supply</i> » <i>Housing is more diverse and affordable</i>	» <i>Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)</i>	Generally Consistent	<p>The Proposal proposes an approximately 50 additional allotments to provide for a housing/lifestyle opportunity rarely catered for in Campbelltown's current housing provision and includes larger Environmental Living Lots and more compact park side housing.</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 but this is offset by the inclusion of the same number of medium density product which tend to be more affordable.</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>The Proposal importantly addresses a void in housing diversity and can be considered generally consistent with the objectives of 'Housing the City.'</p>
<b>A City of Great Places</b>			
» <i>Great places that bring people together</i>	» <i>Creating and renewing great places and local</i>	Generally Consistent	The Proposals intent is to create a place that sensitively integrates with and facilitates



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» <i>Environmental heritage is identified, conserved and enhanced</i>	<i>centres, and respecting the District's heritage (W6)</i>		the conservation of important elements of the cultural environment.  The Proposal has the potential to meet the objectives of 'Housing the City' and therefore can be considered consistent.
<b>Productivity</b>			
<b>A Well Connected City</b>			
<ul style="list-style-type: none"> <li>» <i>A metropolis of three cities -integrated land use and transport creates walkable and 30 minute cities</i></li> <li>» <i>The Eastern, GPOP and Western Economic corridors are better connected and more competitive and efficient</i></li> <li>» <i>Freight and logistics network is competitive and efficient</i></li> <li>» <i>Regional connectivity is enhanced</i></li> </ul>	<ul style="list-style-type: none"> <li>» <i>Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)</i></li> </ul>	Generally Consistent	<p>The Proposal 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 Proposal can be considered consistent with the direction 'A Well Connected City.'</p>
<b>Jobs and Skills for the City</b>			
<ul style="list-style-type: none"> <li>» <i>Harbour CBD is stronger and more competitive</i></li> <li>» <i>Greater Parramatta is stronger and better connected</i></li> <li>» <i>Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</i></li> <li>» <i>Internationally competitive health, education, research and innovation. precincts</i></li> <li>» <i>Investment and business activity in centres</i></li> <li>» <i>Industrial and urban services land is</i></li> </ul>	<ul style="list-style-type: none"> <li>» <i>Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)</i></li> <li>» <i>Growing and strengthening the metropolitan city cluster (W9)</i></li> <li>» <i>Maximising freight and logistics opportunities and planning and managing industrial and urban services land (W10)</i></li> <li>» <i>Growing investment,</i></li> </ul>	Generally Consistent	<p>The Proposal 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. It also provides an environment for some unique home business opportunities.</p> <p>Therefore, the Proposal can be considered consistent with the direction 'Jobs and Skills for the City.'</p>

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<i>planned, protected and manager</i>	<i>business opportunities and jobs in strategic centres (W11)</i>		
» <i>Economic sectors are targeted for success</i>			
<b>Sustainability</b>			
<b>A City in its Landscape</b>			
» <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>	» <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>	Generally Consistent	<p>The Proposal 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 mechanism established for future maintenance, as part of a VPA as per the draft document.</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, together with maximum site coverage provision, 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> <p>Therefore the Proposal can be considered to meet the of "A City in its Landscape".</p>
<b>An Efficient City</b>			
» <i>A low carbon city contributes to net-zero emissions by 2050 and mitigates climate change</i>	» <i>Reducing carbon emissions and managing energy, water and waste efficiently (W19)</i>	Generally Consistent	<p>The PPR proposes, through the planting initiatives compensating in part for any limited carbon emissions.</p> <p>Additionally, passive solar design principles beyond BASIX can be detailed in the relevant DCP</p>

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<ul style="list-style-type: none"> <li>» <i>Energy and water flows are captured, used and re-used</i></li> <li>» <i>More waste is re-used and recycled to support the development of a circular economy</i></li> </ul>			<p>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 Proposal can be considered consistent with the direction 'An Efficient City.'</p>
<b>A Resilient City</b>			
<ul style="list-style-type: none"> <li>» <i>People and places adapt to climate change and future shocks and stresses</i></li> <li>» <i>Exposure to natural and urban hazards is reduced</i></li> <li>» <i>Heatwaves and extreme heat are managed</i></li> </ul>	<ul style="list-style-type: none"> <li>» <i>Adapting to the impacts of urban and natural hazards and climate change (W20)</i></li> </ul>	<p>Generally Consistent</p>	<p>The Proposal 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 Proposal 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	
<b>Planning Priority 1</b> – Creating a great place to live, work, play and visit	
Strategic Policy Positions: <ul style="list-style-type: none"> <li>Our people are our most valued asset</li> <li>Our city is an inclusive place for all people</li> </ul>	
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas.	The Proposal and Concept Plan 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 Plan accompanying the Proposal is underpinned in part, by larger lots with space for enhanced opportunities for healthy living including on-site leisure and recreation and domestic food production/gardening.
<b>Planning Priority 2</b> – Creating high quality, diverse housing	
Strategic Policy Positions: <ul style="list-style-type: none"> <li>Contain urban growth within the existing urban area or within the identified priority growth and urban investigation areas</li> <li>Housing supply, diversity, choice and quality respond to community needs and contribute to housing requirements at the District level</li> </ul>	
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 Environmental housing opportunities 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 Proposal 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.
<b>Planning Priority 3</b> – Embracing our heritage and cultural identity	
Strategic Policy Positions:	

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<ul style="list-style-type: none"> <li>• Our heritage is respected as a fundamental part of our identity</li> <li>• Our city embraces its Indigenous heritage and culture</li> <li>• Our diverse cultural mix is an asset for our city</li> </ul>	
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.	<p>The Concept Plan 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>
<b>Sustainability - A respected and Protected Natural Environment</b>	
<b>Planning Priority 5 – Embracing our unique landscape setting.</b>	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> <li>• Campbelltown is a city of choice and opportunity in a natural environment</li> <li>• Our scenic and natural city edges are protected into the future</li> <li>• We celebrate the First Nations People as the traditional custodians of our land, and embrace their knowledge in the stewardship of our natural environment.</li> <li>• Our multicultural community is celebrated and embraced.</li> </ul>	
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>
<b>Planning Priority 6 – Respecting and Protecting our natural assets</b>	
<p>Strategic Policy Positions:</p> <ul style="list-style-type: none"> <li>• We conserve and protect our rich and diverse biodiversity</li> <li>• We contribute measurable improvements to local air and water quality</li> <li>• We will ensure that natural bushland and open spaces are accessible, attractive and safe places for recreation and wellbeing</li> </ul>	
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.

**Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015**

**GLENLEE HOUSE PLANNING PROPOSAL**

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.
<b>Productivity – A thriving, attractive city</b>	
<b>Planning Priority 8 – Adapting to climate change and building resilience</b>	
Strategic Policy Positions: <ul style="list-style-type: none"> <li>We will increase our city's resilience to ensure our future prosperity.</li> <li>We strive to embed the delivery of low resource, low carbon solutions</li> <li>We will adopt best practice in mitigating and adapting to climate change.</li> <li>We will address the urban heat island effect and implement innovative ways to cool our LGA to maintain liveable standards for a healthy community.</li> </ul>	
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.
<b>Planning Priority 12 – Creating a smart, connected, productive city</b>	
Strategic Policy Positions: <ul style="list-style-type: none"> <li>Advancements in technology provide opportunities for our people and businesses</li> <li>Utilising the latest technology attracts future investment and business growth</li> </ul>	
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>

Proposed Amendment to  
Campbelltown Local Environmental  
Plan 2015

## GLENLEE HOUSE PLANNING PROPOSAL

### Annexure 3 – Revised Concept Plan

## REVISED PROPOSAL







## **Glenlee Estate (Glenlee House) Planning Proposal Overview (21-2-2023)**

### **Planning Proposal Request (PPR)**

- Generally supported at a Councillor Briefing on 29 October 2019.

### **Refinement/Delay**

- Significant review of the Conservation Management Plan (CMP) and engagement with Heritage NSW

### **Local Planning Panel (LPP)**

- LPP communicated qualified support at its meeting of 28 April 2021, subject to:
  - A mechanism to control dwelling size and provide an adequate landscape context
  - Preparation of a DCP for concurrent exhibition which addresses development matters outlined in the Heritage Impact Statement (HIS)
  - Consolidation of homestead and southern pastures groups as a single E3-Environmental Management zone.
  - An irrevocable offer to address land dedication and conservation actions.

(Refer to **Attachment 2-A**)

- These matters were addressed in the planning package subsequently considered by Council with the exception of the DCP which is currently in the course of compilation (It was delayed having regard to the further evolution of the draft Concept Plan with the Heritage Council, as discussed below).

### **Council Ordinary Meeting Support**

- Council at its Ordinary Meeting of 8 June 2021 communicated its support for a draft Planning Proposal (draft PP) which was informed by the PPR and the LPP recommendations.
- It further resolved to forward the draft PP to the Department of Planning and Environment (DPE) accompanied by a request for a Gateway Determination.

The accompanying draft Concept Plan forms **Attachment 2-B**.

### **Gateway Determination (GD)**

- A Gateway Determination was issued by DPE on 28 July 2021 (Refer to **Attachment 2-C**)
- The Gateway Determination included prior consultation with Heritage NSW and NSW RFS requirements and public exhibition within 4 months of the GD.
- Delays occurred with Heritage NSW and the 4 month pre exhibition consultation was not achieved.





### **Heritage Council Approvals Committee**

- The Approvals Committee met in December 2021 and resolved to not support the Proposal in the form submitted and to form a sub-committee to further workshop heritage matters with Council and the applicant.

(Refer to **Attachment 2-D**).

### **Gateway Alteration**

- The DPE “rescinded” the GD on 9 March 2022 in response to Heritage NSW’s concern with the Proposal in the form submitted and the likely timeframe to satisfactorily resolve heritage matters.
- An invitation was extended with the Gateway Alteration to resubmit the PP after further liaison with Heritage NSW.

(Refer to **Attachment 2-E**)

### **Concept Plan Refinement with Heritage Council Local Approvals Committee**

- The draft Concept Plan was subsequently workshopped with the Approvals Committee – sub-committee, including the benefit of a site visit.
- Several iterations of the draft Concept Plan were developed and considered.
- The version at **Attachment 2-F** represented that considered formally by the Approvals Committee Meeting of 1 November, 2022; with the underpinning principles presented at **Attachment 2-G** and Photo montages forming **Attachment 2-H**

### **Heritage Approvals Committee Conditional Support**

- The Heritage Approvals Committee issued conditional support to the Draft Concept Plan at **Attachment 2-F**, at its meeting of 1 November 2023 (Refer to **Attachment 2-I**).

### **Advancement Strategy**

- Council prepared an Advancement Strategy to facilitate the incremental and timely progress of an amended Planning Proposal (Refer to **Attachment 2-J**)
- An amended draft Planning Proposal is currently being compiled.
- With respect to other short term actions, it is noted;
  - The CMP has been finalised and will be forwarded to NSW Heritage shortly for information
  - An amended VPA is in the course of preparation and is expected to be with Council shortly
  - SEPP (Exempt and Complying) does not apply to the C4 zone (and also would not apply given the State Heritage Listing); whilst the State Heritage listing would preclude the SEPP’s application to the R3 zone.
  - The proposed LEP amendment will have minimum lot provisions that preclude further subdivision. Additionally, in respect of the C4 zone, the order of magnitude of any lot size variation would be unable to utilise clause 4.6 of CLEP 2015.



- The layout of proposed lots closest to the heritage buildings on the southern slopes has been amended to ensure visual suppression relative to the ridge.
- The Advancement Strategy was subsequently accepted by Heritage NSW (Refer to **Attachment 2-K**).

#### **Request for a New Gateway Determination**

- A report is in the course of preparation for Council's consideration and ultimate request for a Gateway Determination in respect of the amended Planning Proposal.

#### **Local Planning Panel Further Consultation**

- The Proposal has been refined in response to extensive input from the Heritage Council Approvals Committee (HCAC).
- The amended Planning Proposal is considered to be substantially the same to that previously considered by the LPP. It has been amended in response to the LPP's previous advice and that of the HCAC.
- Accordingly, a further report to the LPP is not considered to be warranted and the Chair of the LPP is potentially requested to endorse the matter proceeding to a Council Report and request for a new GD.

#### **Local Planning Panel Further Consultation**

- The Proposal has been refined in response to extensive input from the Heritage Council Approvals Committee (HCAC).
- The amended Planning Proposal is considered to be substantially the same to that previously considered by the LPP. It has been amended in response to the LPP's previous advice and that of the HCAC.
- Accordingly, a further report to the LPP is not considered to be warranted and the Chair of the LPP is accordingly requested to endorse the matter proceeding to a Council Report and request for a new GD.

**ATTACHMENT 2-A**

Local Planning Panel Meeting

28/04/2021

adequately addressed in the application.

The Panel notes the submissions in support of increasing student numbers at the school. It appears that this issue may be ongoing and likely to become more significant over time. This would be best dealt with by the school developing a short, medium and longer term strategy to accommodate increase demand including potentially on an alternative/additional site in consultation with the Council.

**Decision of the Panel**

Development Application 1625/2019/DA-U for the increase in the maximum number of students from 600 students to 690 students at 10 Benham Road, Minto is refused for the reasons outlined in attachment 1.

**Voting**

The Local Planning Panel voted 4/0

**5. CONFIDENTIAL REPORTS FROM OFFICERS****5.1 Planning Proposal - Menangle Park****Executive Summary**

- Premise (Australia Pty Ltd) has submitted a Planning Proposal Request (attachment 3) that applies to land known as Lots 1,2 and 3 DP 713646, Property No. 60 Menangle Road Menangle Park (Glenlee Estate).
- 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 m<sup>2</sup> to 2,000 m<sup>2</sup> and residue minimum lot sizes of 2 ha and 5 ha for elements of the revised curtilage.
- The proposal demonstrates strategic and site specific merit, by providing for under supplied housing type in a manner that fulfils the draft Campbelltown Housing Strategy and objectives and principles of the Local Strategic Planning Statement, in a manner that respects the environmental sensitivities of the site including its unique heritage.
- 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 are a key public benefit.

## ATTACHMENT 2-A

Local Planning Panel Meeting

28/04/2021

- 
- 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.
  - The Campbelltown Local Planning Panel (the Panel) is requested to provide its advice and commentary as to whether it deems the Planning Proposal Request to have sufficient planning merit to allow it to progress further through the Gateway process.
  - That the Campbelltown Local Planning Panel provide its advice and commentary as to whether the Planning Proposal Request should be advanced through the Gateway process.

### Panel Consideration and Advice

1. The Panel received a briefing from the applicant and heritage specialist upon making a request in accordance with the Operational Guideline, held at 3:45 pm to 4:10 pm after closure of the Ordinary meeting. The briefing covered the following issues:
    - The history and significance of the State Heritage Item
    - Existing and future use of the homestead
    - Significance of the curtilage in respect of areas 4 (Northern Bowl) and 5 (Southern Corner)
    - How future development would be controlled
    - How the proposed benefits of the voluntary planning agreement would be delivered for the Homestead
  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 request is not supported by a formal offer to enter into a voluntary planning agreement, and consider the applicant should commit to
- 

Minutes of the Local Planning Panel Meeting

Page 6

**ATTACHMENT 2-A**

Local Planning Panel Meeting

28/04/2021

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submitting a formal irrevocable offer that addresses land dedication and conservation actions in perpetuity prior to consideration of the matter by Council.

**Voting**

4/0

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The next meeting of the Local Planning Panel is scheduled for 26 May 2021.

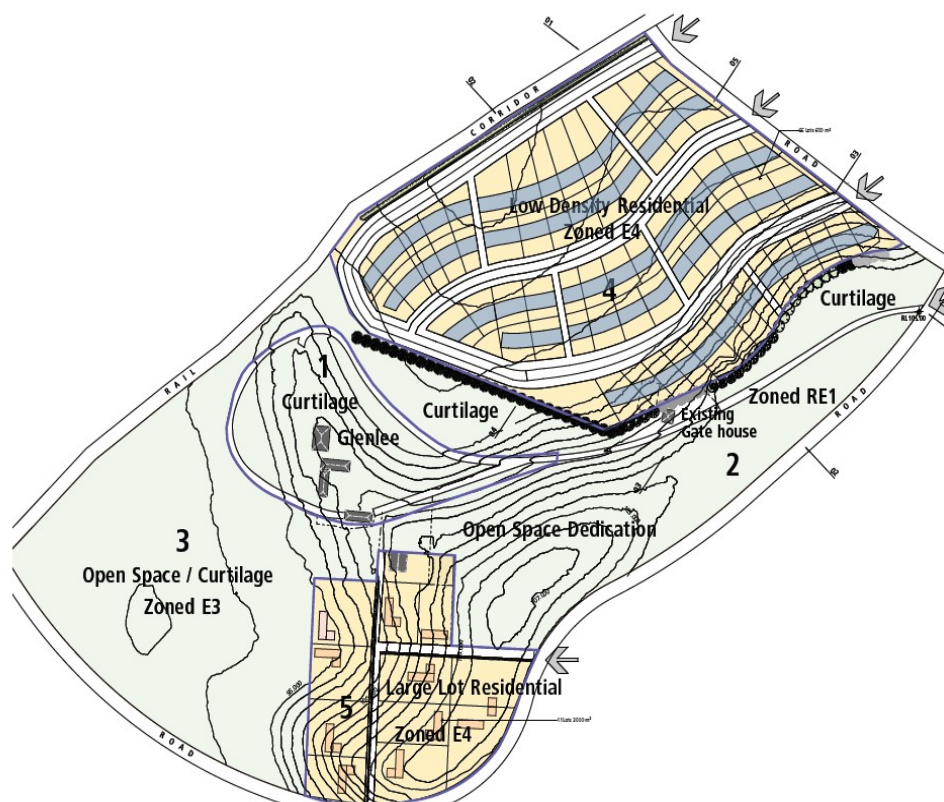
**Chairperson**

Meeting Concluded: 3.43pm

ATTACHMENT 2-B



**Concept Plan Supported By Council**  
**(referred to in LPP and Council reports)**





Planning,  
Industry &  
Environment

ATTACHMENT 2-C

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-4123):** *Glenlee House, 60 Menangle Road, Menangle Park*

I, the Acting Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should proceed subject to the following conditions:

1. Prior to public exhibition, consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of the relevant Section 9.1 Directions:
  - (a) Heritage NSW; and
  - (b) NSW Rural Fire Service.
2. Prior to public exhibition, the planning proposal is to be updated to:
  - (a) Provide clear and accurate mapping for exhibition purposes;
  - (b) Identify an acquisition authority for the proposed RE1 Open Space zoning;
  - (c) Clarify the existing and proposed building height;
  - (d) Outline an additional local provision to introduce a site coverage for land proposed to be zoned E4 Environmental Living; and
  - (e) Outline additional local provisions to strengthen the heritage controls for the proposed future development surrounding Glenlee House. The controls should include, but not be limited to:
    - i. Implementing a Conservation Management Plan
    - ii. Managing visual or physical qualities of the site
    - iii. Complementing the landscape and scenic quality of the site.
3. Once the planning proposal is revised in accordance with condition 1 and 2, this must be submitted to the Department for approval prior to public exhibition.
4. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

## ATTACHMENT 2-C

5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Heritage NSW
- Transport for NSW
- Sydney Water
- Subsidence Advisory NSW
- Department of Primary Industries
- Rural Fire Service

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 28 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
8. The planning proposal must be exhibited within **4 months** following the date of the Gateway determination.
9. The planning proposal must be reported to council for final recommendation within **9 months** following the date of the Gateway determination.
10. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 28<sup>th</sup> day of July 2021.

**Melissa Rassack**  
**Acting Director**  
**Central River City and Western**  
**Parkland City**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**

PP-2021-3982; IRF21/2781



## ATTACHMENT 2-D

11. The Applicant shall nominate an Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage council of NSW for the proposed activity and significance level with the s60 application.

12. An Archaeological Work Method Statement including any relevant Research Questions shall be submitted as part of the S60 Application. Following the receipt of that documentation the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of those archaeological conditions.

### **ABORIGINAL OBJECTS**

13. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

### **COMPLIANCE**

14. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

### **SECTION 60 APPLICATION**

15. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

*Reason: To meet legislative requirements.*

Moved by Nicholas Brunton and seconded by Ian Clarke

## **3. Heritage NSW presentations**

### **3.1 Planning Proposal – Glenlee House, Menangle Park**

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## ATTACHMENT 2-D

The Committee received a presentation and paper from Mr James Sellwood, Heritage NSW.

*Key points:*

- The Committee discussed whether or not gateway requirements for the planning proposal had been met. It was noted that there remain significant heritage impacts which have yet to be resolved.
- The Committee discussed negative impacts to properties within the Cumberland Plains/Sydney Basin area resulting from previous Heritage Council policies with outdated heritage philosophies that prioritised architectural values over the cultural landscape; and the need to move to a more current view of heritage that embraces cultural landscape and treats associated colonial properties with better justice than previously.
- The planning proposal does not adequately address the cultural value of the landscape which is identified in the statement of significance.
- A much more detailed assessment of the site's Aboriginal cultural heritage (ACH) is needed. The archaeological approach to the ACH assessment thus far is problematic given that the site's primary values are attached to its landscape.
- Ongoing mapping of the Appin Massacre landscape may assist in ACH assessment, noting its proximity to Glenlee and the likely relationship between the two sites. The Committee noted that a cultural strategy for the Greater MacArthur region is currently being developed by an Aboriginal planner and should offer guidance on how to approach this landscape and its values.
- Subdivision of such an important landscape would have permanent detrimental impacts; however, the information provided is not sufficient to determine the level of impact nor justify any rezoning.
- The Committee discussed planning and approval pathways and how best to engage with the proponent moving forward, including the need for a site visit to properly identify the issues at hand, followed by a subcommittee workshop.

### 3.1 Planning Proposal – Glenlee House, Menangle Park

Resolution 2021-56

The Heritage Council Approvals Committee:

1. **Notes** the information in this report
2. **Does not support** the planning proposal (PP-2021-4123) in its current form as it is likely to have a permanent detrimental impact to the overall significance of Glenlee, outbuildings, garden & gatelodge (SHR 00009), including the landscape of the estate. In addition, the proponent has provided insufficient information to assess the application.
3. **Resolves** to form a subcommittee to workshop the above heritage matters with Council and the proponent, to:

## ATTACHMENT 2-D

1.	Test the relevance of the existing State Heritage Register (SHR) curtilage and the opportunity for it to be revised.
2.	Identify whether there are subdivision and development solutions for the site which take into consideration the landscape value of the property, including Aboriginal cultural heritage values, and the policies in the Conservation Management Plan – Glenlee outbuildings, garden & gatelodge, prepared by Tropman & Tropman Architects (March 2021).
4.	<b>Requests</b> that Heritage NSW write to the Department of Planning, Industry and Environment noting the above and that adequate consideration of the heritage impacts will not be possible to achieve within the current gateway timframes.
Moved by Bruce Pettman and seconded by Ian Clarke	

## 4. Heritage NSW presentations 2

### 4.1 IDA – Callan Park Foreshore

The Committee received a presentation and paper from Mr David Nix, Heritage NSW.

Julie Marler left the meeting for the duration of this item due to a conflict of interest declared at item 1.1.

*Key points:*

- The Committee support the landscape structure plan.
- Callan Park's existing and modified historical topography is an important aspect of the Place.
- The Committee note strong community opposition to the headland mound and agree that it would significantly compromise the landscape character and setting, create visual disruption and safety and security issues – encroachments on the open space should be avoided.
- Briefly discussed opportunities to reinstate landforms with fill that is created on site, where possible.

#### 4.1 IDA – Callan Park Foreshore

Resolution 2021-57

In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the Heritage Council of NSW (the Heritage Council) grants the following **General Terms of Approval** for the integrated development application:

**EXCEPT AS AMENDED** by the conditions of this approval:

**APPROVED DEVELOPMENT**

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ATTACHMENT 2-E

Department of Planning and Environment

## Alteration of Gateway Determination

### *Planning proposal (Department Ref: PP-2021-4123)*

I, Executive Director, Western Parkland City at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 28 July 2021 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Change the description of the planning proposal from:  
"I, the Acting Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should proceed subject to the following conditions:"

to:

"I, the Executive Director, Western Parkland City at the Department of Planning, and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should not proceed"

2. Delete conditions 1-10.

Dated 9<sup>th</sup> day of March 2022.

**Catherine Van Laeren**  
**Executive Director**  
**Western Parkland City**  
**Strategic Land Use Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**

[PP-2021-4123] (IRF22/622)

ATTACHMENT 2-F



Final Draft Concept Plan

# REVISED PROPOSAL



## ATTACHMENT 2-G

**Revised Indicative Layout Plan - Underlying Principles - Glenlee Estate**Development Opportunities

- Retention of dwelling as residential premise
- Possible adaptive reuse of outbuildings
- Opportunities to interpret prior rural heritage

(All with sensitive support infrastructure including parking provision)

Siting of Development Opportunities/Respecting the Curtilage and Site Sensitivities

- Development sensitively located on extremities of the site, affording greater “openness” in respect of the immediate curtilage and its interpretation as an open rural landscape
- Distance of “southern foot slope” proposed lots increased and screened by existing interpretative barn reconstruction
- “Northern bowl” left “vacant”
- “Northern bowl” opportunity moved to northern extremity and modified to include townhouse component
- Known Aboriginal archaeological remains are not adversely impacted.

Controlling Development

- The development parameters for Macquarie Fields House and rural landscape setting shall generally inform the principal planning controls for low density residential lots.  
(Minimum Lot size: 1200sq.m/Site coverage 30%)
- Medium density town house module to adopt surrounding medium density minimum lot size
- A site specific DCP is to be compiled (and exhibited concurrently with the Planning Proposal) to control the character of new development, including materials, height, planting, roads, lighting, views etc.

Landscape Context

- The ILP seeks to respect the key landscape qualities of the site.
- Screen plantings are to be minimised in response to sensitive development precinct siting.

**ATTACHMENT 2-G**

- Formal hedging minimised
- Screening opportunities for the railway and Glenlee container terminal should be explored.
- Judicious plantings seek to assist interpretation of former heritage markers such as the Parish Boundary.
- Reinstatement of carriage loop.
- Street tree framework and landscape area requirement to minimise build form impacts (Landscape Masterplan required prior to public exhibition)
- Interpretation of previous rural uses including current intact outbuildings.
- The southern precinct is to exhibit a laneway character.
- Gatehouse setting not compromised

Integration with Surrounding Masterplan

- Multi focus development proposed that does not “turn its back” on surrounding proposed development
- Alignment of road connections/intersections
- Sensitive interface opportunities capitalised on (including townhouse orientation to proposed off-site park and “screening” of contemporary urban development)

Finance/Funding/Economics

- Establishment of a Conservation Fund/Heritage Agreement to facilitate sustainable conservation outcomes (Financed by development outcomes)
- Dedication of open space aligning with the knoll.
- Medium density (town house) proposal seeks to leverage off locational advantage and “compensate” for significant reduction of northern bowl.

**Overview of Proposal and LEP Amendments (As modified)**

- Reduction in residential yield from 77 Environmental Living lots to approximately 27 Environmental Living lots and 24 small lot houses (Approximate Total 51 lots)
- Environmental living lots to be zoned C4 (with minimum lot size 1,200 sq. m and site coverage maximum of 30%)
- Small lot housing to be zoned R3 Medium Density Residential ( with a 200 sq. m minimum lot size)
- Ridgetop Park to be zoned RE1 Public Recreation and dedicated
- Balance of site (including heritage item and outbuildings ,gardens and curtilage) to be zoned C3 Environmental Management

**ATTACHMENT 2-G**

- Building height in C4 zone to be reduced to 5.0 m
- Building height in C3 zone to be retained at 8.5m
- New Gateway Determination required in the event of Heritage Council support.





ATTACHMENT 2-H

**Photo Montages Final Draft Concept Plan**





## ATTACHMENT 2-I

## HERITAGE COUNCIL OF NSW

## RESOLUTIONS ONLY – Approvals Committee

Tuesday, 1 November 2022 | 09:00 AM – 12:40 PM

Via Teleconference

**1.1 Conflict of Interest Declarations**

Resolution 2022-48

The Heritage Council Approvals Committee:

1. Noted David Burdon's standing perceived conflict of interest relating to *item 2.1 2A Gregory Place, Harris Park*. Mr Burdon is Director of Conservation at the NSW National Trust, which has objected to the proposal. **The Approvals Committee agreed that no action needed to be taken.**
2. Noted Vanessa Holtham's previous conflict of interest declaration relating to the Registrar General's Building, Macquarie Street East Precinct, to be discussed at *item 1.2 Out of Session Activity*. Ms Holtham has ongoing involvement in a Heritage Floor Space application for the building on behalf of the City of Sydney. **The Approvals Committee agreed that no action needed to be taken.**

**1.2 Out of Session Activity**

The Heritage Council Approvals Committee:

- Convened on 14 September 2022 to finalise determination of the Minerva/Metro Theatre integrated development application (presented to the Committee on 6 September 2022); and
- Attended a briefing from Property and Development NSW on the Registrar General's Building, Macquarie Street East Precinct, on 12 October 2022. Vanessa Holtham did not attend due to a standing conflict of interest with this item.

**1.3 Minutes from Previous Meeting – 6 September 2022**

Resolution 2022-49

The Heritage Council Approvals Committee:

1. **Confirmed** the minutes of the previous ordinary meeting (Tuesday, 6 September 2022), as amended, as a complete and accurate record of that meeting.

**1.4 Action report**

## ATTACHMENT 2-I

The Approvals Committee noted the action report.
<b>2.1 SSD – 2A Gregory Place, Harris Park – Built to Rent / Affordable Housing</b>
Resolution 2022-50
The Heritage Council Approvals Committee:
<ol style="list-style-type: none"> <li>1. <b>Notes</b> the presentation from the City of Parramatta.</li> <li>2. <b>Reconfirms</b> the comments provided in its resolution of 6 September 2022.</li> </ol>
<b>2.2 Planning Proposal – Glenlee, Menangle Park Rezoning</b>
Resolution 2022-51
<p>The Heritage Council Approvals Committee:</p> <ol style="list-style-type: none"> <li>1. <b>Thanks</b> the proponent and Campbelltown City Council for the revised proposal in response to the comments provided by the Approval Committee and its sub-committee.</li> <li>2. <b>Supports</b> the underlying planning principles for the revised subdivision;</li> <li>3. <b>Notes</b> that the realignment of the subdivision boundaries and smaller size of the developable areas have reduced the potential heritage impacts on the State heritage values of the Glenlee Estate;</li> <li>4. <b>Supports</b> the use of planning provisions including a DCP to control development within the northern and southern residential subdivisions, to minimise impacts on the heritage values of the Glenlee Estate including its rural character and setting.</li> <li>5. <b>Supports</b> a mechanism to ensure that sufficient funds are available for the ongoing heritage conservation and maintenance of the Glenlee Estate;</li> <li>6. <b>Requests</b> the Council and proponent: <ol style="list-style-type: none"> <li>a. Provide HNSW with of a copy of the draft Voluntary Planning Agreement (VPA) so that the Approvals Committee can be satisfied of the funding mechanism for the long-term maintenance and conservation of Glenlee.</li> <li>b. Provide further information as to how the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will not apply to the C4 and R3 zoned land, given the SEPP itself prevails over all LEPs and itself provides that it applies to the whole of the State.</li> <li>c. Provide further advice on whether the proposed amendment to the LEP will constitute a prohibition on the future subdivision of the residue land comprising Glenlee or merely constitute a development standard capable of variation through clause 4.6 of the LEP.</li> <li>d. Provide to HNSW with a copy of the current draft of the Development Control Plan (DCP) that will apply to the C4 and R3 zoned land.</li> <li>e. Refine the layout of the proposed new lots closer to the heritage listed buildings on the southern slopes to ensure no built form is visible above the ridgeline.</li> </ol> </li> </ol>

## ATTACHMENT 2-I

7. **Agrees** that following the provision of the information requested in item 6, the Approvals Committee may convene an expedited out of session meeting, if required to finalise a decision to support the provision of the planning proposal to DPE for a gateway determination.
8. **Recommends** to Campbelltown City Council and the proponent that detailed design for the future subdivision and development of the site be informed by:
  - a. Further visual analysis
  - b. A revised Heritage Impact Statement
  - c. Detailed Landscape Masterplan
9. **Advises** Campbelltown City Council and the proponent that redefining the curtilage is a separate process under the Heritage Act. As there has been no formal request for redefining the SHR curtilage under the Heritage Act, the proposed reduction in the SHR curtilage is not considered as part of this planning proposal and would be subject to the controls provided by item 2.
10. **Agrees** that any future comments on the publicly exhibited planning proposal (provided it is substantially in line with the Approvals Committee's comments above), be provided by Heritage NSW under delegation.
11. **Thanks** Approvals Committee members, Caitlin Allen and Julie Marler, for their input into the proponent's revised and improved planning proposal.

**3.1 Forward agenda**

The Approvals Committee noted the forward agenda.

**3.2 Approvals Committee Membership Skills and Future Meetings**

The Approvals Committee briefly discussed the format of future meetings and membership skills in relation to filling any future vacancies.

**Secretariat**

**Heritage NSW**

## ATTACHMENT 2-J

8 December 2022



The Secretariat  
Heritage NSW  
Department of Planning and Environment  
Locked Bag 5020  
PARRAMATTA NSW 2150

Attention: Mr Rajeev Maini

Dear Mr Rajeev,

**Re: Advancement Strategy – draft Planning Proposal Glenlee Estate (No. 60) Menangle Road, Menangle Park**

I refer to recent communication in respect of the Heritage Approvals Committee Meeting minutes of 1 November 2022 and a Strategy for advancing the draft Planning Proposal, in the light of the same, and advise as follows:

**(1) Resolutions 1-5 & 11**

Statements (1) to (5) and (11) inclusive are initially noted and supported.

**(2) Resolutions 6-10**

It is further noted that a body of work entailing clarification and supporting information is required.

The provision of such information is most pragmatically advanced in stages that balance strategic progress with satisfactory confidence. To this end the following Advancement Strategy is proposed.

**(3) Advancement Strategy – Staged Provision of Information for Resolutions 6-10**

- (i) Short Term (Prior to Council report recommending application for a new Gateway Determination)
  - Finalise the Conservation Management Plan (CMP) as a foundation document.
  - Amend the Voluntary Planning Agreement (VPA) to include detail on ongoing maintenance /funding– Item 6(a).
  - It is noted that a Council Report in respect of application for a new Gateway Determination would include a recommendation that a Planning Agreement be entered into, the final details of which would be included concurrently with the DCP preparation referenced in (ii) below.
  - Provide clarification of application of SEPP (Exempt and Complying Development Codes) 2008 – Item 6(b)
  - Provide clarification that the proposed LEP amendment will prevent subdivision of the residue land – Item 6(c).

**Campbelltown City Council**  
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PO Box 57, Campbelltown NSW 2560

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ABN: 31 459 914 087



131 450



**ATTACHMENT 2-J**

- Refine layout of proposed lots closest to heritage listed buildings on the southern slopes to ensure visual suppression relative to the ridge. – Item 6(e).
  - Summary, it is noted that Items (a), (b), (c) and (e) are proposed to occur in the short term.
- (ii) Medium Term (Post Gateway Determination)
- Prepare draft DCP and provide to HNSW. This should preferably occur post Gateway Determination and accompany the public exhibition/authority consultation phase – Items 6(d) and 10.
  - Further comment at public exhibition/authority consultation potentially via the Approvals Committee – Item 10.
  - It is noted that finalisation of the proposed LEP amendment would be accompanied by a recommendation to adopt the accompanying draft DCP and execute the draft Planning Agreement.
- (iii) Longer Term (A) (Prior to DA Determination)
- Further visual analysis, a revised heritage Impact Statement and detailed Landscape Masterplan – to accompany submission of a relevant Development Application (DA) – Item 8.
- (iv) Longer Term (B) (Post DA Determination)
- Review of State Heritage Register (SHR) curtilage – Item 9.

You will note the Advancement Strategy importantly does not provide for the “hold point” of further engagement with the Approvals Committee and endorsement of the draft Planning Proposal, as potentially modified/embellished, before proceeding to Gateway Determination – Item 7.

This is considered to be an excessive and unnecessary and questionable statutory step in the light of the engagement to date and opportunity (post-Gateway) for further comment at the public exhibition/authority engagement phase.

Finally, I thank you for the invitation to provide the abovementioned staged Advancement Strategy and look forward to your positive support of this pragmatic approach. In this regard it should be noted that Council remains readily available to clarify any aspect of this advice by initially contacting Council’s Senior Strategic Planner Mr Graham Pascoe on 4645 4666 or [graham.pascoe@campbelltown.nsw.gov.au](mailto:graham.pascoe@campbelltown.nsw.gov.au)

Yours sincerely,

---

**Acting Executive Manager Urban  
Release and Engagement**



## ATTACHMENT 2-K

Our ref: DOC22/1138743-2

Acting Executive Manager  
Urban Release and Engagement  
Campbelltown City Council  
91 Queen Street  
Campbelltown NSW 2560

By email: [graham.pascoe@campbelltown.nsw.gov.au](mailto:graham.pascoe@campbelltown.nsw.gov.au)

Dear sir,

**Draft Planning Proposal – Glenlee Estate (No. 60) Menangle Road, Menangle Park**

Thank you for your letter dated 8 December 2022 responding to the Approvals Committee's resolutions dated 1 November 2022 regarding the abovementioned Planning Proposal.

The advancement strategy as outlined in your letter is noted and is generally consistent with the Approvals Committee resolutions. It is, therefore, considered that the Planning Proposal can proceed to the Gateway Determination stage.

Please note upon receiving additional information prior and during the Gateway Determination process as outlined by the advancement strategy, further comments are likely to be provided by the Approvals Committee.

Heritage NSW and Heritage Council of NSW are committed to work with the proponent and Campbelltown Council in achieving a good heritage outcome for Glenlee Estate listed on the State Heritage Register.

If you have any questions regarding the above advice, please contact me at Heritage NSW on 9873 8592 or [rajeev.maini@environment.nsw.gov.au](mailto:rajeev.maini@environment.nsw.gov.au).

Yours sincerely

**Rajeev Maini**  
Manager, South Assessments  
Heritage NSW  
Department of Environment and Heritage  
21 December 2022

## **8.8 Policy Review - Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES24)**

### **Reporting Officer**

Manager City Standards and Compliance  
City Planning and Environment

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### **Delivery Program**

<b>Principal Activity</b>
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### **Officer's Recommendation**

1. That the revised Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES 24) Policy be adopted.
2. That the Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES 24) Policy review date be set at 30 June 2027.

### **Purpose**

To seek Council's endorsement of the revised Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES 24) Policy (shown as attachment 2).

### **History**

The Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES 24) Policy was adopted by Council on 2 September 2003 and is now due for review in accordance with the Information Management Authorised Statement.



## Report

The NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES 24) Policy (the Policy) has been reviewed in accordance with Council's Information Management Authorised Statement and adopted procedures for Policy Development and Review.

DRIVES 24 is an online RMS database that can be relied upon/accessed by an authorised officer to obtain vehicle, trailer or vessel ownership details for law enforcement purposes (i.e. to enforce an offence or to recover a fine or connection with vehicle or vessel parking offences).

Officers of a local council (usually council rangers and parking officers) can be individually authorised to access information from the DRIVES 24 system for the purpose of undertaking law enforcement in areas which include vehicle registration and licence matters, and the searching of details for 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*


Following the review of the current Policy (shown as attachment 1), one minor amendment to the conditions of use imposed by the RMS for the council's continued use of the DRIVES 24 system was identified.

The amendment to the current Policy comes as a consequence of recent changes to the relevant legislation. The current Policy refers to the *Impounding Act 1993*, where the revised Policy refers instead to the newly created *Public Spaces (Unattended Property) Act 2021* (see the amendment to Policy Statement item 2d).

Given the above, it is recommended that the revised Access to the NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES24) Policy be adopted as amended.

## Attachments

- 8.8.1 Current Policy - Access to the NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES24) (contained within this report) [↓](#)
- 8.8.2 Revised Policy - Access to the NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES24) (contained within this report) [↓](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Access to the NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES)	
Related Documentation	Roads and Maritime Services DRIVES Terms of Access Agreement Code of Conduct	
Responsible Officer	<del>Manager City Standards and Compliance</del> Manager City Standards, Compliance and Waste	

**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~~ *Public Spaces (Unattended Property) Act 2021*
  - 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.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> <del>City Development</del> City Planning and Environment <b>Section:</b> <del>City Standards and Compliance</del> City Standards, Compliance and Waste <b>DocSet:</b> 1555160	<b>Adopted Date:</b> 02/09/2003 <b>Revised Date:</b> 08/06/2021 <b>Minute Number:</b> 097 <b>Review Date:</b> 30/06/2023	<b>Page:</b> 1 of 2

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**Campbelltown City Council**

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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.

**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	

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Access to the NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES)	
Related Documentation	Roads and Maritime Services DRIVES Terms of Access Agreement Code of Conduct	
Responsible Officer	Manager City Standards, Compliance and Waste	

**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) *Public Spaces (Unattended Property) Act 2021*
  - 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

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Planning and Environment <b>Section:</b> City Standards, Compliance and Waste <b>DocSet:</b> 1555160	<b>Adopted Date:</b> 02/09/2003 <b>Revised Date:</b> 08/06/2021 <b>Minute Number:</b> 097 <b>Review Date:</b> 30/06/2023	<b>Page:</b> 1 of 2

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constitute a breach of Council's Code of Conduct and the person(s) responsible will be subject to disciplinary action.

**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	

## 8.9 Policy Review – Management of Feral and Infant Companion Animals

### Reporting Officer

Manager City Standards and Compliance  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### Officer's Recommendation

1. That the revised Management of Feral and Infant Companion Animals Policy be adopted.
2. That the Management of Feral and Infant Companion Animals Policy review date be set at 30 June 2027.

### Purpose

To seek Council's endorsement of the reviewed Management of Feral and Infant Companion Animals Policy (attached).

### History

Council at its meeting held 8 April 2014 adopted the Management of Feral and Infant Companion Animals Policy (the Policy).

The Policy was last reviewed and readopted by Council in June 2021, at which time the Council set a review date of 30 June 2023.

The Policy has been reviewed again, with no amendments being made as a result of that review.

## Report

The *Companion Animals Act 1998* (the Act) requires that where an animal is seized by or surrendered to a council, the council must hold the animal for a mandatory period of 14 days for registered animals and 7 days for unregistered animals.

It is the case however, due to a range of reasons, some animals seized by the Council or otherwise surrendered to the Council's Animal Care Facility (ACF), are deemed unsuitable for rehoming or inhumane to retain. These reasons would include but are not limited to biosecurity risks (e.g. transmission of disease), animal health or behavioural issues (e.g. feral cats), humane reasons or care requirements (e.g. infant animals less than 8 weeks of age require an intensive level of 'round the clock' care particularly in terms of warmth and feeding).

To ensure those animals are not inhumanly held with a council for an unnecessary period of time, Section 64 (2) of the Act provides the circumstances in which a council can lawfully euthanise an animal before the end of the relevant mandatory holding period under the Act.

However, in order for a council to lawfully operate under Section 64 (2) of the Act, the council must have formally adopted a policy in relation to the Management of Feral and Infant Companion Animals.


The currently adopted Management of Feral and Infant Companion Animals Policy has been reviewed, and is deemed to still reflect best practice and remain in accordance with the relevant provisions of the Act.

The current 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

8.9.1 Management of Feral and Infant Companion Animals Policy (contained within this report) [↓](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
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</i> – S64& 64A; Guideline on the Exercise of Functions under the <i>Companion Animals Act 1998</i>	
Responsible Officer	Manager City Standards, Compliance and Waste and Animal Care Facility Team Leader	

**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		
<b>Division:</b> City Planning and Environment <b>Section:</b> City Standards, Compliance and Waste <b>DocSet:</b> 3829666	<b>Adopted Date:</b> 08/04/2014 <b>Revised Date:</b> 08/06/2021 <b>Minute Number:</b> 095 <b>Review Date:</b> 30/06/2023	<b>Page:</b> 1 of 3



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**Campbelltown City Council**


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**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 euthanasing 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 euthanasing 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	

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**Campbelltown City Council**

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**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	

## 8.10 Policy Review – Second Hand Clothing Bin

### Reporting Officer

Manager City Standards and Compliance  
City Planning and Environment

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.1.2 Ensure the community is continuously informed about current and future issues affecting Campbelltown and key delivery partners

### Delivery Program

Principal Activity
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### Officer's Recommendation

1. That the revised Second Hand Clothing Bin Policy be adopted.
2. That the Second Hand Clothing Bin Policy review date be set at 30 June 2027.

### Purpose

To seek Council's endorsement of the revised Second Hand Clothing Bin Policy as shown as attachment 2.

### History

Council at its meeting held 18 October 1988 adopted the Second Hand Clothing Bin Policy (the Policy).

The Policy was last reviewed in 2021 with no changes altering the context or intent of the Policy.

Council at its Ordinary Meeting held on 8 June 2021 adopted the Policy and a policy review date of 30 June 2023.

## **Report**

### **Purpose**

To seek Council's endorsement of the revised Second Hand Clothing Bin Policy as shown as attachment 2.

### **History**

Council at its meeting held 18 October 1988 adopted the Second Hand Clothing Bin Policy (the Policy).

The Policy was last reviewed in 2021 with no changes altering the context or intent of the Policy. Council at its Ordinary Meeting held on 8 June 2021 adopted the Policy and a policy review date of 30 June 2023.

### **Report**

This report is seeking the endorsement of an amendment to the current Second Hand Clothing Bin Policy that would allow local charity organisations to apply for approval to place Second Hand Clothing bins on Council controlled land/car parks.

Council has recently been approached by a local business that runs a charitable Reuse and Recycle Enterprise out of Minto. This local business contributes directly to a number of Charities including the Sebastian Foundation and a number of other charity groups that contribute to Aged Care Services, Education Programs, Migrant/Refugee Assistance, Food and Shelter, Mental Health Services, and Suicide Prevention counselling within our community.

Senior council staff met with the local business and their charity partner Sebastian Foundation to observe their facility and operations. The operations and services were deemed to be well-located and well-managed in providing these important services to the community of Campbelltown.

In response to the needs presented, the current Policy has been reviewed in accordance with Council's Information Management Authorised Statement and adopted procedures for Policy Development and Review.

In order to better assist programs and community services such as this, an amendment to the Policy is required.

The purpose of the amendments to the Policy is to allow locally based charity organisations to place Second Hand Clothing Bins on Council controlled land/car parks subject to the relevant application and approvals process and payment of associated fees.

Currently, the Policy only allows the undertaking of this type of activity on private property with the consent of the land owner.

To alleviate this issue, and to address an increasingly significant need, an amendment to the current Policy is required (see attachment 1).

For the reasons presented above, it is recommended that the revised Second Hand Clothing Bin Policy be adopted as amended (see attachment 2).

## **Attachments**

8.10.1 Current Policy - Second Hand Clothing Bin (contained within this report) [↓](#)

8.10.2 Revised Policy - Second Hand Clothing Bin (contained within this report) [↓](#)

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

**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~~ may be approved on Council-controlled land subject to the relevant application and written approval being granted. Note: An application fee will be applicable to each application.
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

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<b>Division:</b> City Development City Planning and Environment <b>Section:</b> City Standards and Compliance City Standards, Compliance and Waste <b>DocSet:</b> 1555156	<b>Adopted Date:</b> 18/10/1988 <b>Revised Date:</b> 08/06/2021 <b>Minute Number:</b> 096 <b>Review Date:</b> 30/06/2023	<b>Page:</b> 1 of 3

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**Campbelltown City Council**


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- Donation bins are to be adequately fixed to prevent damage to property or injury to persons
- 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:

- Be associated with commercial premises or a place of public worship, and
- 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
- Not result in more than three such bins on one lot, and
- Be located behind the building line of any road frontage, and
- Be operated by a person or organisation that is the holder of an authority under the *Charitable Fundraising Act 1991*, and
- Not display any advertising other than details of the person or organisation that operates it, and
- 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.

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**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 four years from the revision date.

**END OF POLICY STATEMENT**

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 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Second Hand Clothing Bins	
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Responsible Officer	Manager City Standards, Compliance and Waste	

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### Campbelltown City Council

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- 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.

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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.

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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 four years from the revision date.

**END OF POLICY STATEMENT**

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## 8.11 Investigation into the Feasibility of Virtual Fencing for protecting Wildlife

### Reporting Officer

Natural Areas Coordinator  
City Services

### Community Strategic Plan

Objective	Strategy
3 Enriched Natural Environment	3.1.1 Protect, rehabilitate, and promote our natural areas, waterways and biodiversity

### Delivery Program

Principal Activity
3.1.1.2 Lead initiatives that rehabilitate and protect biodiversity, including threatened flora, fauna and ecological communities

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### Officer's Recommendation

1. That Council note that there are currently no studies or empirical evidence available that confirms the effectiveness of virtual fencing, in reducing the incidence of fauna / vehicle strikes.
2. That Council not implement virtual fencing on local roads, without scientific confirmation that such a system is an effective fauna barrier and does have a measurable impact on the reduction in fauna injuries / fatalities due to vehicle strike.
3. That Council undertake research in core koala habitat areas of the LGA to better understand vehicle volumes and vehicle speeds in those areas, and to seek to understand what proven interventions may be suitable and effective in these areas, in reducing the frequency of fauna injury / fatalities as a result of vehicle strike.

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### Purpose

Provide outcomes and findings of the investigation into the status and effectiveness of virtual fencing as a means of protecting animals along roadways and recommendations as to whether virtual fencing or any similar system would be a viable interim protection measure along Appin Road until permanent fauna crossing points have been installed.

## History

### **Koala** (*Phascolarctos cinereus*)

#### *Phascolarctos*

- *phaskolos* from Greek for 'leather bag or pouch'
- *arctos* from Greek for 'bear'

#### *cinereus*

- *cinereus* from Latin for 'ash-grey'

In Australia, koala populations are primarily located along the east coast with their range extending in the north from Queensland, through New South Wales and Victoria to South Australia in the south. The koala is listed as endangered under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 and is listed as vulnerable to extinction under the NSW Biodiversity Conservation Act 2016.

Koalas in Australia face a range of threats including habitat loss, disease, and dog attacks, with vehicle strikes being the dominate threat to the koala by a significant margin. Natural threats such as bushfires can also have significantly detrimental impacts on our koala populations, with it being estimated that koala populations in areas devastated by bushfire attack during the 2019-2020 "Black Summer" bushfires, were reduced by up to 80% (Dunstan et al., 2021, Cristescu et al., 2021, Phillips et al., 2021).

In 2018, Campbelltown City Council (Council) and the NSW Department of Planning and Environment (DPE) formally endorsed the Campbelltown Comprehensive Koala Plan of Management (CKPoM). The vision of the plan is to protect and provide for the long-term persistence and sustainability of a viable, free-ranging koala population across core koala habitat areas of the Campbelltown LGA. Since the adoption of the CKPoM, Council, government agencies, researches, the community and wildlife carers have completed extensive research and monitoring and delivered on ground projects, advocacy and extensive community education to mitigate key threats to ensure the population can thrive into the future.

In 2018 and then reviewed in 2021, the NSW Government adopted the NSW Koala Strategy (The Strategy). The Strategy aims to secure important koala habitat, reduce threats, and engage communities and local expertise to deliver koala conservation works across New South Wales.

The strategy highlights the Macarthur area's koala populations and the koala areas southwest of Sydney as a priority area for investment and includes mitigation measures to minimise vehicle strike including installing koala exclusion fencing and constructing two fauna crossings to allow movement across Appin Road.

At its meeting held on 8 February 2022, Council resolved to:

1. Investigate with priority the status and effectiveness of virtual fencing as a means of protecting animals along road ways.
2. Provide a report to the Council on the findings of the investigation including recommendations as to whether virtual fencing or any similar system would be a viable interim protection measure along Appin Road until permanent fauna crossing points have been installed.

This report provides a summary of the outcomes and findings of the investigation into the status and effectiveness of virtual fencing and other similar measures as a means of protecting animals along roadways and viability of interim protection measures along Appin Road.

## Report

The Campbelltown Local Government Area (LGA) is home to the healthiest, disease free and expanding koala population in NSW. The population extends from the Wollondilly LGA, near the townships of Wilton and Appin in the south along the Nepean and Georges River corridors to Glenfield in the north.

There are a range of threats to koalas in the Campbelltown LGA including bushfire, habitat loss, disease, dog attacks and vehicle strikes. On average, the majority of Campbelltown koala admissions to the University of Sydney's Wildlife Health and Conservation Centre were as a result of vehicle-strike (41%) with male koalas making up 70% of all verified deaths recorded (Dr David Phalen, Wild Koala Seminar, 2021).

Between 2013 and 2021, 42 koala deaths were recorded as a result of vehicle strikes within the Campbelltown LGA (NSW Wildlife Rehabilitation Dashboard).

To mitigate the impacts of vehicle strike on native wildlife there are a range of interventions that have or are being trialled and/or are available within the market and deployed across Australia, however conclusive peer reviewed data on their effectiveness is somewhat limited. In addition, there are many variables depending on target species, vehicle speeds, traffic volumes, proximity to urban areas and location within the landscape. Vehicle strike interventions generally aim to reduce vehicle speeds, prevent wildlife entering the road corridor, to allow safe movement across the landscape or to warn motorists that wildlife may be near the roadside.

The most well used intervention for wildlife (including koalas) is signage, other interventions such as wildlife fencing and wildlife crossings are being used increasingly to protect wildlife and enhance wildlife movements.

Examples of types of road related interventions to prevent wildlife vehicle strike include:

### *Road Signage*

The use of road signage is one of the simplest and most cost-effective methods to mitigate koala vehicle strikes. The signs can warn drivers of the presence of koalas in the area and encourage drivers to slow down, particularly in areas with high koala populations or near key corridors. Research has shown that the use of road signs can reduce koala vehicle strikes by up to 50%.

### *Wildlife Crossings*

When used in conjunction with wildlife fencing, wildlife crossings are a viable option for preventing/reducing fauna access to targeted sections of a roadway, thereby removing the risk of potential vehicle strikes for targeted species (including koala) or all fauna in the area. These crossings can be in the form of overpasses, underpasses, or culverts, and they allow animals to

move safely across busy roads. They have been used successfully in locations in Australia and other countries, such as the Netherlands and Canada, to reduce wildlife-vehicle collisions.

#### *Fencing*

Fencing along roadsides is primarily used to direct wildlife towards safe crossing points, such as wildlife crossings, and away from high traffic areas. Fencing can also be used to prevent wildlife from accessing roads altogether, reducing the risk of vehicle strikes. While fencing is effective, it is essential to ensure that fencing does not completely restrict wildlife movement or access to critical resources or habitat.

#### *Speed Limits*

While a reduction in speed limits does not prevent local fauna from crossing a roadway, a reduction in a vehicle's speed does increase a driver's ability to react/slow down/avoid driving into an animal on the road. However, changing and enforcing variable speed limits can be challenging, and some drivers may not adhere to the lower speed limits. Minor changes in speed limits along a stretch of road are not proven to cause a significant reduction in the occurrence of wildlife/vehicle strike in that area, so to ensure the lowest potential for vehicle strike, speed limits would need to be set at/or below 50-60kph. These speed limits are impractical along higher order roads such as Appin Road.

#### *Wildlife Detection Systems*

Wildlife detection systems are being developed to detect wildlife on or near roads and alert drivers to slow down or stop. These systems can use sensors, lights and sounds to deter or detect wildlife and can trigger warning signs or traffic signals.

Wildlife detection systems have the potential to be an effective solution for reducing koala vehicle strikes along a stretch of road, however as those systems are still in the trial and research phases, substantive evidence or literature is yet to be provided that confirms the effectiveness of such devices and systems, nor is there any information on the capital or operational/lifecycle costs of those devices/systems.

### **Effectiveness of wildlife detection systems on roads to prevent wildlife vehicle strikes**

The Campbelltown LGA spans over 312 square kilometres with a local road network of 790 lineal kilometres that traverses rural lands, urban areas and areas of core koala habitat to the east of the LGA.

Within the Campbelltown LGA, roads classifications under the NSW Road Network Classification range from state owned and managed roads including Appin Rd, the Hume Hwy (M31), Narellan Rd, Cambridge Ave, Menangle Rd, Campbelltown Rd and Moore-Oxley Bypass with all remaining local roads managed by Council. Many of these roads dissect koala habitat within peri-urban areas without distinct corridors where wildlife cross in multiple locations across multiple roads.

To investigate effectiveness of wildlife detection systems, Council staff have completed detailed research and stakeholder engagement including through online sources and direct conversations. Whilst there are examples where organisations have or are implementing

wildlife detection systems, empirical data or other evidence supporting the effectiveness of the various wildlife detection systems, is yet to be provided for peer review and verification.

An overview of virtual fencing, reflectors and audio deterrents and insights gained from trials and investigations from across Australia is below:

#### *Virtual Fencing*

Virtual fencing is based on a series of small, electronic devices mounted on short, roadside posts placed at certain intervals in an array, along a stretch of road. Headlights from oncoming vehicles activate the device array, with the devices emitting a sound and light sequence that is intended to alert and repel animals from the road. A device is positioned every 25 metres in an array for the length of the road involved.

Many reports noted that the devices are expensive particularly as the equipment was at risk of theft/vandalism. The reports also note that trials were limited and with questionable results and not tested specifically on koalas, and that animals that live near the devices may become desensitised to the sound and lights, and therefore the devices effectiveness is reduced.

While the devices are intended to deter an animal from entering the roadway or passing the device array when a vehicle is in close proximity, an animal that is already on the road or has passed the array before the devices have been activated, has the potential to become confused when the devices are activated, and not leave the roadway.

The DPE 'How to keep koalas off the road' Koala Vehicle Strike Factsheet concluded, "Further trials of virtual fencing are needed to determine whether this technology can effectively prevent koala vehicle strikes. However based on current knowledge, virtual fences are not recommended for preventing wildlife vehicle strike'.

#### *Reflectors and Audio Deterrents*

Reflectors mounted to roadside posts are designed to deter animals from crossing roads by deflecting light from the headlights of oncoming vehicles into roadside habitat to provide a visual warning. Again, where an animal approaches the road in the dark, the reflectors are ineffective. So where an animal is on the road when a vehicle approaches, the animal could become confused or startled as a result of the multitude of light sources and not move from the vehicles path.

Wildlife audio deterrents mounted to the front of a vehicle, emits ultra-sonic and high-frequency sounds as the vehicle is travelling, which is intended to alert and ward off animals from the area the oncoming vehicle is in. Larger forms of ultra-sonic and high frequency audio deterrents are also used on unmanned rural airports/airstrips to deter animals from entering the area of the runway. The advantage over the lighting based device is that the audio device operates at day and night, and is not a visual stimulus that could cause confusion or startle an animal.

Limited research has noted that the advantages of reflectors include low cost and low maintenance, with the disadvantages being that static roadside equipment is at risk of theft/vandalism; and on vehicle audio deterrents are noted to be a relatively inexpensive, robust and unobtrusive device for the vehicle that has a low chance of being subject to vandalism or theft.



Notwithstanding the intent behind these devices, there are no reports or evidence to show that roadside reflectors or audio deterrents are effective in reducing wildlife vehicle strike (D'Angelo & van der Ree 2015).

It is important to note that the DPE 'How to keep koalas off the road' Koala Vehicle Strike Factsheet concludes that 'based on current knowledge, roadside reflectors and/or audio deterrents are not recommended for preventing wildlife vehicle strike'.

*Initial Research and Feedback from Government Organisations in New South Wales, Queensland and Tasmania:*

*Lismore City Council*

In 2019, Lismore Council developed a Wildlife Roadkill Mitigation Report. The report assessed key roads throughout Lismore Council LGA and reviewed possible roadkill mitigation measures across signage, traffic calming, fencing and crossing structures, reflectors, virtual fencing and audio deterrents against feasibility, cost and proven effectiveness. In the report, virtual fencing scored in the medium range however, the report had limited supporting research information in research or examples to justify these claims.

*Wingecarribee Shire Council*

In 2021, Wingecarribee Shire Council completed a Wildlife Vehicle Strike census and associated analysis of options to reduce wildlife vehicle strikes (including koalas) on key roads including Tourist Road (Glenquarry, Kangaloon, East Kangaloon), Hume Highway (Yerrinbool, Alpine), Old South Road (Yerrinbool, Alpine), Tugalong Road (Canyonleigh) and Wombeyan Caves Road.

From the roads and data collected, Tourist Rd was prioritised with a range of options investigated. Based on cost of supply and install and the limited research showing effectiveness, virtual fences were not investigated further with Council instead opting to progress with the use of static signage, VMS boards and road painting.

*Redlands City Council*

In 2020, Redlands City Council in partnership with Griffith University initiated a two-year trial at Heinemann Road, Mount Cotton of a virtual fence system to discourage wallabies from crossing the road when vehicles approached at night. In the two years following installation of the VF devices wallaby strikes did not appear to be reduced with 41 strikes in year 1, and 45 strikes in year 2, compared to 39 strikes in the pre-treatment year. Neither mean nor median monthly strikes appeared lower in treatment years versus the pre-treatment year. A pilot investigation of wallaby behaviour near the road using thermal imaging revealed little to indicate any effect of active VF devices.

*Eurobodalla Council*

In a first for NSW, Eurobodalla Council trialled a virtual fencing system on Cullendulla Drive and Blairs Road at Long Beach for a 12-month period from October 2022. Approximately 900 metres of virtual fence has been installed along Cullendulla Drive (37 devices) and 200 metres along Blairs Road – both known roadkill hotspots. The installation was based on the same product and testing which is noted below from Tasmania which shows gaps in the study's experimental design and conclusions. Contact was made with Eurobodalla staff to discuss the virtual fencing

trial, however observations on the effectiveness and experience of the trialled virtual fencing was not available.

#### *Tasmanian Government*

A trial of virtual fencing technology was undertaken in Tasmania in 2014. The site of the trial was a 13-kilometre stretch of road between Arthur River and Marrawah on the state's remote North-West coast. This area was chosen both because of its well-documented instances of roadkill, and as it is situated within the habitat of the endangered Tasmanian devil.

A study evaluating the effectiveness of the trial was completed across three consecutive years with the reported results indicating the total wildlife-vehicle collision events varied between species, with a significant reduction in the rate of roadkill incidences of Australian native species. The most commonly affected species identified as the Bennett's wallaby & Tasmanian pademelon, saw a reduction of roadkill events by 50%.

The use of this technology has been limited since this trial, and a more recent study found devices were not as effective as initially reported, and other researchers were critical of both the initial study's experimental design and conclusions.

In summary the use of virtual fencing, roadside reflectors and audio deterrents, particularly for koalas in peri-urban areas is considered cost prohibitive, with devices being prone to vandalism and/or theft and the overall evidence does not conclusively prove these interventions to be an effective means of mitigating koala vehicle strike.

#### **Suitability of installation of virtual fencing as an interim protection measure along Appin Road**

Appin Road North extends from Narellan Road to the township of Appin in the Wollondilly LGA. The 14.5km stretch of road dissects a range of mixed land uses from bushland, agricultural farmland and proposed and current residential development and has a history of both human and wildlife traffic fatalities. Since 1997, 11 human fatalities have been recorded along the stretch of road between Rosemeadow and the Campbelltown/Wollondilly LGA border, with 36 koala fatalities recorded on Appin Road since 2012 between Rosemeadow and Appin. The figures are only approximate and are based on data gathered in late 2022 from a range of sources. The figures do not account for koalas that may have been injured along Appin Road, but later died in the adjacent bushland.

Under the NSW Road Network Classification, Appin Road is a classified road in the ownership of Transport for NSW (TfNSW) who is also responsible for the management and maintenance of the road. This includes all land, vegetation and devices within the road corridor.

Land ownership on either side of the Appin Road corridor is a mix of private ownership or land owned by the NSW Government, with exception to Noorumba Reserve, Rosemeadow which is under Council ownership.

#### *Proposed TfNSW Appin Road Upgrades*

In 2018, NSW Roads and Maritime Services (now under TfNSW) first released a Review of Environmental Factors (REF) for upgrades on Appin Road between Ambarvale and Mt Gilead. In November 2022, an Addendum REF was updated and placed on public exhibition, which

proposes to deliver a 5.4-kilometre road safety upgrade between Fitzgibbon Lane, Rosemeadow and Mt Gilead. The upgrade works include intersection upgrades, widening part of the road from two to four lanes, and construction of new intersections to provide access to the approved Figtree Hill residential development area. In addition, and as part of the road upgrades works, two koala underpasses and additional fauna exclusion fencing is to be provided to increase protection for the local koala population as it moves in proximity to or across Appin Road.

Specifically for koalas, the Addendum REF proposes:

- A northern koala underpass which connects Noorumba Reserve to Glen Lorne Reserve.
- An interim southern koala underpass which connects Beulah to Browns Bush Reserve.
- Monitoring technology of the koala underpasses to provide information on their use and effectiveness.
- Fauna exclusion fencing on both sides of Appin Road from Noorumba Reserve to Beulah.

According to the TfNSW website, subject to associated planning approval, construction is expected to commence in early 2023 and take up to 6 months to complete. Based on the management status of the road by TfNSW, and the imminent timing of the road upgrade works, the installation of virtual fencing as an interim protection measure along Appin Road is not considered suitable.

## **Conclusion**

The outcome of the investigation and research into virtual fencing and other measures intended to reduce the fauna injury/death toll, has revealed that there is no clear or strong evidence that indicates that virtual fencing, reflectors, or audio deterrents are a proven and/or effective means of reducing/preventing koala vehicle strike. For this reason, these methods are not considered viable or cost effective methods to be implemented in the Campbelltown LGA. Given the impending road upgrades along Appin Road, including the additional koala measures proposed in the Addendum REF including koala underpasses, monitoring technology and fauna exclusion fencing the installation of other interim protection measures are not considered feasible at this stage.

## **Attachments**

Nil

## 8.12 Licence Framework – Men's Sheds

### Reporting Officer

Coordinator Sport and Recreation  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
1 Community and Belonging	1.1.1 Provide initiatives that foster a proud, inclusive, and connected community for all

### Delivery Program

Principal Activity
1.1.1.1 Deliver initiatives that encourage social inclusion, community connections and celebrate our cultural diversity

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### Officer's Recommendation

That Council:

1. notes the recent requests from Men's Sheds (including Women's Sheds and Community Sheds) to occupy Council owned community land to deliver services to the community;
2. endorses the principles outlined in the report for the General Manager to negotiate, advertise and enter agreements for Men's Sheds, located on Community Land, for a period of up to 5 years; and
3. notes that any proposal that falls outside of the framework and process described in this report will be reported to the Council for consideration.

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### Purpose

The purpose of this report is to acknowledge in principle support for Men's Shed (including Women's Shed and Community Sheds) and to establish a procedure for the General Manager to negotiate, advertise and enter agreements to establish Men's Sheds (including Women's Sheds and Community Sheds) on Council owned community land under section 47A of the *Local Government Act 1993*.

## Background

Men's Sheds are diverse, community based organisations which operate on a not for profit basis in order to allow members to meet and work within a safe, friendly environment on meaningful projects for individuals and the wider community. A major objective of the Men's Shed movement is to advance the well-being and health of male members.

Recently, Council has received a request from both the Macquarie Fields Men's Shed and the Campbelltown Men's Shed to allow relocation from privately owned sites to Council owned land.

As these requests are for occupation of Council Community Land, Council must comply with the requirements of the sections 35-47F of the *Local Government Act 1993*, that governs the use and management of community land. This report seeks to establish a Council endorsed streamlined process and decision making framework.

## Report

### Council Land and Management

Under the *Local Government Act 1993 (the Act)*, Council owned land must be classified as Operational Land or Community Land. The ability of Council to undertake various improvements and enter occupation agreements (leases or licences) on Community Land is required to be authorised by a Plan of Management (PoM).

The Council, in April 1998 adopted a set of PoMs for Council owned Community Land. These are documents that set the management objectives for these parcels of land. PoMs allow Council to:

- Permit, with suitable advertising, particular development activities including (but not limited to) landscaping activities, installation of play equipment, community facilities, roads and carparks; and
- Advertise and enter into leases or licences or other estates over the land.

### Ability of the Council to delegate functions

The instrument of delegation to the General Manager resolved by Council on 8 November 2022 delegates to the General Manager all of the functions of the Council under the *Local Government Act 1993* and any other Act of Parliament with the exception of those functions that must not be delegated. The current instrument of delegation allows the General Manager to exercise powers under section 47A of the *Local Government Act 1993* in accordance with the policy and procedures of the Council.

Any proposed arrangement for a Men's Shed that falls outside the framework outlined below will need to be reported to the Council for consideration and approval.

### Requirements of the Men's Shed

For consideration of any proposal, the proponent must:

- Be a current member of the Australian Men's Shed Association and remain a member for the life of the agreement;
- Have appropriate public liability insurance in force throughout the life of the agreement; and
- Agree to the terms to which Council offers an agreement for occupation.

Framework for site assessment

While a large amount of community land, currently has PoMs applicable which would allow Community Facilities to be developed, not all of this land would be suitable for a Men's Shed to be constructed.

The following considerations should be made before any recommendation to the General Manager that a Men's Shed should be established on Community Land:

- Proximity to residences;
- Supporting infrastructure that already exists, or which would need to be provided to the proposed asset (car parking, connection pathways, public amenities, availability of water, power and sewer)
- Other uses of the park or reserve, and if the proposal is compatible with the existing uses;
- Any future development plans that Council Officers have identified for improvement or embellishment of the land;
- Where lands are identified as Sportsground Drainage or Parks Drainage, location of the proposed facility should not be impacted by flooding in the 1/100 year event.
- Other factors may be identified on a site which also require consideration.

Internal Consultation within Council will be required as part of this process. This consultation would seek to ensure that:

- The proposed use of the land and/or facility is a permitted use under the Campbelltown Local Environment Plan, 2015, or any other planning instrument that applies to the land;
- The proposal does not adversely impact existing facilities, users or future proposals; and
- That Council's interests as the landowner, along with the interests of the proponent, are adequately protected by a suitable occupancy agreement, such as a lease or licence.

This process means that while a Men's Shed proponent may have already identified a parcel of land, Council Officers will work with the proponent to identify suitable sites if the initial location is unsuitable.

Occupancy agreement considerations

Once a suitable site has been located, the General Manager may negotiate an agreement of a term up to 5 years subject to the requirements in the table below:

Aspect	Description and commentary
Term	Maximum 5 years, as permitted under s47A of the Act. Longer agreements (permissible under s47 of the Act will need to be reported to the Council for consideration)
Agreement (Occupation) Fee	As negotiated between the parties
Outgoings	Proponent responsible for all outgoings (electricity, water, NBN, waste)
Required Improvements to the Land	Funded by the Proponent. Generally ownership of the improvements would revert to Council unless agreement specifies otherwise.

#### Public Exhibition of Proposal

Section 47A of the Act simplifies the process for entering a lease or licence over community land. Council is still required to exhibit the proposal, and consider any submissions made during the exhibition process.

### **Conclusion**

As noted above, Council has been approached by two local Men's Shed Organisations to permit relocation from their existing sites to Council owned land. This report proposes an approach for the consideration of future requests for the establishment or relocation of Men's Sheds. To facilitate this process, it is recommended that Council endorse the proposed approach outlined above for the General Manager to negotiate suitable occupancy agreements, and advertise those agreements under the provisions of s47A of the Local Government Act. Any proposed agreement that falls outside of these decision making frameworks will be reported to the Council on a case by case basis.

### **Attachments**

Nil

## **8.13 Campbelltown Billabong Parkland Project - Quarterly Update Report June 2023**

### **Reporting Officer**

Executive Manager City Projects, City Growth  
City Lifestyles

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
4 Economic Prosperity	4.3.1 Activate a unique and lively city as a destination for business, social, event and leisure activities

### **Delivery Program**

<b>Principal Activity</b>
4.2.1.2 Strengthen Campbelltown's position as a regional hub

### **Officer's Recommendation**

That Council:

1. Note the contents of this report regarding the Campbelltown Billabong Parklands and Apex Park Project.

### **Purpose**

To provide a quarterly update to Councillors in relation to the Campbelltown Billabong Parklands and Apex Park Projects, in accordance with the resolution from the Ordinary meeting of the Council on 14 June 2022.

### **Background**

At its Ordinary Meeting on 14 June 2022, The Council resolved as follows:  
That the Council:

1. Note the contents of this report in relation to the Campbelltown Billabong Parklands Project.
2. Note that the Campbelltown Billabong Parklands project is forecast to be delivered in alignment with the allocated project budget.
3. Note that the Campbelltown Billabong Parklands project is expected to be handed over to Council for operation in mid-September 2023.



4. That Councillors be provided with a quarterly report on the progress of the Billabong Project and the opportunity to inspect the site when feasible.

**Min No. [112/2022]**

This report responds to item 4 of this Resolution.

## **Report**

### Construction

The construction of all aquatics structures is now complete achieving a significant milestone for the project. Structural water testing and leak detention was recently completed as part of the quality assurance process.

The successful outcome of these tests enables the pools to be backfilled, transitioning the aquatic works into the fit out and finishes stage, with tiling to commence in early July. Landscaping to the perimeter of the pools has commenced with the construction of the artificial rock interface.

### Procurement

At its meeting on the 14 March 2023, Council endorsed officers to enter into negotiations with a preferred tenderer. Negotiations were undertaken in accordance with provisions of the NSW Local Government Regulation (2021) and probity oversight by O'Connor Marsden and Associates. Whilst the outcome of these negotiations has been favourable, the process has taken longer than anticipated resulting in a delayed to commencement of the contractor onsite.

### Governance

The Project Control Group (PCG) continues to report through to the Executive Steering Group (ESG) on a monthly basis. In accordance with the Mayoral Minute from the Council meeting of 12 July 2022, an independent audit of the project has been completed.

### Finance

The Project Team is continuing to monitor expenditure, and forecast costs are in-line with the project Cost Management Plan and the allocated budget of \$34,574,582. Current funds spent and committed is in the order of \$15,790,870.

## **Conclusion**

A major milestone has been achieved with the completion of all the aquatics structures, which has enabled the fit out and finishes of these structure to commence.

The outcome of negotiations with the preferred tenderer has been favourable, however the process has taken longer than anticipated resulting in a delay to commencement of the contractor onsite.

The independent audit of the project has now been completed and a report in relation to this matter will be shortly reported to Council.

## **Attachments**

Nil

## **8.14 Minutes of the Youth Advisory Committee meeting held 7 February 2023**

### **Reporting Officer**

Director City Lifestyles  
City Lifestyles

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### **Officer's Recommendation**

That the minutes of the Campbelltown Youth Advisory Committee held 7 February 2023 be adopted.

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### **Purpose**

That Council adopt the minutes of the Youth Advisory Committee meeting held 7 February 2023.

### **Report**

Detailed below are the recommendations of the Youth Advisory 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 Youth Advisory Committee Meeting held 20 September 2022**

That the minutes of the Youth Advisory Committee held 20 September 2022 be formally submitted to the Council at its meeting held on 14 March 2023.

#### **5.1 Review and Update on Previous Action Items**

That the Youth Advisory Committee note the updates from the previous committee meeting action items. Noted that all previous action items have since been actioned and closed.

#### **5.2 2021 Campbelltown LGA Census Data**

That the Youth Advisory Committee note the 2021 Campbelltown LGA Census Data.

#### **5.3 Guest Speakers**

1. That the Youth Advisory Committee nominate potential guest speakers and provide details to the Committee Secretary.
2. That the Executive Manager Community Life provide a list of Youth service providers within our LGA for the Advisory Committee to consider extending an invite as a guest speaker to a future meeting.

**5.4 Youth Strategy**

1. That the Youth Advisory Committee note the commencement of work to inform Council's future Youth Strategy.
2. That the Youth Advisory Committee receive preliminary information at the next Advisory Committee meeting being Tuesday 18 April 2023.

**5.5 Youth Week 2023**

1. That the Youth Advisory Committee note Youth Week will be celebrated 20 April to 30 April 2023 and understand the funding source and proposed approach.
2. That the Executive Manager Community Life provide the Advisory Committee with a collated list of Youth Week events held across Council.

**5.6 Advocacy Topics**

That the Youth Advisory Committee note the emerging issues experienced by the youth community or youth service network.

**Attachments**

1. Minutes of the Youth Advisory Committee held 7 February 2023 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Youth Advisory Committee Meeting held at 4.00pm on Tuesday, 7 February 2023.

ITEM	TITLE	PAGE
<b>1.</b>	<b><a href="#">ACKNOWLEDGEMENT OF LAND</a></b>	<b>2</b>
<b>2.</b>	<b><a href="#">APOLOGIES</a></b>	<b>2</b>
<b>3.</b>	<b><a href="#">DECLARATIONS OF INTEREST</a></b>	<b>2</b>
<b>4.</b>	<b><a href="#">MINUTES OF THE PREVIOUS ADVISORY COMMITTEE</a></b>	<b>3</b>
4.1	Minutes of the previous Youth Advisory Committee held 20 September 2022	
<b>5.</b>	<b><a href="#">REPORTS</a></b>	<b>4</b>
5.1	<a href="#">Review and Update on Previous Action Items</a>	4
5.2	<a href="#">2021 Campbelltown LGA Census Data</a>	5
5.3	<a href="#">Guest Speakers</a>	6
5.4	<a href="#">Youth Strategy</a>	7
5.5	<a href="#">Youth Week 2023</a>	8
5.6	<a href="#">Advocacy Topics</a>	9
<b>6.</b>	<b><a href="#">GENERAL BUSINESS</a></b>	<b>10</b>

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## **Minutes of the Youth Advisory Committee Meeting held on 07 February 2023**

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**Present**

- Chairperson - J Cotter - Councillor
- Member - W Morrison - Councillor
- Member - R Munro - Councillor
- Member - S Grant - Director City Lifestyles
- Member - T Soulos - Executive Manager Community Life
- Member - B Duncan - Committee Secretary

### **1. ACKNOWLEDGEMENT OF LAND**

An Acknowledgement of Land was presented by the Chairperson J Cotter.

### **2. APOLOGIES**

- Member - M Khalil - Councillor
- Member - M Stellino - Councillor

### **3. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made at this meeting.

#### **4. MINUTES OF THE PREVIOUS ADVISORY COMMITTEE**

##### **4.1 Minutes of the previous Youth Advisory Committee held 20 September 2022**

###### **Reporting Officer**

Councillor – Chairperson J Cotter

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###### **Officer's Recommendation**

That the minutes of the Youth Advisory Committee held 20 September 2022 be noted.

###### **Committee's Recommendation:**

That the minutes of the Youth Advisory Committee held 20 September 2022 be formally submitted to the Council at its meeting held on 14 March 2023.

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###### **Report**

The minutes of the Youth Advisory Committee Meeting held 20 September 2022 copies of which have been circulated to each committee member via email on Thursday 29 September 2022 be approved by the subcommittee.

Once confirmed in final form, the Minutes will be formally adopted by Council at its meeting held 14 March 2023.

###### Comments / Feedback Received

<b>Name</b>	<b>Date &amp; Time</b>	<b>Comment Feedback</b>	<b>/</b>	<b>Response</b>	<b>Date &amp; Time</b>
Nil received.					

###### **Attachments**

4.1.1 DRAFT Youth Advisory Committee Meeting Minutes - 20 September 2022 (contained within this report)

## **5. REPORTS**

### **5.1 Review and Update on Previous Action Items**

#### **Reporting Officer**

Councillor – Chairperson J Cotter

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#### **Officer's Recommendation**

That the Youth Advisory Committee review and note updates from the previous committee meeting action items.

#### **Committee's Recommendation:**

That the Youth Advisory Committee note the updates from the previous committee meeting action items. Noted that all previous action items have since been actioned and closed.

---

#### **Purpose**

The purpose of this report is to review and note updates from the previous committee meeting action items noted within the report.

#### **Report**

The attached Actions Register has been created to oversee how each previous action items have been formally addressed.

#### **Attachments**

5.1.1 Action Register – 7 February 2023 (contained within this report)

## **5.2 2021 Campbelltown LGA Census Data**

### **Reporting Officer**

Executive Manager Community Life  
City Lifestyles

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### **Officer's Recommendation**

That the Youth Advisory Committee note the 2021 Campbelltown LGA Census Data.

### **Committee's Recommendation:**

That the Youth Advisory Committee note the 2021 Campbelltown LGA Census Data.

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### **Purpose**

To provide the Youth Advisory Committee information reported in the 2021 National Census.

### **Attachments**

5.2.1 Census Data 2021 Discussion Paper - 7 February 2023 (contained within this report)



## 5.3 Guest Speakers

### Reporting Officer

Executive Manager Community Life  
City Lifestyles

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### Officer's Recommendation

That the Youth Advisory Committee nominate potential guest speakers and provide details to the Committee Secretary.

### Committee's Recommendation:

1. That the Youth Advisory Committee nominate potential guest speakers and provide details to the Committee Secretary.
  2. That the Executive Manager Community Life provide a list of Youth service providers within our LGA for the Advisory Committee to consider extending an invite as a guest speaker to a future meeting.
- 

### Report

The Campbelltown Youth Advisory Committee will invite guest speakers to attend the Advisory Group.

If the Youth Advisory Committee have any recommendations on potential guest speakers, provide the following details to the Committee Secretary.

Guest Speaker Information:

Name	
Representing	
Contact	
Webpage	
Topic	
Engagement	
Notes	

### Attachments

Nil

## **5.4 Youth Strategy**

### **Reporting Officer**

Executive Manager Community Life  
City Lifestyles

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### **Officer's Recommendation**

That the Youth Advisory Committee note the commencement of work to inform Council's future Youth Strategy.

### **Committee's Recommendation:**

1. That the Youth Advisory Committee note the commencement of work to inform Council's future Youth Strategy.
  2. That the Youth Advisory Committee receive preliminary information at the next Advisory Committee meeting being Tuesday 18 April 2023.
- 

## **Report**

### Identified Need

Youth aged 12 – 19 years are among the fastest growing population cohorts in the Campbelltown LGA (Census 2021). Campbelltown City Council's Youth Strategy and Action Plan expired in 2017.

### Foundational Work Planned

To embark on a re-setting a Youth Strategy or multi-year Youth Plan, there are key foundational pieces of work required:

1. Asset Mapping
2. Stakeholder Engagement
3. Youth Consultations

## **Attachments**

Nil

## **5.5 Youth Week 2023**

### **Reporting Officer**

Executive Manager Community Life  
City Lifestyles

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### **Officer's Recommendation**

That the Youth Advisory Committee note Youth Week will be celebrated 20 April to 30 April 2023.

### **Committee's Recommendation:**

1. That the Youth Advisory Committee note Youth Week will be celebrated 20 April to 30 April 2023 and understand the funding source and proposed approach.
  2. That the Executive Manager Community Life provide the Advisory Committee with a collated list of Youth Week events held across Council.
- 

## **Report**

### Confirmation of Funding

The Participation and Inclusion Unit of NSW Department of Communities and Justice offers funds to Local Governments to subsidise Youth Week activities. The amount granted is based on per-head of population with some LGA's given a Regional Remote subsidy. Councils are required to match funding dollar-for-dollar as a cash contribution (in-kind contribution is discounted). Campbelltown City Council has received total of \$4,781 toward Youth Week 2023 from NSW Government.

### Approach

Youth Week is intended as a celebration organised by young people, for young people, held 20 April to 30 April 2023. Council's Libraries and the Campbelltown Art Centre will be activated during Youth Week. Council will offer a small grants program for local service providers, organisations and youth groups to support Youth Week 2023 celebrations.

## **Attachments**

Nil

## **5.6 Advocacy Topics**

### **Reporting Officer**

Executive Manager Community Life  
City Lifestyles

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### **Officer's Recommendation**

That the Youth Advisory Committee note the emerging issues experienced by the youth community or youth service network.

### **Committee's Recommendation:**

That the Youth Advisory Committee note the emerging issues experienced by the youth community or youth service network.

---

### **Report**

Throughout the year, members of the Youth Advisory Committee may learn of a concern or emerging issue for Campbelltown's youth community or youth service network. Issues are to be discussed at the Youth Advisory Committee meetings where a recommendation can be made for Council's advocacy efforts.

### **Attachments**

Nil

## **6. GENERAL BUSINESS**

A thank you was provided to Executive Manager Community Life and the Community Life team for the work on the Youth information and data to date.

The next meeting of the Youth Advisory Committee will be held on Tuesday 18 April 2023 at the Campbelltown City Council's Staff Training Centre (STC).

**Chairperson** J Cotter

Meeting Concluded: 4.43pm

## 8.15 Investments and Revenue Report - April 2023

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### Officer's Recommendation

That the information be noted.

### Purpose

To provide a report outlining the activity in Council's financial services portfolio for the month of April 2023.

### Report

This monthly report provides details of Council's investment and revenue portfolios.

### Investments

Council's investment portfolio as at 30 April 2023 stood at approximately \$220 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 2021 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

Council's investment portfolio annual return is around 45 basis points above the benchmark which is a positive on an absolute basis. This return includes the 31 day notice saver account but excludes funds held in the at-call account. Monthly returns are running at an annualised rate of

around 3.78 per cent and will increase going forward as lower yielding term deposits mature and are replaced.

The yield on the AusBond Bank Bill Index has been very low in recent years, however the weighted 12 month annualised return continues to improve at 2.369 per cent which reflects the continued increases in interest rates. Council's investment performance has maintained a positive return in comparison with an annualised return of 2.820 per cent.

The portfolio is diversified with maturities with varying lengths ranging up to the maximum 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 to meet short to medium term cash flow needs remains strong with \$7 million held in an at call account and a minimum amount of \$286,000 in a 31 day notice account, following the withdrawal of funds to be placed elsewhere. The interest rate on the 31 day notice saver account remains attractive for short term deposits at 4.30 per cent and also increases in line with increases in the official cash rate.

The official cash rate is 3.85 per cent following a 25 basis point increase in monetary policy announced at the May meeting of the Reserve Bank (RBA) Board. The RBA Governor cited that whilst inflation in Australia has passed its peak, at 7 percent remains too high; and given that returning inflation to the target band of 2-3 per cent will take some time, the Board judged that this further increase was warranted.

The ASX200 closed at 7309.20 for April with the monthly change being positive 23.56 per cent. Over the past several months, the share market continues to be subject to heightened volatility due to global conditions and inflation. Economists are forecasting 2023 to close at 7400 points, which would be a gain of around 5 per cent over the course of the year and comparable to 2022 at 7444 points, but still lower than it ended in 2021 at 7038 points.

The market value of the Treasury Corporation Long Term Growth Fund which has a current asset allocation of around 50 per cent in domestic and international shares, also correlates to this downturn in global equity markets. This Treasury Corporation fund is a long term growth fund with high return potential over the long term that may experience occasional periods of negative returns. It is intended to be at least a 7 year investment with the expectation of a return of CPI plus 3.5 per cent over a rolling 10 year period.

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**

### **Sundry Debtors**

Debts outstanding to Council as at 30 April 2023 are \$7,205,463 reflecting an increase of \$513,840 since March. During the month 766 invoices were raised totalling \$3,132,486. 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.

Debts exceeding 90 days of age totalled \$918,566 as at 30 April 2023. The majority of this debt relates to a Grant invoice of \$346,500 issued to the Department of Premier and Cabinet for the Artistic and Cultural Program Year 3 Instalment, Council is expecting payment to be imminent.

City Standards debt of \$203,459 mostly relates to health licence inspection fees totalling \$158,833. These fees are generated for various shop premises, household pool inspections, fire safety services and wastewater management systems. A component of this debt is due by shop owners that have closed and are no longer contactable. If the cost of recovery is uneconomical to recover the debt is then put forward for write-off. Also incorporated in this debt is various accounts raised totalling \$35,410 for companion animal impounding. In most cases owners have surrendered or abandoned the animals and have moved premises or are not in a position to pay. Council staff seek to negotiate payment plans with the debtors involved however is proving difficult to recover. Another significant amount of \$9,216 relates to waste management effluent charges, contact has been made with the debtor and payment of this account is expected within the next two weeks.

Public hall hire fees of \$129,838 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 the function. This process also gives hirers an option to book in advance and then to make smaller regular payments leading up to their event. In this category however there are a few accounts with the combined outstanding balance of \$29,115 where council staff have reached out seeking a suitable payment arrangement, are awaiting a response to our request and will refer to our agents for recovery should no contact be made.

Corporate Governance debts totalling \$113,930 with the most significant amount of \$32,526 in this category for various property related debts regarding clean-up orders issued and the recovery of costs associated with restoring private property to a suitable healthy status. In some cases, property owners are already in financial distress or are uncontactable. Council staff continue to reach out to the owners in the hope of a positive resolution however, debts are encumbered to the land and are often finalised with the sale of the property. Another significant amount of \$36,959 relates to outstanding child care fees paid by a benevolent institution on behalf of children in their care. Staff are working with the institution on reconciling the relevant placements at child care centres.

Debts categorised within Community Businesses totalled \$95,896. The most significant relates to field and stadium hire with debts totalling \$93,277. From this category the amount of \$16,382 relates to a previous contractor for "catering sales commission" of various events at the Campbelltown Sports Stadium. Negotiations between council's solicitor and the debtor followed and a settlement was negotiated leaving this residue balance which will now be put forward for write-off. Another significant amount for \$35,201 is for hire of the stadium where the debtor has requested Council to investigate a number of perceived discrepancies with their account, Council staff are continuing to work with them to resolve this matter and have advised that this is expected to be finalised late May 2023. Also listed in this category is debt of \$31,968 for the caterers at the stadium with payment received early May 2023.

Leisure facility hire debt with an amount of \$5,850 relates to 2 debtors one of which who has paid early May 2023 for \$3,600 the other council staff have reached out to the debtor involved



and are awaiting a response. The remainder mostly relates to the bicycle education centre debt of \$4,545 and as hall hire fees are result of debts raised in advance.

Property Services debt of \$17,081 is mainly contributed to the occupation licence agreement for Menangle Road, Menangle Park for the amount of \$5,415, contact has been made with the debtor and they have advised that payment will be expected within two weeks.

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 7 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.

During the month, two accounts were issued a letter of demand on Council's letterhead advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent. Council's agents were instructed to issue one letter of demand.

Council officers are mindful of the ongoing impact of COVID on our community and 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

8.15.1 Summary of Council's Investment Portfolio - April 2023 (contained within this report) [↓](#)

8.15.2 Rates and Charges Summary and Statistics - April 2023 (contained within this report) [↓](#)

8.15.3 Debtors Summary and Ageing Report - April 2023 (contained within this report) [↓](#)

## Summary of Council's Investment Portfolio

Portfolio as at 30 April 2023



Product Type	Face Value	% of Total
At Call Deposits	7,456,848	3.5%
Notice Account	286,398	0.1%
Term Deposits – Fixed Rate	117,935,803	54.9%
Term Deposits – Floating Rate	39,000,000	18.2%
Fixed Rate Bond	17,050,000	7.9%
FRN	33,000,000	15.4%
<b>Grand Total</b>	<b>214,729,049</b>	<b>100.0%</b>
Managed Funds – TCorp*	5,067,685	

\* Market Value as at month end

### Total Term Deposits (Fixed & Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	4.4%
AA-	100,035,803	63.7%
A+	3,000,000	1.9%
BBB+	26,000,000	16.6%
Baa1	2,000,000	1.3%
BBB	15,000,000	9.6%
Baa2	4,000,000	2.5%
<b>Total Term Deposits</b>	<b>156,935,803</b>	<b>100.0%</b>

### Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	5,000,000
none	NT Treasury Corp	Aa3	15-Dec-24	1.00% Annually	5,000,000
none	NT Treasury Corp	Aa3	15-Jun-25	0.90% Annually	2,500,000
AU3CB0289072	Royal Bank of Canada – Covered Bond	AAA	6-May-25	Fixed at 3.75% s.a.	1,000,000
AU3CB0282358	ING – Covered Bond	AAA	19-Aug-26	Fixed at 1.10% s.a.	1,800,000
AU3CB0286763	NAB	AA-	25-Feb-27	Fixed at 2.9545% s.a.	1,750,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 92bps	1,300,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 88bps	1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 84bps	5,000,000
AU3FN0072617	Suncorp Metway – Covered Bond FRN	AAA	17-Oct-25	3m BBSW + 88bps	2,000,000
AU3FN0072740	Teachers Mutual Bank	BBB	28-Oct-25	3m BBSW + 150bps	1,000,000
AU3FN0073045	SMBC Sydney	A	7-Nov-25	3m BBSW + 110bps	5,000,000
AU3FN0073797	Bank Australia Sustainability Bond	BBB	24-Nov-25	3m BBSW + 160bps	2,000,000
AU3FN0073904	NAB	AA-	25-Nov-25	3m BBSW + 92bps	2,500,000
AU3FN0073961	Great Southern Bank (prev CUA)	BBB	1-Dec-25	3m BBSW + 158bps	1,600,000

AU3FN0063103	CBA – Green Bond	AA-	23-Dec-26	3m BBSW + 41bps	5,000,000
AU3FN0075453	Members Banking (RACQ Bank)	BBB+	24-Feb-26	3m BBSW + 150bps	1,600,000
AU3FN0070025	Royal Bank of Canada – Covered Bond	Aaa	13-July-27	3m BBSW + 105bps	1,000,000
AU3FN0070579	CBA	AA-	18-Aug-27	3m BBSW + 102bps	3,500,000
AU3FN0076998	ANZ	AA-	31-Mar-28	3m BBSW + 106bps	500,000

Long-Term Credit Rating	Exposure of Entire Portfolio				
	Actual	Cumulative*	Minimum*	Maximum	Compliant
AAA	2.7%	<b>2.7%</b>	40%	100%	Yes
AA+, AA, AA- (or MTB*)	65.9%	<b>68.6%</b>		100%	Yes
A+, A, A-	6.5%	<b>75.1%</b>	60% (70%) <sup>1</sup>	100%	Yes
BBB+, BBB, BBB-	24.9%	<b>100.0%</b>	100%	100%	Yes
TCorp LTGF	2.3%	-	0%	20%	Yes

\*Policy limits are measured on a cumulative basis calculated from the respective rating category band on an “**and above**” basis

## Portfolio Return

Council’s investment portfolio (excluding NSW TCorp LTGF and At Call Deposits but includes Notice Saver Account) provided a weighted average return (running yield) of:

30 April 2023	Monthly Return	Annual Return
<b>Campbelltown City Council – Investment Portfolio</b>	<b>0.315%</b>	<b>2.820%</b>
<b>Benchmark – Bloomberg Ausbond Bank Bill Index</b>	0.305%	2.369%
<b>Performance Relative to Benchmark</b>	0.011%	0.451%

Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	30/06/2022	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,628,718.16	73,166,215.83	1,412,124.48	627,716.10	76,010,525.61	59,547,052.69	16,463,472.92	310,492.94	16,773,965.86
Business	691,071.49	20,925,338.86		64,545.30	21,680,955.65	17,992,832.42	3,688,123.23		3,688,123.23
Farmland	43,366.65	449,360.49	217.90	2,117.59	494,626.83	382,743.14	111,883.69	268,904.61	380,788.30
Mining	0.00	29,551.52		0.00	29,551.52	29,551.52	0.00		0.00
SR - Loan	762.80	0.00		69.07	831.87	0.00	831.87	0.00	831.87
SR - Infrastructure	404,110.68	7,163,740.53		11,647.62	7,579,498.83	5,938,913.84	1,640,584.99	57,549.12	1,698,134.11
Total	\$4,768,029.78	\$101,734,207.23	\$1,412,342.38	\$706,095.68	\$105,795,990.31	\$83,891,093.61	\$21,904,896.70	\$636,946.67	\$22,541,843.37
Garbage	1,143,646.84	27,612,534.45	902,751.09	49,508.31	27,902,938.51	21,891,228.06	6,011,710.45		6,011,710.45
Stormwater	78,048.53	1,477,168.98		781.96	1,555,999.47	1,228,015.69	327,983.78		327,983.78
Grand Total	\$5,989,725.15	\$130,823,910.66	\$2,315,093.47	\$756,385.95	\$135,254,928.29	\$107,010,337.36	\$28,244,590.93	\$636,946.67	\$28,881,537.60

Total from Rates Financial Transaction Summary	27,289,513.17
Overpayments	-1,592,024.43
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	365,380
Rate accounts greater than 12 months less than 18 months in arrears	60,258
Rate accounts greater than 18 months in arrears	79,560
TOTAL rates and charges under instruction with Council's agents	505,198



## Rates Statistics

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Mar-22
Rate Notices	58,585	22	17	2	38	13							
Electronic - DoH	4,730												
Instalment Notices				44,219			43,973			43,635			43,247
Electronic - DoH				4,978			4,665			4,474			4,301
Missed Instalment Notices - Pensioners > \$15.00			10,168			9,613			8,834				
			1,219			1,153			874				
Notice to new owner	179	101	98	103	110	96	81	90	105	99			27
7-day Letters - Council issued			922			976			1,039				
- Pensioners > \$1000			120			134			129				
7-day Letters - Agent Issued			421						624				
Statement of Claim	144	16	2	152	7	8	155	14	11	139			165
Judgments	21	27	11	7	20	4	0	15	32	10			52
Writs	27	15	1	20	0	0	0	0	0	0			28
Electronic - eRates & BPAYView	14,164	14,927	15,119	15,280	15,632	16,032	15,945	16,083	16,346	16,848			13,656
Pensioner applications	143	67	51	73	76	45	53	65	53	56			39
Arrangements	99	91	99	83	77	68	70	61	68	73			126

**DEBTORS SUMMARY 1 April 2023 to 30 April 2023**



DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/03/2023	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/04/2023	% DEBT RATIO
Corporate Governance	853,603	95,715	398,420	550,899	7.65%
City Services	71,928	151,930	42,859	180,999	2.51%
City Standards	308,294	49,194	68,705	288,783	4.01%
Community Businesses	253,966	53,691	52,152	255,506	3.55%
City Lifestyles	54,975	17,523	20,909	51,588	0.72%
Grants	4,971,777	2,045,294	1,625,287	5,391,784	74.83%
Hall Hire	178,747	128,819	103,244	204,322	2.84%
Property Services	171,214	590,320	479,952	281,583	3.91%
	<b>6,864,504</b>	<b>3,132,486</b>	<b>2,791,528</b>	<b>7,205,463</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 April 2023**



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Governance	67,065	338,233	31,671	113,930	550,899	102,134
City Services	155,481	17,662	4,115	3,740	180,999	8,203
City Standards	39,920	22,356	23,048	203,459	288,783	225,939
Community Businesses	38,585	52,018	69,008	95,896	255,506	27,530
City Lifestyles	31,680	8,126	3,659	8,123	51,589	49,032
Grants	2,045,294	0	2,999,990	346,500	5,391,784	1,178,787
Hall Hire	48,426	10,043	16,016	129,838	204,322	126,674
Property Services	247,321	16,870	310	17,081	281,583	9,219
	<b>2,673,771</b>	<b>465,308</b>	<b>3,147,817</b>	<b>918,566</b>	<b>7,205,463</b>	<b>1,727,519</b>

## 8.16 Reports and Letters Requested

### Reporting Officer

Director City Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.1.2 Ensure the community is continuously informed about current and future issues affecting Campbelltown and key delivery partners

### Delivery Program

Principal Activity
5.1.2.1 Communicate in a diverse, open and inclusive way that informs and engages our communities to build confidence and trust

### 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 30 May 2023.

### Attachments

8.16.1 Reports Requested 30 May 2023 (contained within this report) [↓](#)

8.16.2 Letters Requested 30 May 2023 (contained within this report) [↓](#)

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
13.10.20 Lake	<p>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>	Further studies are required for paid parking to form a part of a parking strategy.	July 2023
8.2.22 Hunt	<p>NM 11.2 Koala Virtual Fencing</p> <p>1. Investigate with priority the status and effectiveness of virtual fencing as a means of protecting animals along road ways.</p> <p>2. Provide a report to the Council on the findings of the investigation including recommendations as to whether virtual fencing or any similar system would be a viable interim protection measure along Appin Road until permanent fauna crossing points have been installed.</p>	A report has been prepared and will be presented to Council 6 June 2023 as item 8.11.	June 2023



## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
13.10.22 Brdicevic	<p>NM 11.3 Footbridge over Bow Bowing Creek</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. provide a report on the feasibility of building a footbridge over Bow Bowing Creek (causeway) at Bow Bowing towards Minto.</li> <li>2. Ensure the report includes particular reference to any current legislative requirements for pedestrian footbridges and addresses accessibility for those with mobility and/or disability issues.</li> <li>3. That Council also advocate to the Member for Macquarie Fields in relation to the development of the bridge to seek funding to ensure it is built to an appropriate standard.</li> </ol>	A report is being prepared and will be presented to Council 11 July 2023.	July 2023
9.8.22 Chowdhury	<p>NM 11.4 - Grass Cutting</p> <ol style="list-style-type: none"> <li>1. That a briefing be presented to Councillors on the grass cutting maintenance program undertaken throughout the LGA, including the frequency during the four seasons; and</li> <li>2. That a report be presented that details the current maintenance program and the costs associated with increasing the frequency of the program to enhance a consistent look of the city.</li> </ol>	Currently under investigation.	July 2023

## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
8.3.22 Khalil	<p>NM 11.5 - Simmos Beach, Macquarie Fields</p> <p>That a report be presented to Council outlining ways to increase visitation to Simmos Beach, Macquarie Fields. The report should include:</p> <ul style="list-style-type: none"> <li>a) identification of any future enhancement works planned or required to improve the location.</li> <li>b) marketing opportunities to increase visitation and tourism.</li> <li>c) any environmental factors to be taken into account because of increasing visitation.</li> <li>d) any future resourcing considerations to enable an ongoing program of works and marketing activity.</li> </ul>	<p>A review of previous work undertaken has commenced including:</p> <ul style="list-style-type: none"> <li>- 2016 study of bushwalking and associated recreational facilities</li> <li>- improvement works undertaken in 2018 and 2019 to upgrade Simmos beach including signage, trail upgrades, kayak ramp and picnic facilities</li> <li>- bushcare and bush explorers programs including the recently launched 'It's Our Backyard' program.</li> </ul> <p>Further investigations have also commenced.</p>	July 2023
9.8.22 Brticevic	<p>That a further report be provided to Council detailing the requirements of the original notice of motion.</p> <p>NM 11.5 -District Park Midlothian Reserve, St Andrews</p> <p>1. Seeks a report in relation to a district park at St Andrews. The report includes detailed planning, timeline, consultation with community and funding for the park with consideration of the State of Play Strategy (2016-2036). In addition, consider any funding opportunities such as Everyone Can Play (Department Planning and Environment) to accelerate the project.</p>	<p>A draft report has been prepared for Executive Group meeting 1 June 2023</p>	July 2023

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Services</b>			
10.5.22 Stellino	NM 11.2 - Reptile Protection  1. That Council investigate the need and feasibility of reptile handling/catching services to be added to council capabilities. 2. That a report be provided to the Council on the outcome of the investigation and include what opportunities are available for Council to increase public education on the existence of and response to snakes and other reptiles.	Currently under investigation.	July 2023
20.9.22 Brticevic	NM 11.3 - International Mother Language Day Monument  1. That Council present a briefing to Councillors on the imminent updated version of the Monuments and Memorials policy.	Amended draft policy was presented to the Executive. A policy update will be provided to the Council at a an upcoming briefing.	July 2023

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
9.4.19 Thompson	ORD 8.6 - Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)  5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.	Request for Quotation currently issued seeking consultants to undertake amendment to the Contributions Plan.	August 2023
8.6.21 Oates	ORD 8.6 - Planning Proposal - "Glenlee Estate" Menangle Park  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	A report has been prepared and will be presented to Council 6 June 2023 as item 8.7.	June 2023

## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
10.5.22 Brticevic	ORD 8.1 - Local Housing Strategy - Approval Conditions and Affordable Housing Initiatives  4. That once the draft Campbelltown Affordable Housing Strategy has been prepared it be reported to Council for consideration prior to formal public exhibition.	Timing adjusted from April to July 2023 to align with Western Sydney Planning Partnership	July 2023
3.8.21 Manoto	ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan  4. That a further report be presented to Council outlining options for developer contributions planning for the Ingleburn CBD.	Specialist studies completed, namely Traffic and Parking Study. Gateway issued. Amendments to the Local Infrastructure Contributions Plan required. Outcome will be reported to Council.	July 2023
8.11.22 Oates	ORD 8.6 - Planning Proposal - 80 O'Sullivan Road, Leumeah  5. That at the conclusion of the public exhibition, a report be presented to Council on the outcome of the public exhibition.	Public exhibition will not occur until Gateway Determination has been received. Post exhibition report will not occur until November 2023.	November 2023

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
10.5.22 Brticevic	<p>NM 11.1 - No Smoking - Queen Street, Campbelltown</p> <p>That Council present a report on the feasibility of banning smoking/vaping in the public areas of Queen Street, Campbelltown and Ingleburn CBD. Considerations for the report:</p> <ul style="list-style-type: none"> <li>• Consulting with businesses, the community and other stakeholders.</li> <li>• The geographical boundaries of any ban such as other sections of the Campbelltown CBD.</li> <li>• Designated smoking areas.</li> </ul>	<p>Community Consultation to commence March 2023 - Completed</p> <p>Feedback from the Community Consultation being reviewed and will be reported in July/August.</p>	July/August 2023
13.12.22 Stellino	<p>ORD 8.3 - Bin Locks - 12 Month Trial</p> <p>3. A report on the findings be presented to Council after 3 months of the trial and before 12 months, whichever comes first.</p>	Trial to begin by March/ April 2023 for 12 month trial.	November 2023

## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Planning and Environment</b>			
14.2.23 Chew	<p>ORD 8.4 - Proposed amendment of Campbelltown Community Participation Plan</p> <p>3. Where any submission objecting to the proposed amendments is received during the exhibition period, a report be provided to the Council tabling the submission/s and responses to the matters raised therein.</p>	<p>Currently on exhibition until 19 June 2023.</p> <p>If submissions are received in objection, a report will be prepared for the August Meeting of Council.</p>	August 2023
13.7.21 Morrison	<p>ORD 8.3 - Menangle Park - Amendments to Development Control Plan</p> <p>4. That a further report be presented to Council that includes street names, derived from Table 1.3 of the current Campbelltown (Sustainable City) Development Control Plan, Part 8 Menangle Park, for places of Non-Indigenous Heritage Significance for inclusion on the list of road names approved for Menangle Park.</p>	<p>4. Future report to be presented which includes additional street names relating to places of non-indigenous heritage for use on streets for future subdivisions in Menangle Park. Timing of report is linked to the timing of the development and the submission of relevant subdivision plans. Council Officers are currently in discussion with Dahua for advice on suitable street names</p>	August 2023

## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Futures</b>			
10.3.20 Morrison	<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>	<p>Council is currently working to develop a plan that provides suitable pathways to transition Council's operations to Net Zero. The plan utilises information from Council's sustainability dashboard. The dashboard captures and presents consumption and cost information for the following activities - energy and water consumption, vehicle fleet and waste.</p> <p>In addition, Council continues to embed improvements as part of its commitment to reducing greenhouse gas emissions. These commitments include increasing the provision of renewable electricity, investigating low emission fleet opportunities and working in partnership with developers to deliver low emission communities.</p>	August 2023



## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Futures</b>			
3.8.21 Manoto	<p>ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan</p> <p>3. That a further report be presented to Council outlining options for a design excellence process for the development of the future car park site for a mixed use building and a public park. This report is to consider the appropriateness of this site for a possible iconic building.</p>	<p>A Project Definition Plan (PDP) is in preparation. This will include an outline of costs required to undertake a feasibility study to determine the sites viability from a triple bottom line perspective (ie financial, social and environmental). The required funding will be considered as part of Council's annual budget planning process for 2022-23.</p> <p>The project feasibility will take approximately 3 months to complete once funding has been made available.</p>	November 2023
9.6.22 Brticevic	<p>NM 11.1 - LED Street Lighting</p> <p>1. That a report on the contribution of the street lighting network (both public and private) to Council's electricity consumption, and opportunities to work</p>	<p>Council is finalising the collation of information on the private and public street lighting network. A number of opportunities to reduce greenhouse gas emissions and costs associated with the street lighting network are being explored and will be presented in the report.</p>	July 2023

## Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Futures</b>			
14.9.21 Oates	<p>NM 11.2 - Creative Arts Fund</p> <p>1. That a report be presented investigating the establishment/trial of a local creative arts fund with the purpose of providing opportunities to improve the wellbeing, resilience and social cohesion of our community through creative expression and social connection.</p> <p>2. That the report also include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council including the cost associated with these initiatives.</p>	A report is currently being drafted that investigates the opportunity of a local creative arts fund to improve our community's well-being, resilience, and social cohesion through creative expression and social connection. The report will include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council.	July 2023
8.3.22 Lound	<p>NM 11.4 - Business Parking in the Campbelltown CBD</p> <p>1. That Council undertake further engagement with Campbelltown CBD Businesses to understand their concerns regarding parking.</p> <p>2. That a report be presented to Council for discussion and consideration of appropriate potential solutions.</p> <p>3. Develop an appropriate data strategy to ensure that recommendations regarding parking are based on evidence.</p>	Information and data regarding parking is being collected from a number of sources, including a recent travel survey, pedestrian movement data and anecdotal feedback from CBD businesses including through a targeted initial discussions in April 2022. Council has partnered with TfNSW to deliver a kerbside data project, with cameras and sensors installed in and around Queen Street. Additional data will be available in the coming months and will allow Council to make evidenced based assessment of vehicle and pedestrian movement in relation to car parking. A report will be presented to Council to consider options moving forward.	July 2024

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Lifestyles</b>			
14.6.22 Brticevic	ORD 8.5 - Campbelltown Billabong Parklands - Project Update  4. That Councillors be provided with a quarterly report on the progress of the Billabong project and the opportunity to inspect the site when feasible.	Quarterly report dates have been scheduled as follows:  October 2022 - Aquatics - Completed December 2022 - Aquatics/Landscaping -Completed March 2023 - Aquatics / Landscaping / Buildings- Completed June 2023 - Aquatics / Landscaping / Buildings A report has been prepared and will be presented to Council 6 June 2023 as item 8.13. September 2023 - Completion	June 2023

### Reports requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
20.9.22 Cotter	<p>NM 11.2 - Youth Centres</p> <p>1. That a report be presented to Council on youth centres within Campbelltown Local Government Area. The report should include whether the current centres meet the community's needs and the feasibility of establishing a council-managed centre or transforming an under-utilised asset to cater to the needs.</p>	<p>Council will investigate current centres within our LGA and the feasibility of establishing a council-managed centre.</p> <p>May 2023 update: As directed by the Youth Advisory Group, Council is developing a Youth Plan 2024-2030 that will guide the allocation of Council resources to better meet the needs of young people. To inform the Youth Plan, Council has performed desktop research, benchmarking and policy review, plus and commenced consultation process involving young people and services that support them. This work will inform the feasibility assessment of transforming an under-utilised asset to better cater to the needs of young people. The work will conclude in December 2023 in lieu of Plan publication in 2024.</p>	December 2023

### Letters requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Services</b>		
8.11.22 Stellino	<p>NM - 11.2 - Roads</p> <p>1. That council write to the NSW Minister for transport David Elliot &amp; Minister for Infrastructure Rob Stokes as well as Federal Minister for Transport &amp; Infrastructure The Hon. Catherine King MP and Dr Mike Freelander MP Federal Member for Macarthur and request urgent works to be carried out on the Hume Motorway in the Campbelltown LGA in order to fix the series of potholes which continue to expand, link up and provide dangerous driving conditions for motorists from and passing through Campbelltown</p>	<p>Letters sent 18/11/2022 to The Hon. David Elliot, NSW Minister for Transport, The Hon. Rob Stokes, NSW Minister for Infrastructure, The Hon. Catherine King MP, Federal Minister for Transport and Infrastructure and Dr Mike Freelander, Federal Member for Macarthur.</p> <p>Council did not receive a response from the NSW Minister prior to the change of government. Council is currently investigating the work undertaken and/or still required on the Hume Highway and will prepare further correspondence to the new relevant minister as required.</p>
14.6.22 Hunt	<p>ORD 7.1 - Koala Care and Treatment Facilities</p> <p>2. That Council write to the new Federal Minister for the Environment and Water, the Hon. Tanya Plibersek MP, seeking funding for koala protection.</p>	<p>2. Letter sent 4/07/2022 to the new Federal Minister for the Environment and Water, the Hon. Tanya Plibersek MP.</p>

### Letters requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Services</b>		
9.8.22 Stellino	<p>NM 11.1 - Koala Care</p> <ol style="list-style-type: none"> <li>1. That Council write to the Minister for Environment and Heritage James Griffin MP requesting them not to administer the Chlamydia vaccine to koalas within our region for so long as no signs of Chlamydia are detected in the colony.</li> <li>2. That Council include in the letter that Koala experts hold the opinion that there was no merit in trialling the vaccine in Campbelltown, since the disease is not present, the vaccine is not inheritable and we are already at maximum reproductive rates leading to only possible negative outcomes.</li> <li>3. That Council include in the letter support for the rest of the program announced, including the Chlamydia testing machine to assist in detection of the disease as well as the allocation of state funds for habitat restoration of koala corridors in the Campbelltown Local Government Area.</li> <li>4. That Council ask if the minister has allocated or intends to allocate funding towards koala carers in the region under the NSW Koala strategy.</li> <li>5. That Council utilises the letter tabled by Councillor Stellino from Doctor Steve Phillips with the letter to the Minister for Environment and Heritage James Griffin MP.</li> </ol>	<p>Letters sent 15/11/22 to the Hon James Griffin MP- Minister for the Environment and Heritage</p> <p>Following the change of NSW State Government new letters are currently being drafted to the new Minister for the Environment, the Hon. Penny Sharpe MLC.</p>

### Letters requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Planning and Environment</b>		
9.8.22 Oates	<p>ORD 8.3 - Illegal Rubbish Dumping</p> <p>3. That Council write to the Minister for Environment and Heritage, the Honourable James Griffin MP, to convey Council's concerns as it relates to the illegal dumping of waste, and to request additional and restricted funding be provided to each Council for the purpose of employing a dedicated staff member, engaged to prevent and respond to illegally dumped waste.</p>	<p>3. Letter sent 1/09/2022 to the Hon. James Griffin MP - Minister for the Environment and Heritage.</p> <p>Following the change of NSW State Government new letters are currently being drafted to the new Minister for the Environment, the Hon. Penny Sharpe MLC.</p>
<b>City Futures</b>		
13.10.22 Khalil	<p>NM 11.1 - Bus Services in Campbelltown LGA</p> <p>1. That Council writes to the Hon. David Elliott MP, Minister for Transport and Ms Jo Haylen MP, Shadow Minister for Transport and if appropriate to the Minister for Education and Shadow Minister for Education and to our local MP's advocating for the following:</p> <p>a) implementation of an enhancement to the bus service network in Macarthur Heights to improve the residents' access to Campbelltown Station.</p> <p>b) establish additional bus services for students to and from schools in Campbelltown Local Government Area to reduce traffic congestion outside the school and ensure greater safety for the school children.</p>	<p>Letters sent 3 March 2023 to:</p> <ul style="list-style-type: none"> <li>- Member for Macquarie Fields, Anoulack Chanthivong MP</li> <li>- The Hon. David Elliott MP, Minister for Transport</li> <li>- Member for Campbelltown, Greg Warren MP</li> <li>- The Hon. Jo Haylen MP, Shadow Minister for Transport</li> <li>- The Hon. Prue Car, Shadow Minister for Education</li> <li>- The Hon. Sarah Mitchell, Minister for Education and Early Learning</li> </ul>

### Letters requested effective 30 May 2023

*Date of Decision *Mover	Action Item	Comments / updates
<b>Office of General Manager</b>		
14.2.23 Brticevic	<p>NM 11.1 - Community and Justice Precinct</p> <ol style="list-style-type: none"> <li>1. That Council write to the Member/Candidate for the electorate of Campbelltown Greg Warren MP, shadow Attorney General Michael Daley, Opposition Leader Chris Minns seeking an election commitment to the redevelopment of the NSW Courts in Campbelltown to catalyse the Community and Justice Precinct.</li> <li>2. That Council write to the NSW Attorney-General, the Hon Mark Speakman MP, and the NSW Premier, the Hon Dominic Perrottet MP, seeking an election commitment to the redevelopment of the NSW Courts in Campbelltown to catalyse the Community and Justice Precinct.</li> <li>3. That Council write to the Member for Macarthur Dr Mike Freelander MP, Attorney General the Honourable Mark Dreyfus MP and the Prime Minister the Honourable Anthony Albanese MP seeking a commitment for a Federal Circuit and Family Court of Australia for the Community and Justice Precinct in Campbelltown.</li> <li>4. That Council write to the Shadow Attorney-General, Mr Julian Leeser MP, and the Leader of the Opposition, the Hon Peter Dutton MP, seeking a commitment for a Federal Circuit and Family Court of Australia for the Community and Justice Precinct in Campbelltown</li> </ol>	<p>1. Letters sent to Member/Candidate for the electorate of Campbelltown Greg Warren MP, shadow Attorney General Michael Daley, Opposition Leader Chris Minns on 16 February 2023.</p> <p>A further letter was sent to the new AG the Hon. Michael Daley MP on 4 April 2023 requesting a meeting to discuss the Community and Justice Precinct.</p> <p>2. Letters sent to the NSW Attorney-General, the Hon Mark Speakman MP, and the NSW Premier, the Hon Dominic Perrottet MP, on 15 February 2023</p> <p>3. Letters sent to the Member for Macarthur Dr Mike Freelander MP, Attorney General the Honourable Mark Dreyfus MP and the Prime Minister the Honourable Anthony Albanese MP on 15 February 2023 response received from the Hon. Mark Dreyfus KC MP, Attorney General, to Council dated 28 March 2023 included in April Agenda.</p> <p>4. Letters sent to the Shadow Attorney-General, Mr Julian Leeser MP, and the Leader of the Opposition, the Hon Peter Dutton MP on 15 February 2023, response received from the office of the Hon. Peter Dutton MP, Leader of the Opposition, dated 28 March 2023.</p>



## 8.17 Local Government Remuneration Tribunal Determination 2023

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.1 Conduct Council business in an open, transparent and accountable manner

### Officer's Recommendation

1. That Council adopt the councillor and mayoral remuneration increase of 3 per cent effective 1 July 2023, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$27,650 per annum representing an increase of 3 per cent for the 2023-24 financial year effective 1 July 2023.
3. That Council fix the remuneration fee for the mayor at \$73,440 per annum representing an increase of 3 per cent for the 2023-24 financial year effective 1 July 2023.

### 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 2023-24.

### 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 239 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 2023. 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 undertook a review of the categorisation and allocation of councils into each category as part of the review.

Revised categories of general purposes councils are determined as follows:

### **General Purpose Councils - Metropolitan**

Principal CBD

Major CBD

Metropolitan Major

Metropolitan Large

Metropolitan Medium

Metropolitan Small

### **General Purpose Councils - Non-Metropolitan**

Major Regional City

Major Strategic Area

Regional Strategic Area

Regional Centre

Regional Rural

Rural Large

Rural

Campbelltown City Council has been classified and remains as Metropolitan Medium for the purpose of this determination.

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 3 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 \$14,810 - \$27,650 per annum for councillors, and an additional \$31,470 - \$73,440 per annum for the position of mayor, effective 1 July 2023.

A link to the full Local Government Remuneration Tribunal Determination 2023 can be found at [2023\\_annual\\_determination\\_-\\_lgrt.pdf\(nsw.gov.au\)](https://www.lgrt.pdf(nsw.gov.au))

## Attachments

Nil

## 8.18 Rate Recovery Procedures Policy review

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### Officer's Recommendation

1. That the revised Rate Recovery Procedures Policy as attached to this report be adopted.
2. That the Rate Recovery Procedures Policy review date be set at 30 June 2027.

### Purpose

To seek Council's endorsement of the revised Rate Recovery Procedures Policy.

### History

The above mentioned policy was adopted by Council on 15 March 1977, revised on 10 December 2019 and is now due for review in accordance with the Information Management Authorised Statement.


### Report

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

The policy has been reviewed and is deemed current with no changes required.

## **Attachments**

8.18.1 Rate Recovery Procedures Policy (contained within this report) [↓](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Rate Recovery Procedures	
Related Documentation	Sundry Debtors Recovery Policy Hardship Policy	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Civil Procedure Act 2005</i> <i>Corporations Act 2001</i>	
Responsible Officer	Executive Manager Corporate Services and Governance	

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

## Objectives

To ensure the efficient and prompt recovery of all outstanding rates and charges from ratepayers.

## Policy Statement

### 1. Issue of Original Rate Notice

By virtue of the *Local Government Act 1993* rates are due in full on 31 August or as quarterly instalments. The due dates for each quarter are 31 August, 30 November, 28 February and 31 May each year. A ratepayer may approach Council and seek an arrangement to finalise the rate account. It must be stressed that recovery action will only apply to those ratepayers who have not made arrangements to finalise their rates, or who have defaulted on an existing arrangement.

### 2. One Week After Instalment Due Date

- a) Issue missed instalment notices on assessments with the current quarter rates owing and/or arrears with a combined total not exceeding \$1000.
- b) Issue of a formal demand letter notifying the possible commencement of legal action where the arrears of rates and charges exceeds \$1000.
- c) In respect to (b) only, instructions to Council's agents be given to issue an intent to commence legal proceedings letter where two or more full instalments remain outstanding and the balance exceeds \$1000. A period of 14 days to be allowed between the posting date and the last date for payment or suitable payment arrangements to be made.

**Note:** Legal action will result in the issue of a Statement of Claim.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Financial Services <b>DocSet:</b> 1555268	<b>Adopted Date:</b> 15/03/1977 <b>Revised Date:</b> 10/12/2019 <b>Minute Number:</b> 268 <b>Review Date:</b> 30/12/2022	<b>Page:</b> 1 of 4

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**Campbelltown City Council**


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**3. Arrangements to Pay**

- a) All arrangements to pay outstanding rates are to be considered upon receipt of a request made in writing. Acceptable arrangements will be determined subject to all outstanding rates and charges being finalised within six months of the date of debt.
- b) Acknowledgment accepting the terms of arrangement be issued, confirming due dates and amounts agreed to be paid.

A default of payment arrangements shall be referred to legal recovery unless an alternative arrangement has been received prior to the date of payment as determined in point (b).

**4. Further Action**

- a) Contact points recorded by Council to be provided to external agent where a suitable payment arrangement has not yet been received. This step is to be taken within seven days of the notification in 2(c) being issued. Agents are to attempt contact with ratepayers using the supplied information and to include but not limited to (SMS, telephone call or send an email).
- b) 'Stop the clock' approach:
  - Where formal notification of pending legal recovery action mail has been returned to Council. Every effort to be made to locate the liable person before restarting the recovery process.
  - Where a 'Financial Hardship Relief Application' has been submitted formal recovery action to be suspended pending review by delegated officer.
- c) If ratepayers fail to respond to the letters of demand a Statement of Claim is registered and served. Defaulters have a period of 28 days to defend the Statement of Claim, if they are unsuccessful or fail to lodge a defence Judgement is entered and actioned in the form of either a Garnishee Order, Examination Order or Writ.
- d) When rates have been outstanding on a property for a period of five years, Council may take action under Section 713 of the *Local Government Act 1993* to offer the property for sale at public auction in order to recover the outstanding rates.

**5. Additional Action in Respect of Companies and Rented Premises**

- a) Where companies continue to default after judgment is entered, it is considered that action for the winding up of companies under Section 459 of the *Corporations Act 2001* should be contemplated. At this stage the matter be placed in the hands of Councils recovery agents.
- b) In appropriate circumstances, take action under Section 569 (2) of the *Local Government Act 1993* to serve notice upon a person in occupation of the land and demand that, as the rent falls due, it be paid to Council in liquidation of the amount of rate arrears. This is a valid discharge of the tenant's liability for rent.

**6. Dispute resolution and review**

- a) Disputes must be submitted to Council in writing and can be made at any time.
- b) Formal disputes shall be referred to the Manager Governance and Risk for investigation. Investigation findings are to be reported to the Executive Manager Corporate Services and Governance.

DATA AND DOCUMENT CONTROL		
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**Campbelltown City Council**


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**Scope**

This policy will be relevant to all ratepayers within the Local Government Area. It is anticipated to have a direct impact on less than 5,000 ratepayers

**Definitions**

Arrangement	An agreement accepted by Council or its agents to repay a debt within a specific period of time.
Court Instalment Order	Enforceable payment arrangement granted to the ratepayer by the court.
Examination Notice	Notice issued by recovery agent to ascertain ratepayer's financial affairs and negotiate a suitable payment arrangement.
Examination Order	Court issued order to have their financial affairs "examined" in the presence of a court official for the purposes of determining their capacity to make payments.
Garnishee	Court order to withhold funds from a ratepayer's wage or bank account.
Judgment	Court issued statement acknowledging the debt recorded against the debtor.
Liable person	The owner or occupier of rateable land.
Statement of Claim	Court issued document defining the amount due and the debt that is due to be paid. Ratepayers have 28 days from being served this document to lodge a defence.
Warrant	Enforceable arrest warrant issued by the court for Sheriffs' Office to arrest and present debtor to Registrar for examination.
Writ	Court issued document identifying goods to be sold in order to liquidate the judgement debt.

**Legislative Context**

The following Sections of the *Local Government Act 1993* are included and influenced by this policy:

Section 562, Section 564, Section 569, Section 712 and Section 713.

The following legislation is referred to during critical points of the recovery process:

*Civil Procedure Act 2005*, and  
*Corporations Act 2001*

**Principles**

The Executive Manager Corporate Services and Governance will be responsible for administering the principles and that appropriate steps are taken to maintain a level of confidentiality with data supplied for the purposes of conducting a fair and equitable assessment.

**Responsibility**

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**Campbelltown City Council**

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The Executive Manager Corporate Services and Governance may delegate responsibility to the Senior Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council and relevant legislation.

**Effectiveness of this Policy**

## Key performance Indicators

- maintain or reduce unpaid rates and charges at a level considered acceptable to Council, no greater than 5%
- Monitor and report on the trends that emerge in defaulting ratepayer patterns.

**END OF POLICY STATEMENT**

DATA AND DOCUMENT CONTROL		
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## 8.19 Unclaimed Money Policy review

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### Officer's Recommendation

1. That the revised Unclaimed Money Policy as attached to this report be adopted.
2. That the Unclaimed Money Policy review date be set at 30 June 2027.

### Purpose

To seek Council's endorsement of the revised Unclaimed Money Policy.

### History

The above mentioned policy was adopted by Council on 15 March 1973, revised on 10 December 2019 and is now due for review in accordance with the Information Management Authorised Statement.

### Report


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

The policy was reviewed and found to be current. A minor change to the agency name from NSW Office of State Revenue to Revenue NSW is required to reflect the current name of the external organisation.

## **Attachments**

8.19.1 Unclaimed Money Policy current (contained within this report) [↓](#)

8.19.2 Unclaimed Money Policy proposed (contained within this report) [↓](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Unclaimed Money	
Related Documentation	Procedures for Unclaimed Monies	
Relevant Legislation/ Corporate Plan	<i>Taxation Administration Act 1996</i> <i>Local Government Act 1993</i>	
Responsible Officer	Executive Manager Corporate Services and Governance	

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

### Objectives

To comply with the *Taxation Administration Act 1996* regarding Council's obligations to administer and remit unclaimed monies to the ~~NSW Office of State Revenue~~ Revenue NSW.

### Policy Statement

Council will before the end of the financial year review all specific accounts relating to unclaimed monies that have had no activity for a period of 6 years and forward these amounts onto Revenue NSW.

### Scope

To ensure Council meets its statutory obligation to remit stale payments to Revenue NSW. Stale payments are expected not to exceed more than 10 transactions per annum.

### Definitions

Nil

### Legislative Context

*Taxation Administration Act 1996*  
*Local Government Act 1993* Sections 593 and 720

### Principles

These accounts relate to the following:

- Electoral Nomination
- Overpayments
- Proceeds for sale of property for unpaid rates
- Bonds
- Unpresented Cheques
- Deposits
- Unknown receipts
- Legal Proceedings
- Trust Account Funds.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Financial Services <b>DocSet:</b> 1606572	<b>Adopted Date:</b> 15/03/73 <b>Revised Date:</b> 10/12/2019 <b>Minute Number:</b> 269 <b>Review Date:</b> 21/12/2022	<b>Page:</b> 1 of 2


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**Responsibility**

Senior Revenue Accountant and Executive Manager Corporate Services and Governance

**END OF POLICY STATEMENT**

DATA AND DOCUMENT CONTROL		
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 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Unclaimed Money	
Related Documentation	Procedures for Unclaimed Monies	
Relevant Legislation/ Corporate Plan	<i>Taxation Administration Act 1996</i> <i>Local Government Act 1993</i>	
Responsible Officer	Executive Manager Corporate Services and Governance	

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

### Objectives

To comply with the *Taxation Administration Act 1996* regarding Council's obligations to administer and remit unclaimed monies to the Revenue NSW.

### Policy Statement

Council will before the end of the financial year review all specific accounts relating to unclaimed monies that have had no activity for a period of 6 years and forward these amounts onto Revenue NSW.

### Scope

To ensure Council meets its statutory obligation to remit stale payments to Revenue NSW. Stale payments are expected not to exceed more than 10 transactions per annum.

### Definitions

Nil

### Legislative Context

*Taxation Administration Act 1996*  
*Local Government Act 1993* Sections 593 and 720

### Principles

These accounts relate to the following:

- Electoral Nomination
- Overpayments
- Proceeds for sale of property for unpaid rates
- Bonds
- Unpresented Cheques
- Deposits
- Unknown receipts
- Legal Proceedings
- Trust Account Funds.
- .

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Financial Services <b>DocSet:</b> 1606572	<b>Adopted Date:</b> 15/03/73 <b>Revised Date:</b> 10/12/2019 <b>Minute Number:</b> 269 <b>Review Date:</b> 21/12/2022	<b>Page:</b> 1 of 2

**Responsibility**

Senior Revenue Accountant and Executive Manager Corporate Services and Governance

**END OF POLICY STATEMENT**

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## 8.20 Fraud and Corruption Control Policy Review

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.4 Deliver financial sustainability through short, medium and long-term financial planning

### Officer's Recommendation

1. That the current Fraud and Corruption Prevention Policy (Attachment 1) be rescinded.
2. That the new Fraud and Corruption Control Policy (Attachment 2) be adopted.
3. That the Fraud and Corruption Control Policy review date be set at 30 June 2027.

### Purpose

To seek Council's endorsement of the revised Fraud and Corruption Control Policy.

### History

The above mentioned policy was adopted by Council on 11 July 2017, and is due for review in accordance with the Information Management Authorised Statement.

### Report

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


The policy has been significantly reviewed and strengthened to ensure Council's Fraud and Corruption Control Policy is based on the Australian Standard AS8001-2021 Fraud and Corruption Control and incorporates the best practice ten attributes of fraud control contained in the NSW Auditor-General Better Practice Guide Fraud Control Improvement Kit.

Given the extensive review undertaken it is recommended that the current Fraud and Corruption Prevention Policy (Attachment 1) be rescinded and the new Fraud and Corruption Control Policy be adopted by the Council.

## **Attachments**

- 8.20.1 CURRENT Fraud and Corruption Prevention Policy for Rescission  
(contained within this report) [↓](#)
- 8.20.2 NEW Fraud and Corruption Control Policy 2023 for adoption  
(contained within this report) [↓](#)



 <b>CAMPBELLTOWN</b> CITY COUNCIL		<b>POLICY</b>
Policy Title	Fraud and Corruption Prevention Policy	
Related Documentation	Code of Conduct Policy Fraud and Corruption Prevention Plan (under development) Ethical behaviour Authorised Statement (under development) Ethical behaviour Guidelines (under development) <i>Public Interest Disclosures Act 1994</i> – Internal Reporting Policy Delegations	
Relevant Legislation/ Corporate Plan	<i>Public Interest Disclosures Act 1994</i> <i>Independent Commission Against Corruption Act 1988</i>	
Responsible Officer	Manager Governance and Risk	

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

#### Objectives

To clearly outline Council's approach to address and reduce the risks of maladministration, fraud and corruption affecting Council officers, Councillors, Operations and Services.

To clearly demonstrate that Council does not and will not tolerate fraudulent practices or corrupt conduct either by its own officers, contractors or others working for Council and will not tolerate others using fraudulent practices against Council, Council officers or the functions and services it provides to the community.

To clearly demonstrate Council's commitment to:

- minimising opportunities for corrupt conduct
- detecting, investigating and disciplining/prosecuting corrupt conduct
- reporting corrupt conduct to ICAC and NSW Police where relevant
- taking a risk management approach to the identification and management of corruption risks.

#### Policy Statement

Campbelltown City Council is committed to protecting its revenue, expenditure, property, intellectual capital and reputation from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries, Councillors or its own employees to gain by deceit, any financial or other benefits.

This policy outlines the general principles and responsibilities for fraud and corruption prevention and control.

#### Scope

This Policy applies to all Council officers, permanent, fixed-term, temporary and casual as well as to Councillors, contractors to council and volunteers.

#### Relationship to Other Documents

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Corporate Services and Governance <b>DocSet:</b> 5439916	<b>Adopted Date:</b> 11/07/2017 <b>Revised Date:</b> 19/07/2017 <b>Minute Number:</b> 183 <b>Review Date:</b> 30/06/2018	<b>Page:</b> 1 of 3

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**Campbelltown City Council**

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This policy is to be read in conjunction with Council's Code of Conduct Policy and Procedures and other documents as outlined at 'Related Documentation'

**Definitions**

**Corrupt Conduct** is conduct by a public official that commonly involves the dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official business (as defined in sections 8 and 9 of the ICAC Act 1988)

**Fraud** is defined in Australian Standard 8001 as: Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

**Fraud Control** these are the actions taken to stop or at least reduce the risk of fraud occurring, and are designed to provide reasonable assurance that fraud risks are managed in such a way as to ensure that the achievement of Council's objectives will not be adversely affected by fraudulent practices.

**Maladministration** means action or inaction of a serious nature that is: (i) contrary to the law; (ii) unreasonable, unjust or oppressive or improperly discriminatory; or (iii) based wholly or partly on improper motives.

**Principles**

The principal elements of Council's Fraud and Corruption Prevention policy are:

- the prevention of fraud at its origin. In particular, the implementation of effective control structures and procedures which aim to eliminate the prospect of fraud occurring
- all Councillors, Directors, Managers, Council officers, contractors, delegates and volunteers be made aware of their obligation to act ethically and to follow Council's Code of Conduct at all times
- all contractors and those dealing with Council be made aware of the ethical standards that Council applies and expects of others such as contractors, suppliers in their dealings with Council
- a commitment to a policy of detection, investigation and prosecution of individual cases of fraud
- respect of the civil rights of employees and citizens and the commitment to natural justice.

The Code of Conduct Policy also outline the policies and procedures implemented by Council to ensure that any allegations and subsequent investigations into fraud are handled confidentially, and in accordance with applicable legislation.

**Responsibility**

The General Manager has ultimate responsibility for managing fraud and corruption risks in the organisation.

Development and implementation of effective policies and procedures to prevent, detect, report, and control fraud and corruption, based on a risk management approach, is the responsibility of Directors and Managers. Directors and Managers are specifically accountable for the prevention and detection of fraud and corruption in areas under their control.

All Councillors, the Executive and senior management are responsible for ensuring that the Council's Fraud and Corruption Prevention Policy is fully and effectively executed.

DATA AND DOCUMENT CONTROL		
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**Campbelltown City Council**

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Line management is responsible for understanding and implementing the Code of Conduct, Ethical behaviour framework, and relevant Council policies.

Council officers are responsible for reporting corrupt conduct in line with Council policies and procedures or directly to the Independent Commission Against Corruption.

The General Manager must, under section 11 of the *Independent Commission Against Corruption Act 1988*, report any matter that he/she reasonably suspects/involves or may involve corrupt conduct to the Commission.

All Council officers are responsible for behaving and acting honestly according to the Code of Conduct and to follow diligently the procedures and controls detailed in the Fraud and Corruption Prevention Policy to prevent and mitigate fraud and corruption. Those procedures and controls must not be by-passed or avoided.

The Manager Governance and Risk has a responsibility to implement a comprehensive fraud and corruption control plan/strategy, including fraud and corruption risk assessment processes, and investigation of instances of fraud and corruption against Council as they arise.

In addition, the Director City Governance has additional responsibilities in relation to the prevention of financial fraud.

**Reporting and Public Interest Disclosures**

Any suspected or actual incidence of fraud or corruption must be reported immediately. Council officers should do so in accordance with the provisions of the Code of Conduct and the Protected Disclosures - Internal Reporting Policy.

Council will protect those reporting suspected fraud and/or corruption in line with the provisions of the *Public Interest Disclosures Act 1994*.


Council will fully investigate any allegation of maladministration, serious and substantial waste, breach of GIPA, or fraudulent or corrupt conduct.

**Effectiveness of this Policy**

This policy will be reviewed every two years to ensure that it meets the object of the legislation, and facilitates the making of disclosures under the *Public Interest Disclosures Act 1994*, or earlier should circumstances arise to warrant revision.

**END OF POLICY STATEMENT**

DATA AND DOCUMENT CONTROL		
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 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Fraud and Corruption Control Policy	
Related Documentation	Code of Conduct Policy Fraud and Corruption Control Plan Fraud and Corruption Risk Assessment Ethical Framework Internal Reporting Policy – <i>Public Interest Disclosures Act 2022</i> Instrument of Delegation	
Relevant Legislation/ Corporate Plan	<i>Public Interest Disclosures Act 2022</i> <i>Independent Commission Against Corruption Act 1988</i>	
Responsible Officer	Manager Governance and Risk	

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

### Objectives

This policy establishes a fraud and corruption control system consistent with the Australian Standard on Fraud and Corruption Control (AS 8001:2021). The policy provides guidance on how to plan and resource, prevent, detect and respond to incidents of fraud and corruption and:

- reinforces Council's commitment to and responsibility for taking a risk management approach to the identification of risk exposures to fraudulent and corrupt activities and minimising opportunities for fraudulent and corrupt conduct,
- requires staff, contractors and others to perform their duties with honesty and integrity in accordance with the framework of ethical conduct that underpins the expected standards of behaviour,
- ensures all staff, contractors, our community and other stakeholders are aware that the Council has zero tolerance for fraud or corrupt conduct.

### Scope

This Policy applies to all Council officers, permanent, fixed-term, temporary and casual as well as to Councillors, contractors to council and volunteers.

### Policy Statement

Campbelltown City Council is committed to promoting ethical behaviour and protecting the reputation and assets of Campbelltown City Council (the Council) from fraudulent and corrupt activities.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Corporate Services and Governance <b>DocSet:</b> 5439916	<b>Adopted Date:</b> 11/07/2017 <b>Revised Date:</b> 19/07/2017 <b>Minute Number:</b> 183 <b>Review Date:</b> 30/06/2018	<b>Page:</b> 1 of 7

### Campbelltown City Council

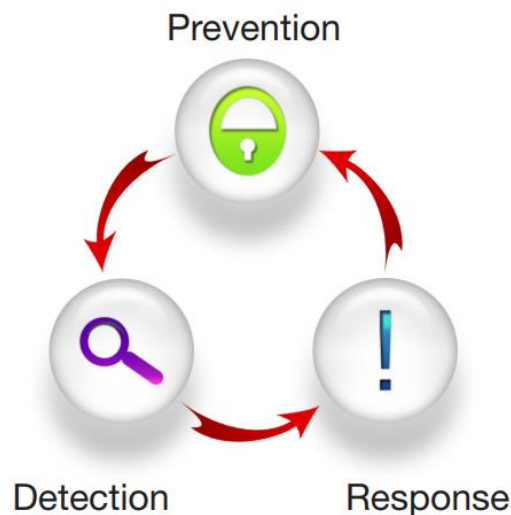
Council recognises that fraud and corruption can create reputational and financial damage to the Council, undermine public confidence and damage staff productivity and morale. Fraud and corruption are incompatible with the values of the Council and present a risk to the achievement of our objectives and provision of our services to our community and all our stakeholders.

Council recognises that the risk of fraud and corruption can arise in various contexts and will put in place measures proportionate to the risks it faces in order that staff, and associates of the Council are aware and understand the relevant policies and procedures.

This policy outlines the general principles and responsibilities for fraud and corruption prevention and control for the planning and resourcing, prevention, detection and response to fraud and corruption.

#### Council Fraud and Corruption Control Framework

The Council Fraud and Corruption Control Framework is based on the Australian Standard AS8001-2021 Fraud and Corruption Control and incorporates the ten attributes of fraud control contained in the NSW Auditor-General Better Practice Guide Fraud Control Improvement Kit.



PREVENTION	DETECTION	RESPONSE
1. Leadership 2. Ethical Framework 3. Responsibility Structures 4. Fraud Control Policy 5. Prevention systems 6. Fraud Awareness	7. Third Party Management Systems 8. Notification Systems 9. Detection Systems	10. Investigation systems

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## Campbelltown City Council

### 1. PREVENTION

#### Attribute 1. Leadership

Council has zero tolerance for fraudulent or corrupt behaviour. Council is committed to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct. This Fraud and Corruption Control Policy forms a part of Council's Governance Framework, and ensures the appropriate mechanisms are in place to protect Council's public assets and finances, as well as the integrity, security and reputation of Council.

#### Attribute 2: Ethical Framework

The Fraud and Corruption Control policy is one element of a suite of corporate documents in place across the Council that reinforce the Council's values and guide our behaviour and way of working ethically to help us achieve our objectives. Council's framework of ethical conduct includes but is not limited to:

- the Council values
- Code of Conduct, Conflict of Interest Procedure, Statement of Business Ethics and other Council policies, Authorised Statements and procedures specifically intended to guide ethical behaviour
- the mandate and commitment to fraud and corruption control made in this policy
- example setting by the executive Leadership Team
- roles and responsibilities as articulated in Council policies and procedures, including Job Descriptions and Delegations of Authority
- mechanisms for reporting and managing wrongdoing and misconduct including the Internal Reporting (Public Interest Disclosure) Policy
- complaints management processes
- Supporting the Council's commitment to an observable ethical culture, all staff are required to comply with Council's Code of Conduct and this Fraud and Corruption Control Policy.

#### Attribute 3: Responsibility Structures

There is a clear accountability and responsibility structure for the implementation and monitoring of corruption prevention strategies. This structure is communicated to staff.

The General Manager has ultimate responsibility for managing fraud and corruption risks in the Council. The General Manager is obliged, under section 11 of the Independent Commission Against Corruption Act 1988 (ICAC Act) to report any matter that they reasonably suspects involves or may involve corrupt or fraudulent conduct to the Independent Commission Against Corruption.

The Executive leadership team and senior management is responsible for ensuring that the Council's Fraud and Corruption Control Plan is fully and effectively implemented. In addition, the Director City Governance has additional responsibilities in relation to the prevention of financial fraud.

Management is responsible for:

- understanding and implementing the Code of Conduct and relevant Council policies
- undertaking risk assessment of corruption or fraud risk, active implementation of mitigating controls.

All staff have a role to play in effective corruption prevention. Staff are responsible for behaving and acting honestly and ethically according to the Code of Conduct and relevant Council policies. Staff are responsible for reporting corrupt and fraudulent conduct through the Council's Internal Reporting (PID) framework or directly to relevant appropriate external agencies.

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### Campbelltown City Council

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Governance and Risk has a responsibility to develop the Fraud and Corruption Control Framework, including facilitating the fraud and corruption risk assessment processes, and managing the investigation of instances of fraud and corruption against Council as they arise.

Governance and Risk and Internal Audit play a key role in the detection and prevention of fraud and corruption.

The Audit, Risk and Improvement Committee (ARIC) Charter sets out the responsibilities of the ARIC to review and advise council of the adequacy and effectiveness of council's fraud and corruption prevention framework and activities.

#### **Attribute 4: Fraud and Corruption Control Policy**

Council's Fraud and Corruption Control Policy outlines the procedures and systems in place to prevent, deter and identify fraud and corruption. The policy and associated plan and systems are proportionate to the fraud and corruption risks faced by Council.

Council is committed to a culture of good governance and ethical behaviour. In accepting its responsibility for good governance, Council will set the example for accountability, integrity and transparency in the provision of services to the community, and the management of Council as an organisation. For that reason, Council is committed to:

- Prevention of Fraud and Corruption
- Detecting, investigating and disciplining/prosecuting fraud or corrupt conduct;
- Reporting fraud or corrupt conduct, including suspected fraud or corrupt conduct, to the Independent Commission Against Corruption (ICAC) in line with the obligations under the ICAC Act and the NSW Police, where appropriate; and
- Encouraging and supporting the reporting of wrongdoing.
- Investigating

#### **Attribute 5: Prevention Systems**

##### **5.1 Fraud and Corruption Risk Assessment**

Council is committed to controlling fraud and corruption risks. Council will utilise ISO31000:2018 Risk Management Standard to identify and manage risks. This is a structured and proactive approach that can be applied enterprise-wide to support management of strategic, delivery and service and operational risks including fraud and corruption risks. Risk assessments quantify the level, nature and form of the risks to be managed. Improvements to internal control systems are made to mitigate risks identified in fraud and corruption risk assessments and are monitored for effectiveness over time.

Fraud and corruption risk identification, analysis, control and treatment is included as part of Council's Risk Management Framework.

The identified Fraud and Corruption risks may be used to inform the internal audit program.

The ARIC monitor and review risk management and control frameworks, including risk of fraud and corruption.

##### **5.2 Analysis of and reporting on suspected and actual frauds**

Council's officers maintain a fraud register containing all reports of fraud, action taken and outcomes.

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### Attribute 6: Fraud Awareness

#### 6.1 Staff Education and awareness program

All staff are responsible for notifying management of any perceived fraud or corruption by other staff, contractors, consultants or suppliers. The Council's Code of Conduct and training programs are provided to make clear to all staff the expected standards of ethical conduct.

Council periodically surveys all staff to assess the ethical culture and level of awareness.

All designated persons and Councillors are required to annually make a Disclosure of Interests.

Higher risk projects and procurement have in place specific due diligence processes to safeguard the integrity of the processes.

Staff have access to policies so they understand the ethical behaviour required of them in the workplace. Every employee has a responsibility to participate in training and contribute to eliminating fraud and corruption.

#### 6.2. Customer, Community, and Stakeholder Awareness

Council's Statement of Business Ethics outlines our commitment to fairness, ethical behaviour and transparency in meeting our obligations to the community, customers, stakeholders and suppliers.

## DETECTION

### Attribute 7: Third Party Management Systems

Council undertakes third party due diligence as required and ensures clear contractual obligations and accountabilities. The Statement of Business Ethics outlines our commitment to fairness, ethical behaviour and transparency in meeting our obligations to the community, customers, stakeholders and suppliers.

#### Conflicts of interest

Council manages conflicts of interest in accordance with the Conflicts of Interest Procedure and Secondary employment procedure and encourages staff to complete online reporting. A Conflicts of Interest register is maintained by Governance and Risk.

#### Disclosures

Annual Disclosure of Interest returns and Key Management Personnel Disclosures are completed and monitored.

### Attribute 8: Notification Systems

#### 8.1 Internal Notification Systems

Policies, systems and procedures are in place to enable reporting of suspected fraud and corrupt conduct. Fraud and corruption notification systems give the complainant the opportunity to report the suspected fraud or corrupt conduct anonymously.

Council will not tolerate any reprisal action against staff who report wrongdoing. The *Public Interest Disclosures Act 2022* imposes penalties, including criminal penalties, on people who take detrimental action on a person who has reported wrongdoing.

The Council Fraud and Corruption Control Policy enables staff, contractors, consultants, customers, stakeholders and suppliers to notify the organisation of suspected fraud and, corrupt conduct.

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Confidential registers of all suspected fraud and corrupt conduct complaints is maintained by Governance and Risk.

### 8.2 External Notification Systems

Council's policies are available on the website and intranet (FRED) and outline the rights of staff to report suspected fraud and corruption externally to other agencies including the NSW Police, the Independent Commission Against Corruption, the Audit Office of NSW, the Office of Local Government and to other external agencies.

External notification takes place as required in accordance with Council's legal and policy requirements.

### Attribute 9: Detection Systems

Systems and data access controls are in place and are regularly monitored to ensure that irregularities and warning signals are identified at an early stage and flagged for further review.

#### Internal Audit program

Outcomes of audits/reviews are reported to the ARIC which then reports to the Council. Internal audits focussing on fraud and corruption and regular internal control audits are conducted in accordance with the endorsed annual audit plan.

#### External audit

Council refers the Annual Financial Reports to the external auditor, Audit Office of New South Wales for audit. Council will participate fully in audits by the Audit Office of NSW annually and as otherwise required.

## RESPONSE

### Attribute 10: Investigation Systems

#### 10.1 Investigation procedures

Council's Complaints Coordinator reviews all complaints of alleged or suspected fraud and corrupt conduct by Council staff and determines how it will be investigated. Investigations are conducted by either senior management, internal audit or by an independent investigator. Where appropriate, investigations consider what improvements can be made to policies, procedures and systems within Council to prevent a reoccurrence or close a risk gap. Notification to external agencies takes place as required in light of legal and policy requirements.

Where a report of wrongdoing is made to an authorised disclosure officer as set out in the Internal Report (Public Interest Disclosure) Policy, the report will be managed and investigated as stated in the Internal Report (Public Interest Disclosure) Policy and supporting procedures.

#### 10.2 Disciplinary systems

Council may commence applicable disciplinary procedures if a person to whom this policy applies breaches this policy (or any related procedures), which may include referral to the police. A breach of this policy may also be a breach of other Council policies, such as the Code of Conduct.

#### 10.3 Insurance

Council maintains appropriate insurance policy coverage including a Fidelity Guarantee (Crime) policy.

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**Campbelltown City Council**

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**Effectiveness of this Policy**

This policy will be reviewed every four years to ensure that it meets the object of the legislation, and facilitates the making of disclosures under the *Public Interest Disclosures Act 2022*, or earlier should circumstances arise to warrant revision.

**Definitions**

**Corrupt Conduct** is conduct by a public official that commonly involves the dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official business (as defined in sections 8 and 9 of the ICAC Act 1988)

**Fraud** is defined in Australian Standard 8001 as: Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by staff or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

**Fraud Control** these are the actions taken to stop or at least reduce the risk of fraud occurring, and are designed to provide reasonable assurance that fraud risks are managed in such a way as to ensure that the achievement of Council's objectives will not be adversely affected by fraudulent practices.

**Maladministration** means action or inaction of a serious nature that is: (i) contrary to the law; (ii) unreasonable, unjust or oppressive or improperly discriminatory; or (iii) based wholly or partly on improper motives.

**END OF POLICY STATEMENT**

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## 8.21 Rescind Forms of Release - Insurance Claims on Council Policy

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
5 Strong Leadership	5.2.2 Ensure that public funds and assets are managed strategically, transparently and efficiently

### Delivery Program

Principal Activity
5.2.2.5 Ensure assets, infrastructure and property are well managed and incorporate design excellence

### Officer's Recommendation

That the Forms of Release - Insurance Claims on Council Policy be rescinded.

### Purpose

To rescind a Council policy that has been identified as being redundant in light of current legislative provisions.

### History

The Forms of Release - Insurance Claims on Council Policy was adopted by Council on 7 March 1989, revised on 1 July 2014 and is now due for review in accordance with the Information Management Authorised Statement.

### Report

The above mentioned policy was originally developed in accordance with Council's Information Management Authorised Statement and the adopted procedure for Policy Development and Review.

The policy has been reviewed and is no longer required due to current delegations in place under the *Local Government Act 1993*, Section 382.

Council's delegations read as:

**IN001 Insurance**

Determine insurance claims against Council where such claims are less than the excess and less than the financial delegation applying to Council's Insurance Policies.

There are 5 positions within the organisation that are assigned to IN001:

- Risk and Liability Officer
- Executive Manager Corporate Services and Governance
- Manager Governance and Risk
- Director City Governance
- Coordinator Risk Management

It is therefore recommended that the Forms of Release - Insurance Claims on Council Policy be rescinded.

**Attachments**

8.21.1 Forms of Release - Insurance Claims on Council Policy (contained within this report) [↓](#)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Forms of Release - Insurance Claims on Council	
Relevant Legislation/ Corporate Plan	Civil Liability Act 2002	
Responsible Officer	Manager Business Assurance	

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

### Objectives

To obtain a formal acknowledgment of settlement from claimants in respect of Insurance claims made against Council where the amount is settled for less than the excess which is applicable to the policy which is in force at the date of the incident.

### Policy Statement

1. That the form of release be used for the settlement of claims which are of a minor nature where the amount claimed is up to the level of excess applying to the insurance policy.
2. Claims exceeding the level of excess applicable to the policy of insurance shall be actioned by Council's insurer or their nominated legal representative.

### Responsibility

The Manager Business Assurance will be responsible for the operation of this policy.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> Business Services <b>Section:</b> Business Assurance <b>DocSet:</b> 1555273	<b>Adopted Date:</b> 07/03/1989 <b>Revised Date:</b> 01/07/2014 <b>Minute Number:</b> 114 <b>Review Date:</b> 30/09/2017	<b>Page:</b> 1 of 2

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**Campbelltown City Council**

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**END OF POLICY STATEMENT****DOCUMENT HISTORY AND VERSION CONTROL RECORD****Contact for inquiries and proposed changes**

<b>Name</b>	Michelle McIlvenny
<b>Position/Section</b>	Manager Business Assurance
<b>Contact Number</b>	4645 4110

<b>Version Number</b>	<b>Revised Date</b>	<b>Authorised Officer</b>	<b>Amendment Details</b>

**DATA AND DOCUMENT CONTROL**

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**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION****11.1 Barber Reserve**

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**Notice of Motion**

Councillor John Chew has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 06 June 2023.

1. That a report be presented to council detailing the issues delaying the delivery of Barber Reserve and the expected timeline of completion.
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## **11.2 Campbelltown Hospital Staff Parking**

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### **Notice of Motion**

Councillor George Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 06 June 2023.

1. That Council write to the Honourable Ryan PARK MP Minister for Health and Medical Research, the Premier of NSW the Honourable Chris MINNS and Greg Warren MP Member for Campbelltown and seek the immediate suspension of paid parking at Campbelltown Hospital for all hospital Staff including Contractors.
-

**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

**14. CONFIDENTIAL REPORTS FROM OFFICERS**

Nil

